



Audio Visual



Datacentre
Infrastructure



Digital
Transformation



Electrical



Fibre
Solutions



Fire
Protection



Lighting



Managed
Services



Security



Structured
Cabling



Unified
Communications



Wireless

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1. Purpose

- 1.1. The purpose of this Policy is to set out NZ Data Limited's (NZ Data) position on:
- alcohol and drug use in the workplace i.e. Any location where an employee or contractor ("Worker") provides work for NZ Data including company events;
 - when NZ Data may carry out alcohol and drug testing; and
 - what support NZ Data will provide to employees in relation to alcohol and drug use.
- 1.2. Drug and Alcohol substance abuse is recognised as a potential hazard and risk in the workplace under the Health and Safety at Work Act 2015. In support of a safe and healthy workplace environment NZ Data does not tolerate the abuse of alcohol or the use or possession of illegal, legal recreational or restricted drugs (unless on prescription) by anyone in any NZ Data premises, vehicles or at any work related function, or where employed for services of the NZ Data on any customer workplace.
- 1.3. NZ Data may amend, vary or cancel this policy provided that it is not in breach of any specific term of an employee's employment agreement. NZ Data may also choose to review this policy to review its effectiveness or to bring it in line with any technological changes in Alcohol or Drug testing procedures.

2. Key Objectives

- 2.1. NZ Data is committed to providing a safe and healthy working environment for all Workers and Visitors under its control as a Person Conducting a Business or Undertaking ("PCBU").
- 2.2. NZ Data recognises its obligations under the Health and Safety at Work Act 2015 to take all practicable steps to ensure the personal safety and health of persons in its workplaces.
- 2.3. Workers are expected to ensure that no action or inaction of theirs causes harm to any other person in or near the place of work.
- 2.4. NZ Data provides support and rehabilitation assistance to employees with alcohol and/or drug counselling where appropriate.

3. Scope/Application

- 3.1. This Policy applies to NZ Data Workers and Visitors including permanent, temporary, fixed term staff and contractors who are required to comply with NZ Data Policies.
- 3.2. For advice on alcohol and drug policy testing procedures, refer to the NZ Data Drug and Alcohol Guidelines as amended from time to time.

4. Definitions

Workers:	Includes all NZ Data permanent, temporary, casual, fixed term staff and contractors who are required to comply with NZ Data Policies.
Organization:	For the purposes of this document means NZ Data.
PCBU:	Person Conducting a Business or Undertaking.

5. Responsibilities

NZ Data	Ensuring the Policy requirements are communicated to all Workers and effective resources for implementation are made available.
Managers are responsible for:	Ensuring that their Workers understand and comply with the Policy. As contract owners they are also responsible for the contractors under their supervision.
Workers are responsible for:	Understanding their responsibilities under the Policy and complying with the requirements of this Policy.

6. Policy

- 6.1. Alcohol and Drugs are strictly prohibited in the workplace, including but not limited to:
- Use, sale, transfer or possession of drugs or use or sale of alcohol by NZ Data Workers whilst on NZ Data property or workplaces or customer workplaces (including vehicles and race club venues), whether the Worker is working or not.
 - The provision of alcohol to minors.
 - Ensuring all Workers report for work in a fit for work state condition being free of potentially negative or adverse drug and / or alcohol effects, whether illicit or otherwise.
- 6.2. The exception to the supply of alcohol on NZ Data worksites is where alcohol is served at an approved work-related function where alcohol may be consumed in moderation and in a responsible manner.
- 6.3. Alcohol may be used in prize draws or as gifts but may only be consumed with the approval of a Manager on NZ Data worksite premises.
- 6.4. Whilst Workers are potentially adversely affected by alcohol or drugs (whether illicit or prescription based) they are not permitted to remain on or return to company premises, regardless of whether this is outside work hours. This includes situations such as Workers returning to work to collect their personal property outside work hours, after drinking at an external function.

Suspected Alcohol or Drug Use

- 6.5. All Workers and Visitors in the workplace are expected to be proactive in maintaining a safe and healthy place of work for everyone. Where drug and alcohol related activity or potential adverse drug and / or alcohol behaviour/use is suspected or observed, this must be reported to a manager as soon as possible.
- 6.6. Where a Worker is disqualified from working on a specific workplace due to a failed Drug and Alcohol test then the employment of that Worker may be suspended without pay and/or summarily terminated.
- 6.7. Where a Worker is required to have a drivers' licence as part of their role, and they are charged with driving under the influence of drugs or alcohol whether during or outside of work, or they have their drivers' licence suspended or cancelled, then NZ Data may suspend without pay and/or summarily dismiss that Worker.

