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# FITNESS FOR WORK POLICY

## 1. PURPOSE AND APPLICATION

### 1.1 Purpose

The purpose of this policy is to so that MCEC can provide a safe and healthy workplace This is so that all employees, contractors and suppliers who come to work at MCEC can go home safely to their families. Specifically the purpose of this policy is to;

- Eliminate where possible and/or reduce health and safety risks relating to fatigue, drugs, alcohol, mental and physical health.
- Ensure governance and compliance with relevant policies and legislation.
- Provide clear guidelines on processes to follow and consequences that may occur where breaches of the policy arise.
- Provide clear guidelines on how to support persons impacted.
- Promote a safe and healthy workplace.

### 1.2. Application

This policy applies to all employees of MCET. Any contractors and suppliers will be expected to abide by this policy for the duration of their presence at MCEC.

This policy should be read in conjunction with but does not form a part of other relevant MCET policies and procedures as well as the below legislation (as amended or replaced);

- The Melbourne Convention and Exhibition Centre Agreement 2015
- Employee’s Contracts of Employment
- Fatigue Prevention in the Workplace Guide (Worksafe Victoria)
- Disability Act 2006
- Occupational Health and Safety Act 2004
- The Workplace Injury, Rehabilitation and Compensation Act 2013

## 2. POLICY FRAMEWORK

### 2.1. Definitions

Item	Definition
Blood Alcohol Content (BAC)	Refers to the amount of alcohol present in the bloodstream. A BAC of 0.05% (point zero-five) means that there is 0.05 grams of alcohol in every 100 millilitres of blood.
Body Clock	The internal body clock (circadian clock) which is responsible for the sleep/wake cycle.
Environmental Conditions	Harsh and/or uncomfortable environmental conditions

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Item	Definition
	can contribute to the risk of fatigue. Heat, cold and vibration.
Fatigue	Is more than feeling tired or drowsy. It is an acute and/or ongoing state of tiredness that leads to mental or physical exhaustion and prevents people from functioning within normal boundaries.
Hazards	Anything that has the potential to cause injury or illness, or damage to plant or property.
Heavy, Manual and Stressful Work	Concentrating for extended periods of time, performing repetitious or monotonous work and performing work that requires continued physical effort.
High Risk Work / Work Area	High risk work (HRW) refers to work that requires a person to have a licence to perform that work, this includes but isn't limited to; working at heights, in confined spaces etc. and also includes the area in which that work is being undertaken.
Illicit Drugs	Drugs that are illegal under relevant laws in Australia (e.g. Cannabis, Heroin, Methamphetamines and their analogues).
Impairment Assessment	Refer Appendix 2.
Legally Prescribed Drugs	Drugs that are prescribed by a doctor or legally obtained through a pharmacy or similar.
Mental Illness	A health problem that significantly affects how a person feels, thinks and interacts with other people. It is diagnosed according to standardised criteria.
Normal Duties/On Shift	The period of time an employee is undertaking their duties in accordance with their contract of employment.
Reasonable Cause	To have knowledge of facts which, although not amounting to direct knowledge, would cause a reasonable person, knowing the same facts, to reasonably conclude the same thing.
Rest Period	A period allocated for recovery and/or restorative sleep
Risks	The chance or probability that a person will be harmed or experience an adverse health effect if exposed to a hazard.
Risk Assessment	A documented process of identifying hazards, assessing the risks and determining the control measures.
Roster	A programmed sequence of attendance at work
Safety Representative	An employee of MCET in a Safety related role (e.g. Safety Manager/Advisor).
Shift Work	A pattern of work rosters including day and/or night periods.
Work Functions	Work functions include but are not limited to social and business development functions (e.g. end of year parties, awards dinners etc).

## 2.2. Shared Responsibility Model

Fitness for work should be managed under a model of shared responsibility where each of employees, suppliers, contractors and MCET management has a role to play.

