



MERC
MINING EMERGENCY RESPONSE
COMPETITION

DRUG AND ALCOHOL POLICY

Updated October 2019

The guideline for managing drugs and alcohol for all persons competing, volunteering or acting as an official in the 2022 MERC.

Document Custodian: Sue Steele, Red Earth Health Solutions
 Document Checked: MERC Organising Committee
 Document Approved: Chief Adjudicators

TABLE OF CONTENTS

1. PURPOSE	3
2. SCOPE	3
3. POLICY	3
4. LEGISLATIVE REQUIREMENTS	3
5. RESPONSIBILITY	3
6. PROCEDURES.....	4
6.1 FITNESS FOR WORK.....	4
6.2 CUT OFF LEVELS	4
6.2.1. ALCOHOL	4
6.2.2. DRUG APPLY.....	5
6.3 TESTING PROCEDURES.....	5
6.3.1. PRE-COMPETITION TESTING	5
6.3.2. RANDOM TESTING	5
6.3.3. WITH CAUSE TESTING	5
6.3.4. BLANKET TESTING	6
6.4 INABILITY TO SUBMIT TO DRUG TEST	6
6.5 MEDICAL EXPLANATION.....	6
6.6 TAMPERING WITH THE COLLECTION PROCESS	6
6.7 REFUSAL TO UNDERGO TESTING	6
6.8 ALCOHOL TESTING – BREATHALYZER.....	7
6.9 DISCIPLINARY ACTION: READING ABOVE 0.000 BAC.....	7
6.10 DRUG TESTING – URINE AND OR ORAL FLUID SAMPLING.....	7
6.11 IDENTIFYING DRUGS PRIOR TO TESTING.....	8
6.12 TESTING FOR DRUGS	8
6.13 DISCIPLINARY ACTION – DRUGS	8
6.14 PRESCRIPTION AND OVER-THE-COUNTER DRUGS	9
6.15 UNAUTHORIZED POSSESSION, CONSUMPTION OR SALE	9
6.16 ENSURING CONFIDENTIALITY	10
6.17 VARIATIONS TO PROCEDURE	10
6.18 VISITORS AND SPECTATORS	10
6.19 REFERENCE	10

1. PURPOSE

This guideline has been developed to promote a safe working environment and avoid drug or alcohol related issues by striving for a drug free competition.

The use/abuse of drugs and alcohol by competing teams, officials and volunteers within the competition is a threat to the wellbeing of everyone involved in the competition due to their intoxicating effect, and may result in injury or death to the intoxicated person or their colleagues.

2. SCOPE

This procedure applies to all competing teams, officials and volunteers participating in or working at the MERC competition.

3. POLICY

The unauthorized storage of Alcohol or, use or consumption of illegal drugs within the boundaries of the MERC competition and will result in disciplinary action.

Any person who presents themselves in an unfit state or who returns a positive result for drugs or alcohol will also face disciplinary action.

4. LEGISLATIVE REQUIREMENTS

The competition, and activities carried out during the competition, is subject to the same requirements of the applicable Mines Safety and Inspection and OS&H Acts and Regulations. Similar obligations exist under the common law duty of care.

The use, possession, manufacture and distribution of many drugs (including a number of those mentioned in this Procedure) is illegal under the Misuse of Drugs Act and the Poisons Act.

Driving or attempting to drive a motor vehicle or using mobile equipment, etc whilst under the influence of any drug or medicine (whether legally prescribed or not) is illegal under the Road Traffic Act.

5. RESPONSIBILITY

The Event Manager is responsible to ensure that all personnel are aware of this procedure and that any breaches are dealt with.

The Chief adjudicators are responsible to ensure that all personnel are aware of this procedure and that anyone who is not in a fit state to either competes or work does not endanger themselves or others and must direct that person to leave site the area if alcohol or other drugs affect them.

Individuals who are participating are required to take reasonable steps to ensure their own health and safety at work and avoid adversely affecting the health and safety of any other person.