Alcohol and Drug testing at NZ Data

- 6.8. Workplace drug and alcohol testing is carried out with the informed consent of the Worker concerned. It is done for the express purpose of ensuring the on-going safety of Workers and those likely to be affected by the actions or inactions of Workers in the workplace.
- 6.9. Failure to consent to workplace testing may constitute serious misconduct pending further investigation by the Organisation.
- 6.10. Where a customer or primary contractor for whom NZ Data is working, requires a Worker to undertake a drug or alcohol test (including where the requirement is part of a random drug or alcohol test) the Worker is required to fully cooperate with the test. A failure to do so will be regarded as serious misconduct and may lead to suspension without pay and summary dismissal.
- 6.11. Where a customer or primary contractor for whom NZ Data is working, requires a Worker to undertake a drug or alcohol test, then the results from the test will be shared with NZ Data and NZ Data may use those results as part of addressing any breach of standards with the Worker.
- 6.12. Drug and alcohol testing will be carried out in accordance with any guidelines NZ Data has in place at the time or in accordance with any procedures as stipulated by the customer or primary contractor for whom NZ Data is working.

Prescription Medication and Over the counter Medication:

- 6.13. Where a worker has been prescribed medication or is taking over the counter medication that may affect their ability to work, this must be reported to their supervisor. Failure to comply will result in disciplinary action based on wilful violation of Nzdata policies.
- 6.14. Where the ability to perform duties is affected by the medication, consideration may be given to alternative duties on a temporary basis, if such duties are available and suitable.

7. Non-Compliance

Any breaches of this policy may constitute serious misconduct and pending further investigation may lead to suspension without pay and ultimately termination of employment.

8. Effectivity

This policy will take effect _____ December 6th 2016_____.

9. Related Documentation

NZ Data applicable individual employment agreement

NZ Data Health and Safety Policy

NZ Data Drug and Alcohol Guidelines

10. Related Legislation

Sale of Liquor Act 1989

Health and Safety at Work Act 2015

Appendix A: Drug and Alcohol Guidelines

Overview

The nature of NZ Data's business is such that some activities are inherently dangerous. Other activities become dangerous where a person is mentally or physically impaired or 'at risk'. These guidelines are intended to minimise the risks associated and to set out guidelines for how and when drug and alcohol testing may be conducted.

Definitions

Alcohol means any Alcoholic drink, including spirits, wine and beer.

Drugs means any mind altering or legally controlled substance unless it is prescribed by a doctor and used in accordance with medical directions. This includes any Drugs listed in the New Zealand Misuse of Drugs Act 1975 and its amendments and additions. It also includes any Drugs listed in "AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantification of Drugs of abuse of urine". It also includes Drugs referred to as 'designer Drugs', including but not limited to synthetic cannabinoids and herbal highs, as well as other synthetic Drugs such as opioids, hallucinogens, piperazines, stimulants and sedatives. Under this policy, drugs also include misuse of prescription and over the counter pharmacy Drugs.

Incident or Accident refers to all instances where personal harm or damage to property is caused and includes an exposure or potential exposure to hazards or toxic substances.

Near Miss is an event which has the potential to cause serious personal harm or damage to property

Safety Sensitive Area means an area where the nature of the work or activity carries with it the potential for Serious Harm. This includes, but is not limited to the following activities:

- Operating a vehicle
- Production and installation activities
- Any role where the person could be a danger to themselves, other employees or contractors, or members of the public if they are mentally or physically impaired or 'at risk'.

Serious Harm is defined in the Health and Safety at Work Act 2015

Circumstances of Testing

NZ Data may require a person who works in a Safety Sensitive Area to undergo a test for the presence of Drugs or Alcohol in the following circumstances:

- a.) Pre-employment Testing. NZ Data may elect to offer new appointments and internal transfers contingent on applicants returning a negative Drug test;
- b.) Post Incident/Accident/Near Miss Testing. Employees or contractors may be tested for Drugs and Alcohol if there is an incident or near miss involving the potential compromise of health and safety standards;
- c.) Reasonable Cause Testing. Employees or contractors may be tested for the presence of Drugs or Alcohol where their actions, appearance, behaviour or conduct suggests Drugs or Alcohol may be impacting on their ability to work safely;
- d.) Random Testing. Unannounced Random Testing may be undertaken periodically on employees or contractors that are employed in a safety sensitive position as a pro-active deterrent to Drug / Alcohol misuse. The random selection process will be contracted out to an external service provider in the interests of impartiality;
- e.) Follow Up Testing. As part of a Health Rehabilitation Agreement;
- f.) Customer Requirement. Where a customer requires the testing of NZ Data personnel as a condition of working on their worksite.

Where NZ Data suspects an employee or contractor is under the influence of Drugs or Alcohol and that person does not work in a Safety Sensitive Area, NZ Data may still request that person to undergo a Drug or Alcohol test. NZ Data may also require an employee to undergo Random Testing. A failure to consent to a Drug or Alcohol test without good reason will be regarded as serious misconduct. In the absence of consenting to a test, NZ Data may choose to act on its observation of the employee's behaviour where it considers the employee is under the influence of Drugs or Alcohol.