MCET Management	Employees	Suppliers / Contractors
Provide a safe and healthy workplace	Work to appropriate standards and processes	Work to appropriate standards and processes
Consider the health and safety of employees before agreeing to requests from clients, customers, suppliers and contractors	Consider the health and safety of themselves and colleagues before agreeing to requests from clients, customers, suppliers and contractors	Consider the health and safety of themselves and MCET employees
	Perform their duties diligently and to the best of their ability and in line with their contract of employment	Perform their duties in line with their contract
	Notify relevant safety representatives where hazards or risks are observed	Notify relevant safety representatives where hazards or risks are observed
Adhere to all relevant policies and legislation	Adhere to all relevant policies and legislation	Adhere to all relevant policies and legislation

## 2.3. Risk Management Approach to Fitness for Work

Is a way of recognising that each situation has its own characteristics and these circumstances should be assessed to decide the best way of addressing the fitness for work (fatigue, drugs and alcohol, mental and physical health) related risks. This is achieved through identifying the following;

Work Related Hazard Examples	Non Work Related Hazard Examples
Roster patterns (e.g. late finishes / early starts)	Quality of Sleep
Duration of shifts	Social Life
Timing of shifts (e.g. overnights)	Other Employment
Environmental conditions (e.g. heat, cold, wind, sun, noise etc.)	Travel Time to and from work
Type of work being undertaken (e.g. heavy, manual work, office work)	
Availability of alcohol in the workplace	
Employees, Clients, Suppliers and Contractors that are unfamiliar with MCET operations	

Work Related Risk Examples	Non Work Related Risk Examples
High Turnover	Relationship Issues
Poor Business Performance	Mental Health Issues

Dissatisfied Customers	Physical Health Issues
Workplace Injuries	

## 3. FATIGUE MANAGEMENT

### 3.1. Overview

MCET management acknowledges that the effective management of fatigue is an important element of the overall health, safety and wellbeing of all employees. The effective management of fatigue should be done under a model of shared responsibility.

It is a condition of employment that employees do not undertake work when they are unfit as a result of fatigue. This also applies to suppliers and contractors.

### 3.2. Risk Controls

Mental and Physical Demands of Work	<ul style="list-style-type: none"> <li>• For MCET Management to provide and employees to use plant, machinery and equipment (e.g. forklifts, trolleys etc.) where possible to eliminate or reduce the physical demands of work.</li> <li>• For MCET Management where possible design roles to have a variety of tasks.</li> <li>• For MCET Management to allow for an employees to take additional rest periods where required.</li> </ul>
Work Scheduling, Planning and Working Time	<ul style="list-style-type: none"> <li>• It is the responsibility of MCET Management to ensure that sufficient resources are allocated to events and that adequate rest periods are built into event schedules.</li> <li>• Employees should not be rostered to or work shifts longer than 14 hours (or in the case of high risk work 12 hours). Employees should not be rostered to or work shifts with less than 10 hour break between shifts.</li> <li>• Employees should not be rostered to or work more than four overnights in a row.</li> <li>• Employees should have at least two days off after sequential overnight shifts.</li> <li>• Employees should not be rostered to or work more than eight days in a row.</li> <li>• Employees should not be rostered to or work more than 60 hours in a week.</li> <li>• Where it is reasonably practicable work</li> </ul>

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	<p>should not be undertaken between the hours of 2am – 6am.</p> <ul style="list-style-type: none"> <li>Where an employee works longer than a 14 hour shift or finishes after 2am upon request a Cabcharge will be made available to the employee.</li> </ul>
Environmental Conditions	<ul style="list-style-type: none"> <li>MCET Management should avoid scheduling work during periods of harsh environmental conditions.</li> <li>MCET Management should provide and employees should wear PPE where there is no alternative (e.g. Jackets, Hats, Sunscreen etc).</li> </ul>
Individual Factors	<ul style="list-style-type: none"> <li>Employees have an obligation to notify their manager if they have individual circumstances that may place them at a heightened fatigue risk.</li> <li>Examples of this are including but not limited to;             <ul style="list-style-type: none"> <li>Multiple employers.</li> <li>Long travel times (i.e. greater than 90 minutes each direction).</li> </ul> </li> </ul>
Training and Information	<ul style="list-style-type: none"> <li>MCET Management should provide and employees should attend relevant training and information to its employees on how to effectively manage fatigue.</li> </ul>
Monitoring and Review	<ul style="list-style-type: none"> <li>MCET Management should monitor and review hazards and risks relating to fatigue by reviewing incidents, near misses and other data.</li> </ul>