All individuals must not be affected by intoxicating liquor or drugs, or take any intoxicating liquor or drugs whilst associated with the MERC competition. An individual must leave the designated area if instructed to do so by the Organising Committee.

6. PROCEDURES

6.1 Fitness for Work

No competing team member, official or volunteer shall work when:

- a. an official is of the opinion that competing team, official or volunteer are unable to perform their tasks in a safe and efficient manner; or
- b. the competing team, official or volunteer produce a test result for drugs or alcohol, which is above the levels detailed below.

A person who is found to have levels above those set out in this procedure may be adversely affected and will therefore be deemed unfit for to continue participating in the competition.

6.2 Cut off Levels

The MERC competition's objective is to provide a safe working environment for its competing teams, officials and volunteers. To achieve this objective, the Organising Committee must ensure competing teams; officials and volunteers are fit for work. The Organising Committee believes that the cut off levels in this policy are necessary to avoid competing teams, officials and volunteers working in circumstances where they may not be fit for work.

6.2.1. Alcohol

This procedure uses a blood alcohol concentration (BAC) cut off level of 0.00% BAC as the test for permitting competing teams, officials, and volunteers to participate in the MERC Competition. All competing teams, officials and volunteers are required to present each competition day with a 0.00% BAC and are not permitted to participate in any activity where the competing teams, officials and volunteers tests above 0.00% BAC.

The Organising Committee believes these standards are reasonable standards that are considered safe and fair.

CLASS OF DRUG	THRESHOLD LIMIT (BAC)
Alcohol	> 0.000

6.2.2. Drug apply

The drug cut off levels used are as set out in AS/NZS4308:2008 (urine) and/or AS4760:2006 (oral fluid) or in accordance with requirements of the National Association of Testing Authorities, Australia, which the Organising Committee also believes are safe. The confirmatory drug cut off concentrations tabled in the relevant standard shall apply.

6.3 Testing Procedures

6.3.1. Pre-Competition Testing

All Team Members, Volunteers and Officials must supply the Nominated Collecting agency with a completed AOD certificate, on their nominated paper, advising the results of an instant onsite test completed within 28 days prior of competition date. Any detected samples are to be forwarded to the Nominated Collecting Agency to arrange for Laboratory Confirmation on these. Screening kits will be supplied by the Nominated Collecting Agency and this shall be urine testing only.

6.3.2. Random Testing

The Organising Committee will conduct random alcohol and / or drug tests upon any competing team member, official or volunteer without notice.

The event manager determines the frequency and scheduling of testing as follows; A random group of competing teams, officials and volunteers may be selected for testing.

The process chosen for randomly selecting individuals or occupational groups will be decided at each location dependent upon the specific requirements at the location. The process to be applied must be communicated to all that could be affected by the process and followed accordingly.

6.3.3. With Cause Testing

The Organising Committee may conduct with cause alcohol and / or drug tests upon any individual during the competition for any of the following reasons:

- Where an individual is directly or indirectly involved in an incident
- Where an individual displays unusual or abnormal behavior; or based on observation of deteriorating performance.

- Upon the reasonable request of any other competing team members, officials and volunteers to the Chief Adjudicators who observes or becomes aware of such behavior.

The Chief Adjudicator will then select the person or persons to take the test, explain the reason for the testing and will explain what is about to happen.

6.3.4. Blanket Testing

All Team Members, Officials and Volunteers will present themselves for daily breath testing for Alcohol and must register a 0.000 BAC reading prior to participating in the days events.

6.4 Inability to Submit to Drug Test

A competing team member, official or volunteer who is injured or is, in the Organising Committee's opinion, physically incapacitated to such an extent that it could be unreasonable to require that competing team member, official or volunteer to submit to either an alcohol or drug test at the time, may not be tested. At no time shall drug or alcohol testing compromise a competing team member, official or volunteers medical care or safety.