All tests will be arranged and paid for by NZ Data during work hours and will be conducted by an appropriate service provider.

Alcohol Testing Procedure

The testing procedure will be carried out as follows in a confidential and private manner:

- a. The test for Alcohol will be carried out by using a breath Alcohol testing device, which complies with the Australian Standard AS 3547-1997, for the measurement of Alcohol.
- b. Employees and contractors will be required to sign an Informed Consent Form.
- c. The first test will require the employee to blow into the device with a disposable mouthpiece.
- d. If the result is negative no further test follows.
- e. If the result is a Positive Breath Alcohol test, a confirmatory test on the same device (using a new mouthpiece) will be conducted after a 15-20 minute period.
- f. The time and result will be recorded.
- g. The following Alcohol levels and process will apply:
 - i. In the case where the employee is not required to drive on the road:
 - If the result is less than 100 micrograms of Alcohol per litre of breath the result is deemed negative and the individual may be returned to full duties. However, in the interests of safety NZ Data may restrict the employee or contractor to working in a non-Safety Sensitive Area for a period of time following the test.
 - If the result is between 100 and 400 micrograms of Alcohol per litre of breath, the test is deemed to be Detectable and the individual should be removed to a safe place and retested periodically. Once the result is less than 100 micrograms of Alcohol per litre of breath, the individual can be returned to full duties.
 - If the result is over 400 micrograms of Alcohol per litre of breath, the test is deemed to be a Positive Breath Alcohol Test. This may result in suspension of the employee.
 - ii. In the case where the employee is required to drive on the road:

For those 20 years of age or under:

- If the result is over 0 micrograms of Alcohol per litre of breath, the test is deemed to be a Positive Breath Alcohol Test. NZ Data may restrict the employee's duties until the result is 0 micrograms of Alcohol per litre of breath.

For those over 20 years of age:

- If the result is less than 100 micrograms of Alcohol per litre of breath the result is deemed negative and the individual may be returned to full duties. However, in the interests of safety NZ Data may restrict the

employee or contractor to working in a non-Safety Sensitive Area for a period of time following the test.

- If the result is between 100 and 250 micrograms of Alcohol per litre of breath, the test is deemed to be Detectable and the individual should be removed to a safe place and retested periodically. Once the result is less than 100 micrograms of Alcohol per litre of breath, the individual can be returned to full duties.
 - If the result is over 250 micrograms of Alcohol per litre of breath, the test is deemed to be a Positive Breath Alcohol Test. NZ Data may require the employee to undertake alternative duties or may suspend the employee.
- h. Where the presence of Alcohol is detected, NZ Data may conduct a disciplinary meeting which may result in disciplinary action (up to and including potentially summary dismissal) depending on the level and the surrounding circumstances. In the case of Contractors, NZ Data may review their contract and/or may require the Contractor to leave the premises.

Drug Testing Procedure

If NZ Data elects to use urine or oral fluid testing, the testing processes will comply with the combined Australian and New Zealand Standard AS/NZS 4308-2008 “Procedures for the specimen collection and the detection and quantitation of Drugs of abuse in urine” or the Australian Standard 4760:2006 (or any successor Standards) as applicable. The testing procedure will be carried out as follows:

- a. All aspects of the testing procedure in relation to pre-employment, internal transfer, post-accident/incident/near miss, and reasonable cause testing will be conducted with a urine sample. In respect of random Drug testing, the test will be initially conducted using oral fluid.
- b. Where a test is required the employee or contractor will report to NZ Data’s service provider premises or alternatively the service provider will conduct the test on site. The employee or contractor will be required to produce identification. They will then be required to comply with the following procedure:
 - An informed consent form will be signed by the employee or contractor
 - A Drugs testing custody and control form will be completed.
 - The Employee/Contractor provides the specimen in an area such that privacy is maintained.
 - The employee or contractor will be able to observe the entire collection process.
 - The employee or contractor also may note the temperature reading on the collection bottle and verify the temperature reading was correctly recorded on the form.
 - The Employee/Contractor will remain in the presence of the Collector and will not have access to any water fountain, tap, soap dispenser, cleaning agent or any other materials that might be used to compromise the integrity of the urine or oral fluid specimen.
- c. No device should be placed into the original collected urine or oral fluid sample unless it can be shown that the device does not contaminate the specimen.
- d. In the event of an on-site ‘non-negative result’, the sample will be split into two separate samples and then dispatched to the laboratory for confirmation testing in accordance with AS/NZ 4308:2008. The employee will be asked to read, sign and date the chain-of-custody statement certifying the specimen is that individual’s and has not been changed or altered at the time of the collection.
- e. A positive test will only be reported by an AS/NZS 4308 or AS 4760 (or successor Standards) accredited laboratory if confirmed levels of drug or metabolite exceed designated cut-off levels. Cut-off levels will conform to the relevant Australian Standard/New Zealand Standard, where such a standard has been issued in relation to the drug concerned.
- f. The testing facility will also report if the sample is abnormally dilute or has been adulterated in any way.