### 3.3. Exception Management

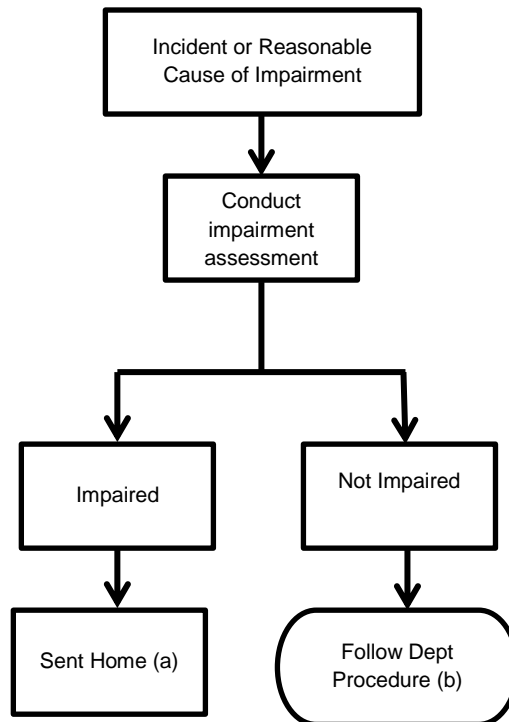
The management of exceptions to the above risk controls is a shared responsibility between Employees, Department Managers (or their delegated representative) and MCET Management. It is the responsibility of;

- Employees** – to notify their Department Manager within a reasonable timeframe if they expect that they will work outside of the above risk control guidelines.
- Department Managers** (or their delegated representative) – to effectively manage exceptions in line with departmental specific guidelines.
- MCET Management** – to support Departmental Managers in coming up with suitable exception management guidelines.

Examples of factors to consider when managing exceptions include;

- The level of skill and experience of the person
- The amount of supervision available at the time
- The type of work being undertaken
- Any other relevant factor as determined by the department.

### 3.4. Flow Chart



The following is a guideline on the process to follow where an employee is identified as being impaired by fatigue;

- (a). Cab voucher offered and paid of the remainder of the shift.
- (b). Worker to be sent home and cab voucher offered if outside of policy defined risk controls.

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## 4. DRUGS AND ALCOHOL

### 4.1. Overview

MCET management acknowledges that the effective management of drugs and alcohol is an important element of the overall health, safety and wellbeing of all employees. The effective management of drugs and alcohol should be done under a model of shared responsibility of employees, suppliers, contractors and MCET management.

It is a condition of employment that employees do not undertake work when they are unfit as a result of impairment from drugs and/or alcohol. This also applies to suppliers and contractors.

A risk management approach will be applied to the management of drug and alcohol issues in the workplace.

### 4.2. Alcohol

MCET management acknowledges that the consumption of alcohol is a characteristic of society. However there is a requirement to manage workplace risks arising from impairment.

It is a condition of employment that all employees carry out their work not impaired by alcohol and in line with the below prescribed levels. This also applies to all suppliers and contractors.

#### *Prescribed levels of Blood Alcohol Concentration (BAC)*

<b>High Risk Work Environment</b>	0.00%
<b>Normal Duties</b>	0.05%
<b>Work Functions</b>	No prescribed level. In line with code of conduct and responsible service of alcohol guidelines.

If an employee, supplier or contractor is tested and exceeds these prescribed levels they will be deemed unfit.

#### *Consumption of Alcohol on MCEC Premises*

As a general rule alcohol should not be consumed on MCEC premises during shift and/or in uniform unless participating in a workplace function or entertaining clients. The below are exceptions to this;

#### *MCEC Served Alcohol (e.g. Pop Up Bars or Goldfields Restaurant)*

Alcohol may be consumed by employees at licenced premises provided employees are not in uniform or on shift and behaviour is in line with the code of conduct.

#### *MEC Level 5 Rooftop*

Alcohol consumption by employees is permitted on the MEC level 5 rooftop provided employees are not in uniform or on shift and behaviour is in line with the code of conduct.



### 4.3. Illicit Drugs

MCET management does not tolerate unauthorised possession, use and/or distribution of illicit drugs (including synthetically derived substances) in the workplace. For the avoidance of doubt these also include prescription drugs that are not prescribed to the person. Employees doing so will be subject to disciplinary procedures and in certain circumstances MCEC may hand matters over to the police.

It is a condition of employment that all employees carry out their work not impaired by illicit drugs. This also applies to all suppliers and contractors.

#### *Prescribed levels of Illicit Drugs*

High Risk Work	Under the cut off for the Australian Standard (AS4760)
Normal Duties	Under the cut off for the Australian Standard (AS4760)
Work Functions	Under the cut off for the Australian Standard (AS4760)

If an employee, supplier or contractor is tested and exceeds these prescribed levels they will be deemed unfit.