6.5 Medical Explanation

If a competing team member, official or volunteer believes the test results were caused by some legitimate medical reason, the Chief Adjudicators must be advised and decide if the donor can compete in the event based on declaration or be stood down from participation until confirmation has been obtained. Disciplinary action will be suspended until supporting medical documentation is provided.

6.6 Tampering with the Collection Process

In the event that a competing team member, official or volunteer is suspected of tampering with a sample being presented during a drug screening test required by the Organising Committee:

- a. The suspected tampered sample will be sealed and labelled as suspect and sent to the laboratory for analysis to confirm if tampering has occurred and to examine the contents of the urine.
- b. The actual or attempted falsification, adulteration, substitution or other interference by a person with a test sample or test result will result in disciplinary action which may include removal from the competition grounds.

6.7 Refusal to Undergo Testing

In the event that a competing team member, official or volunteer, after presenting him/herself to the MERC competition, refuses to undergo a test for alcohol and/or drugs after being requested to do so by an authorised officer of the Organising Committee, the competing

team member, official or volunteer will be counselled on the disciplinary and legal consequences of refusing a legitimate request.

The request shall be repeated one further time and a second refusal shall be treated in the same manner as a test above the acceptable limits. In such an event, the competing team member, official or volunteer will be subject to the disciplinary procedures.

6.8 Alcohol Testing – Breathalyzer

Those selected to undergo testing for alcohol will take a breathalyser test following the instructions given by the authorised Organising Committee representative operating the breathalyser unit. An individual can choose to have another person present at the test. The Organising Committee's authorised testers shall undertake breath testing for alcohol with a breath-testing screening instrument and if alcohol is detected on this device then complete a follow up test on Type 2 Quantitative Display manufactured and calibrated according to AS3547-1997 Breath Alcohol Testing Devices for Personal Use and in accordance with recognised work practices for alcohol testing.

A competing team member, official or volunteer who produces a test result of more than 0.000 BAC from a breathalyser test shall not be permitted to work. The competing team member, official or volunteer shall be escorted off the designated MERC area.

6.9 Disciplinary Action: Reading above 0.000 BAC

The competing team member, official or volunteer shall be escorted off the designated MERC area and terminated from either competing or working at the competition. The team manager and or event manager

is to remind the competing team member, official or volunteer of the importance of being fit for work. After the discussion action may need to be taken by the chief adjudicators to ensure any risks are minimised.

Disciplinary action can be taken based on the individual circumstances if a competing team member, official or volunteer fails to be fit for work.

6.10 Drug Testing – Urine and or Oral fluid Sampling

Urine and or Oral fluid specimens shall be tested for the presence of drugs by utilizing a drug screening kit. A two stage process may be used, including initial screening and then laboratory testing if required.

The two-stage process shall be conducted by:

- a. First Stage: Initial drug screening carried out using a saliva drug screening kit.
- b. Second Stage: If non negative result is obtained in the first stage, for any substance, a urine sample shall be collected and sent to a laboratory.

Where a sample is to be laboratory tested (i.e. second stage testing) the competing team member, official or volunteer will have the right to request the sample be split into two portions. Each portion is to be placed into sterile containers sealed with tamper proof tape and labelled in the competing team member, official or volunteer and collector's presence, and signed by the competing team member, official or volunteer and the collector conducting the testing. Both samples will be sent to an Accredited Pathology Laboratory for storage and further analysis at the competing team member, officials and volunteers cost. The Laboratory results will be reported to the MERC officials and after discussions with Donor present report to Donor's employer if deemed warranted.

The test results shall be delivered to the Chief Adjudicators or authorised person, who shall immediately inform the competing team member, official or volunteer of the result of tests on his / her sample.