- g. Dilutents and masking agents can also be tested for to determine if deliberate specimen adulteration has occurred.
- h. If an employee or contractor disagrees with an initial positive test result then they have the option of having the referee specimen independently retested at another AS/NZS 4308 or AS 4760 (or successor Standard) accredited laboratory. This request must be made within 5 days of receiving the initial result and this reanalysis looks for the presence of any amount of the Drug (ie it is not restricted to cut-off levels).
- i. The cost of the second test will be met by the Employee/Contractor but if the result is negative then NZ Data will refund any costs incurred by the Employee/Contractor. Due to possible degradation of samples over time, re-testing need only detect the presence of the drug or metabolite. For the second test to be positive there need only be the presence of drug or metabolite (i.e. need not be above cut off limits). This will be accepted as a conclusive result.
- j. Specimens not submitted to the laboratory shall be disposed of in accordance with waste disposal requirements and appropriate legislation.

Confirmatory test cut-off levels for Drugs (AS/NZS 4308:2008)

Compound	Cut-off level #(micrograms/litre)
Morphine*	300
Codeine	300
Amphetamine	300
Methyl amphetamine	300
Methylenedioxymethamphetamine	300
Phentermine	500
Ephedrine	500
Pseudoephedrine	500
11-nor- Δ^9 - tetrahydrocannabinol-9- carboxylic acid	15
Benzoylcegonine	150
Ecgonine methyl ester	150
Oxazepam	200
Temazepam	200
Diazepam	200
Noriazepam	200
7-amino-clonazepam	200
7-amino-flunitrazepam	200
7-amino-nitrazepam	200

*6-acetyl morphine should be reported when detected at a cut-off level of 10 μ g/L.

All cut-off levels are expressed as total concentration of Drug or metabolite after hydrolysis of conjugates if necessary

Consent

Refusal to consent to an Alcohol or Drug test or having a positive test for Drugs or Alcohol may be regarded as serious misconduct and may result in disciplinary action including potentially summary dismissal, or in the withdrawal of an offer of employment.

Suspension

Where there is reasonable cause to suspect that an employee may be affected by Drugs and/or Alcohol, NZ Data may choose to suspend the employee pending the outcome of the investigation.

Privacy

All information gathered as a result of Drug and Alcohol testing is collected for the purpose of implementing the Drug and Alcohol policy and achieving its objectives. All such information will be obtained, retained, and used in accordance with the principles of the Privacy Act 1993. NZ Data will hold the information in a secure filing system.

The results of any Drug or Alcohol test will be provided to both NZ Data and to the employee or contractor. The results will be used by NZ Data to ascertain whether the employee or contractor has failed the Alcohol or Drug test, and NZ Data may use the results as a basis for a decision to discipline or dismiss the employee or contractor or to withdraw an offer of employment.

If the results of the Alcohol or Drug test are within acceptable levels then the results will be destroyed. If the results are unacceptable then the results will be held by NZ Data for the duration of the employee's or contractor's engagement, and 4 months after the employee or contractor's employment ends.

Reasonable Cause Indicators

When assessing for reasonable cause, there will usually be more than one indicator present. Examples of reasonable cause include, but are not limited to the following:

- excessive lateness
- absences often on Monday, Friday or in conjunction with holidays
- increased health problems or complaints about health
- emotional signs – outbursts – anger, aggression
- changes in personality
- changes in alertness – difficulty with attention span
- changes in appearance – clothing, hair personal hygiene
- less energy
- involvement in various minor accidents
- feigning sickness or emergencies to get out of work early
- going to the bathroom more than normal
- defensive when confronted about behaviour
- dizziness
- slurred speech
- hangovers
- violent behaviour
- impaired motor skills

- bloodshot eyes
- impaired or reduced short term memory
- reduced ability to perform tasks requiring concentration and co-ordination
- intense anxiety or panic attacks
- impairments in learning and memory, perception and judgment
- irritability
- depression

Acknowledgement and acceptance of nz data policy

Statement of understanding

I, _____, hereby acknowledge and declare that:

Print Name

I am aware that NZ Data's policies are available to me upon request to my manager. It is my responsibility to familiarize myself with these policies.

In addition, I confirm that I have received, read and understood the following policies:

- NZ Data Drug and Alcohol Policy

I agree to conduct my activities in accordance with NZ Data's policies and understand that breaching these standards may result in disciplinary action up to and including termination or other legal remedy available to the organization.

Signed: _____

Date: _____