### 4.4. Legally Prescribed Drugs

Legally prescribed drugs may impair performance and impact on a person's capacity to undertake their duties. These legal medications may also result in a positive drug test conducted in line with this policy.

At the time of purchasing the individual should consult with their medical practitioner or chemist regarding their work requirements. It is also the responsibility of the employee to alert their supervisor and/or Safety Representative of any medication that may lead to performance impairment so that suitable duties may be arranged.

#### *Prescribed levels of Legally Prescribed Drugs*

High Risk Work	As prescribed from treating doctor/chemist and medication warning sticker
Normal Duties	As prescribed from treating doctor/chemist and medication warning sticker
Work Functions	As prescribed from treating doctor/chemist and medication warning sticker

If an employee, supplier or contractor is tested and found to be undertaking duties in conflict to medical advice then they will be deemed unfit.

## 4.5. Types of Testing

All employees, contractors and suppliers are required to undertake drug and/or alcohol testing in line with this policy and the below types of testing.

### *Alcohol Testing*

Breath testing may be conducted by trained MCET representatives using suitably calibrated devices.

### *Drug Testing*

Initial saliva drug testing may be conducted by a 3<sup>rd</sup> party provider engaged by MCET with confirmation tests undertaken by the same 3<sup>rd</sup> party provider.

### *Reasonable Cause*

If a colleague, health and safety representative, supervisor/manager or other employee suspects that someone may be impaired as a result of drugs and/or alcohol then the relevant MCET representative should use the impairment assessment checklist and process flow chart below to ascertain whether it is reasonable to undertake a drug and/or alcohol test.

### *Post Incident & Near Miss*

Any incident that is reportable to WorkSafe Victoria may result in the person/s involved in this incident being subject to drug and/or alcohol testing.

### *Voluntary*

If an individual is concerned that they may be impaired and unable undertake their duties due to being under the influence of drugs and/or alcohol they should alert their supervisor/manager. That person may be provided access to the testing program to ascertain their fitness for work. Alternatively employees may consult with their treating doctor to obtain a fitness assessment; in the event that the employee chooses to meet with their treating doctor they will not be paid for this time or may use their personal leave.

### *Rehabilitation*

Individuals who return a confirmed positive test, in excess of the prescribed levels may be subject to an increased frequency of testing. This increased frequency applies once the employee returns to work and has provided a negative test result. Up to 3 additional tests may occur for a period of up to 6 months post any return to work in order to support their rehabilitation and successful return. Such tests would be scheduled randomly during this period and undertaken in line with alcohol and/or drug testing types specified above.

### *Pre-Employment*

Some candidates may be required to undertake pre-employment drug and/or alcohol testing as a part of the recruitment process. The decision on which roles this applies to is at the sole discretion of

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MCET management. Factors when deciding which roles to test may include but not be limited to the level of responsibility of the role and the amount of high risk work which is undertaken in the role.

## 4.6 Witness During Testing / Assessment

Employees, suppliers or contractors cannot be reasonably refused a request to have a witness present when being subject to either a drug/alcohol test and/or impairment assessment.

Employees, suppliers or contractors cannot reasonably refuse a request for the person undertaking the testing to have a witness present when undertaking a drug/alcohol test and/or impairment assessment.