6.11 Identifying Drugs Prior to Testing

Prior to testing, the competing team member, official or volunteer must identify any prescription or over-the-counter drugs the competing team member, official or volunteer has been taking. It is a competing team member, official or volunteer's responsibility to ensure they seek medical advice to ensure any such drugs will not interfere with their safe performance at the competition. All situations of declared medications that result in a detected result utilising the onsite test device will be referred to the chief adjudicators to determine if the donor is fit to compete in the competition

6.12 Testing for Drugs

Any competing team member, official or volunteer who produces a detectable test result from a drug screening test that is not consistent with declared medication or is considered an illicit drug shall not be permitted to participate or work pending confirmatory drug test results. The competing team member, official or volunteer shall be escorted off the designated MERC area.

The competing team member, official or volunteer will be deemed unable to compete or work in any capacity until the results are obtained. If the result from the confirmatory drug test is below the acceptable level, the competing team member, official or volunteer will be allowed back into the competition.

6.13 Disciplinary Action – Drugs

The competing team member, official or volunteer shall be escorted off the designated MERC area and terminated from either competing or working at the competition. The team manager and or event manager is to remind the competing team member, official or volunteer of the importance of being fit for work. After the discussion action may need to be taken by the chief adjudicators to ensure any risks are minimised.

Disciplinary action can be taken based on the individual circumstances if a competing team member, official or volunteer fails to be fit for work.

6.14 Prescription and Over-the-Counter Drugs

The use and/or misuse of prescription drugs and over-the-counter drugs may have side effects that can adversely affect the health and safety of the competing team member, official or volunteer who uses the drug and that of fellow competing teams, officials and volunteers.

To prevent any risk to safety, and competing team member, official or volunteer must:

- a. not be at the MERC competition while adversely affected by any drugs;
- b. inform their manager or event manager if the competing team member, official or volunteer is in doubt that he / she may not be fit to be at the MERC competition due to the use of any drugs.
- c. If using prescribed drugs, obtain advice from their medical practitioner as to any side effects which could impair their ability to compete or work safely and advise their event manager or chief adjudicator before commencing the competition. Where necessary, the competing team member, official or volunteer's tasks or working arrangements may be adjusted.
- d. If needing to consume a non-prescription or 'over the counter' medication, ask their medical practitioner or pharmacist for medication which will not impair their ability to work or compete safely. If it is necessary for the competing team member, official or volunteer to take medication which could impair their ability to work or compete safely, they must do so strictly in accordance with the manufacturer's recommended dosage and must advise their event manager / team manager or chief adjudicator before commencing worker the competition. Where necessary the competing team member, official or volunteer's tasks or working arrangements may be adjusted.

All situations of declared medications that result in a detected result utilising the onsite test device will be referred to the chief adjudicators to determine if the donor is fit to compete in the competition. If a competing team member, official or volunteer is unable to work due to adverse effects of a drug, he/she will be required to leave the competition during the time of impairment.

6.15 Unauthorized Possession, Consumption or Sale

The unauthorised possession, consumption or sale of drugs and alcohol within the designated MERC area site will result in disciplinary action, which may include removal from

that area and the competition. Only the event manager or delegate can authorise the consumption of alcohol in accordance to Venue requirements.

The possession of illegal drugs within the designated MERC area site will result in termination from the event and notifying the Police.

6.16 Ensuring Confidentiality

All information relevant to this procedure will be safeguarded according to normal requirements for confidential human resource and medical information.

The information will only be provided to those people who have a legitimate need for it to ensure safety, health and work performance levels are maintained.

6.17 Variations to Procedure

It is recognised that changes to this procedure may be required from time to time. Any changes will, where possible, be made in consultation with competing teams, officials and volunteers. However, the Organising Committee maintains its right to change this procedure as required complying with legal obligations or other requirements.

6.18 Visitors and spectators

Visitors and spectators to the MERC competition are not under the same regulations as all competitors, officials and volunteers however once within the boundaries of the of the MERC designated area they will be expected to conduct themselves according to MERC guidelines.

6.19 REFERENCE

Procedures for the Collection, Detection and Quantitation of Drugs of Abuse in Urine
AS4760:2006 Procedures for specimen collection and the detection and quantitation of
drugs in oral fluid AS3547-1997 Breath Alcohol Testing Devices for Personal Use