## 4.7. Investigations and Disciplinary Action

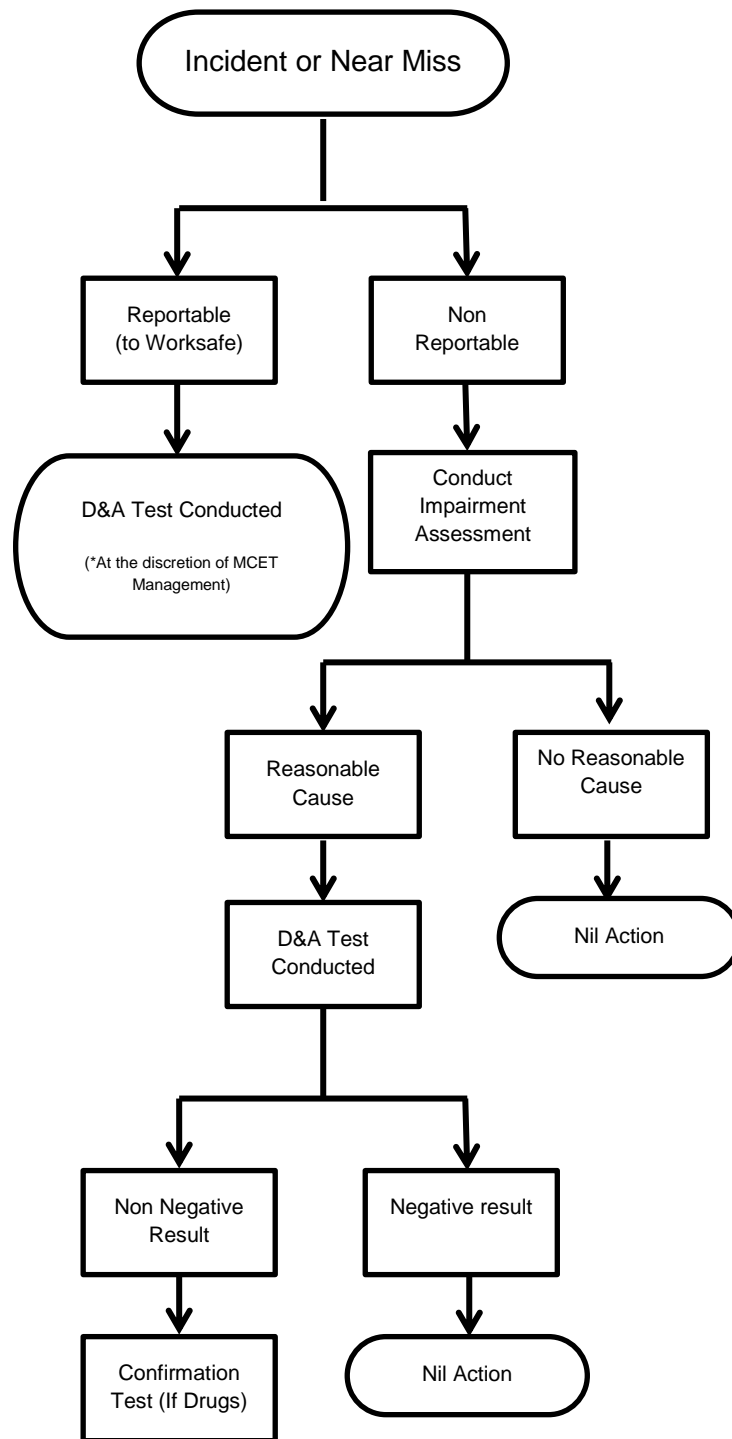
The focus of this policy is the wellbeing of all employees. However, where breaches of this policy are suspected matters may be investigated. Employees found in breach of the policy may be subject to disciplinary action up to and including the termination of employment.

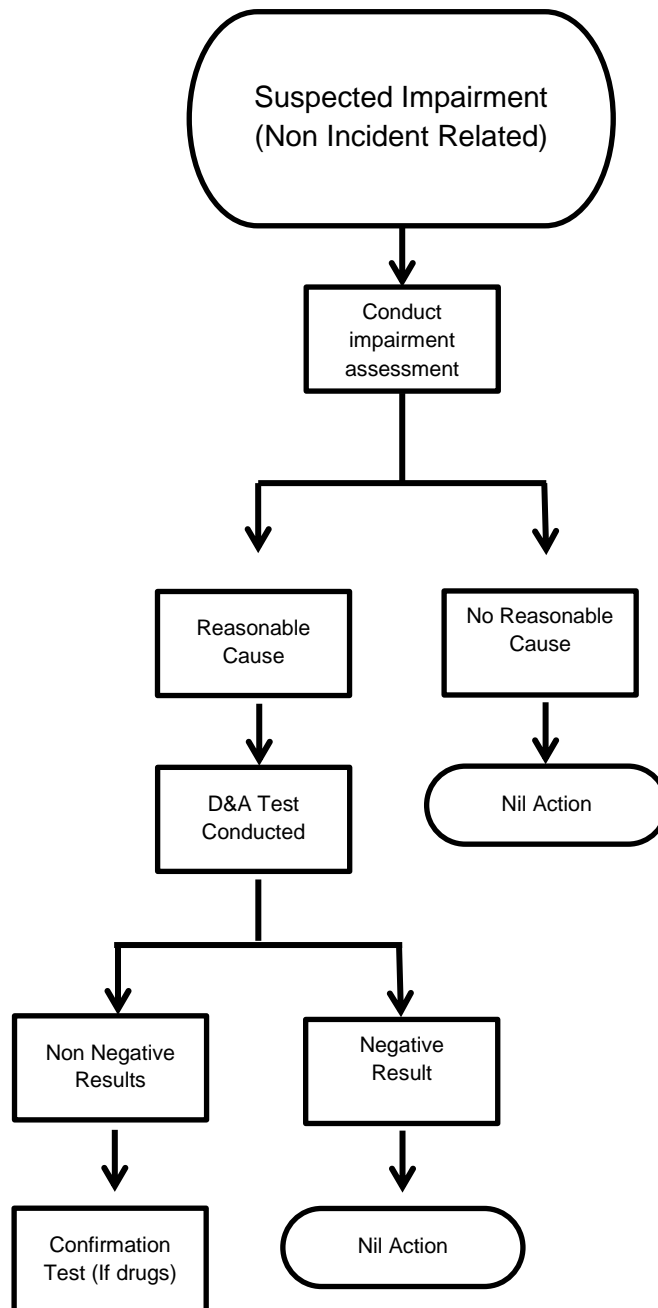
Factors that may be taken into consideration when deciding on the level of disciplinary action may include but not be limited to;

- The behaviour and conduct of the employee (both at the time of the incident and during any subsequent investigation and meetings)
- The level of intoxication and/or refusal to be tested
- The severity of the hazard / risk of the incident
- The level of disclosure of the employee
- The employee's willingness to engage in rehabilitation (e.g. Employee Assistance Program, External Rehabilitation, Performance Improvement Plan etc.)
- Previous breaches of the policy.

Employees will not be permitted to return to work until a medical clearance (i.e. negative drug and/or alcohol test result) is provided. Employees will be stood down on unpaid leave until such clearance is provided or they agree to and provide a negative test result.

## 4.8. Flow Chart





The following is a guideline on the process to follow at the conclusion of the initial drug and / or alcohol test;

- The person tested should be made aware of the test result.
  - If the result is negative then the person should return to work.
  - If the result is non negative (in the case of drugs) or in excess of the prescribed BAC concentration in the case of alcohol then the employee should be stood down, sent home and paid (if an employee) for the remainder of the shift for that day.
- A meeting may then be arranged between the person and the relevant manager and/or OHS/P&C representative to discuss the matter and reach an outcome in terms of any disciplinary action that may occur.

## 5. MENTAL AND PHYSICAL HEALTH

### 5.1. Overview

MCET management acknowledges that the effective management of mental and physical health is an important element of the overall health, safety and wellbeing of all employees. The effective management of mental and physical health should be done under a model of shared responsibility of employees, suppliers, contractors and MCET management.

It is a condition of employment that employees do not undertake work when they are unfit as a result of mental or physical health conditions that would render them unable to fulfil the inherent requirements of their role. This also applies to suppliers and contractors.

### 5.2. Mental Health

The mental health of employees is instrumental to organisational success and to building a positive work culture. Mental health issues can affect anyone and at any time and the objective of this policy is to establish, promote and maintain the mental health and wellbeing of employees.

MCEC management will take reasonable steps to promote mental health and wellbeing in the workplace. Such steps may include but not be limited to;

- Employee Assistance Program
- Peer Support Programs
- Provision of Education Sessions and Materials

Refer Appendix 1 for further resources on Mental Health.

## 5.3. Physical Health

The physical health of employees is instrumental to organisational success and to overall wellbeing of employees. Physical health issues can affect anyone and at any time and the objective of this policy is to establish, promote and maintain the physical health and wellbeing of employees.

MCEC management will take reasonable steps to promote physical health and wellbeing in the workplace; Such steps may include but not be limited to;

- Employee Health Checks
- Flu Shots
- Provision of Education Sessions and Materials

Refer Appendix 1 for further resources on Physical Health

## 5.4. Management of Work Related Conditions

The management of work related conditions sit outside the scope of this policy and should be managed in accordance with 'Workplace Injury Rehabilitation and Compensation Act 2013'.

## 5.5. Management of Non-Work Related Conditions

Employees are encouraged to discuss with their manager any non-work related conditions that may impact their ability to fulfil the inherent requirements of their role either on a short term or ongoing basis.

In the case of non-work related conditions MCET will make reasonable attempts to arrange suitable duties. In the event that suitable duties cannot be arranged then employees should seek to use their personal leave entitlements if these are available to them or alternatively should seek to take unpaid leave.

In the case of suspected or diagnosed non work conditions, whereby the employee is unable to fulfil the inherent requirements of their role. MCET may seek to either engage with the employee's treating doctor (via written consent from the employee) and / or reasonably direct the employee to attend an independent medical examination in order to ascertain the employee's fitness for work and / or suitability for ongoing employment.

## 5.6. Functional Assessments / Independent Medical Examinations

Some roles at MCEC may be functionally evaluated to establish a level of mental and/or physical capacity in order to assess what the inherent requirements of the role are. Employees or prospective employees may be required to undertake functional assessments and/or independent medical examinations so as to establish that they have the required level of capacity for the role in which they are applying for.

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## Appendix 1

Mental Health Resources

<https://www.lifeline.org.au/>

<https://www.beyondblue.org.au/>

<https://www.entertainmentassist.org.au/>

Physical Health Resources

<https://www.australia.gov.au/directories/australia/health/resources-list>



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## Appendix 2: Impairment Assessment Checklist

1. Assessment Details:			
Date:		Location:	
Time:		Requested By:	
2. Reason for Assessment:			
<input type="checkbox"/> Fatigue Related <input type="checkbox"/> Drug Related <input type="checkbox"/> Alcohol Related			
Justification (MUST BE COMPLETED):			
_____			
_____			
_____			
3. Details of Persons Involved in the Assessment:			
Assessed Person:		Position Title:	
Work Location:			
Assessor Name:		Position Title:	
Work Location:			
Witness 1 Name:			
Witness 2 Name:			
4. Impairment Assessment Observations			
<b>A/ Speech</b> <input type="checkbox"/> Normal <input type="checkbox"/> Clear <input type="checkbox"/> Fast <input type="checkbox"/> Slow <input type="checkbox"/> Slurred <input type="checkbox"/> Incoherent			
Other .....			
<b>B/ Eyes</b> <input type="checkbox"/> Normal <input type="checkbox"/> Glazed <input type="checkbox"/> Bloodshot <input type="checkbox"/> Pupils enlarged <input type="checkbox"/> Pupils pinpoint			
Other .....			
<b>C/ Breathing</b> <input type="checkbox"/> Normal <input type="checkbox"/> Short <input type="checkbox"/> Slow <input type="checkbox"/> Laboured <input type="checkbox"/> Shallow			
Other .....			
<b>D/ Skin</b> <input type="checkbox"/> Normal <input type="checkbox"/> Flushed <input type="checkbox"/> Pale <input type="checkbox"/> Perspiration <input type="checkbox"/> Rashes / Ulcers			
Other .....			
<b>E/ Actions</b> <input type="checkbox"/> Normal <input type="checkbox"/> Violent/Angry <input type="checkbox"/> Emotional <input type="checkbox"/> Restless <input type="checkbox"/> Sluggish/Clumsy			
Other .....			
<b>F/ Balance</b> <input type="checkbox"/> Normal <input type="checkbox"/> Unsteady <input type="checkbox"/> Staggering <input type="checkbox"/> Falling Over			
Other .....			
<b>H/ Attitude</b> <input type="checkbox"/> Cooperative <input type="checkbox"/> Hostile <input type="checkbox"/> Anxious <input type="checkbox"/> Depressed <input type="checkbox"/> Cocky			
Other .....			
<b>I / Comprehension</b> <input type="checkbox"/> Normal / Good <input type="checkbox"/> Poor   Other.....			

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5. Comments from Assessed Person			
6. Other Observations / Comments			
7. Outcome <i>(this section to only be completed by Authorised Person)</i>		Yes	No
Opinion: I suspect the assessed person may be impaired: (This is based on cluster of items identified in section 4 above)		<input type="checkbox"/>	<input type="checkbox"/>
Opinion: I believe the assessed person should undertake a drug test		<input type="checkbox"/>	<input type="checkbox"/>
Opinion: I believe the assessed person should undertake an alcohol test		<input type="checkbox"/>	<input type="checkbox"/>
8. Sign off			
Position	Name	Signature	Date
Assessed person			
Assessor			
P+C / OHS Representative (if available)			
Supervisor / Manager (if available)			
Witness 1			
Witness 2			
<i>Only the signature of the Assessor is required to progress the assessment to drug and alcohol testing</i>			
<i>A copy of this document should be retained in the assessed person's employee file</i>			