



**MINISTRY OF SOCIAL
DEVELOPMENT**

TE MANATŪ WHAKAHIATO ORA

26 OCT 2016

Dear

On 24 September 2016 you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *A copy of your drug and alcohol policy, including the policy for both pre-employment drug checks and random drug testing for employees.*
- *the total number of pre-employment drug checks carried out and the total number of positive tests and what drug did they test positive for? Was anyone employed by your organisation following a positive test, if so, the number employed and what they tested positive for?*
- *The number of random drugs tests carried out for employees and the number of positive tests. What drug did they test positive for and what was the consequence for the employee? e.g. referral for treatment, dismissal etc.*
- *The total cost for the drug tests detailed above. Can you please supply information for the last two years.*

Expectations regarding staff behaviour are managed in accordance with the State Services Commission's Code of Conduct, the Ministry's Code of Conduct and employment policies. The Ministry's policies include a Drug and Alcohol (Substance Misuse) policy. The aim of this policy is to provide a clear understanding of the Ministry's expectations of employees with regard to substance misuse to foster a safe and healthy workplace. Please find enclosed a copy of the following documents which are available to staff on the Ministry's intranet, 'Doogle':

- *Drug and alcohol policy (substance misuse), dated 22 March 2016.*
- *Drug and alcohol (substance misuse) procedures, dated 14 August 2014.*

The Ministry does not undertake pre-employment nor random drug testing of employees. The Ministry does not have a specific policy for drug testing staff. As such your request for a copy of the policy for pre-employment and random drug testing for employees is refused under section 18(e) of the Official Information Act as this information does not exist. The total number of pre-employment and random drug tests carried out is zero and as no tests have been carried out, there has been no cost.

The principles and purposes of the Official Information Act 1982 under which you made your request are:

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- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public after ten working days. The Ministry will do this by publishing this letter and attachments on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely



Nicholas Pole
Deputy Chief Executive, Organisational Solutions

Home » Resources & Tools » Helping Staff » Policies and Standards » Drug and Alcohol Policy (Substance Misuse)

Drug and Alcohol Policy (Substance Misuse)

This page outlines the Ministry's Drug and Alcohol (Substance Misuse) Policy.

On this Page:

Objective

The Ministry of Social Development (Ministry) is committed to the principles of being a good employer and to protecting the health, safety and well being of its employees.

The Ministry recognises that the misuse of alcohol, drugs and other substances can affect the ability of a person to perform their role effectively. The Drug and Alcohol (Substance Misuse) Policy aims to provide a clear understanding of the Ministry's expectations with regard to substance misuse to foster a safe and healthy workplace. It applies to all employees, contractors, clients and visitors who enter Ministry premises.

How can substances be misused?

Substance misuse on Ministry property during ordinary work hours can refer to the:

possession of alcohol, solvents or illicit substances
use of alcohol, solvents or illicit substances.

The use of or addiction to alcohol, solvents or illicit substances (either during or outside of work), which results in the impairment of work performance can also be classified as misuse.

Note: This does not include instances where an employee brings alcohol into the workplace during the day to take home or to staff functions as referred to in the policy objective.

Substance misuse by an employee is detrimental to the workplace and can seriously affect the employee, their peers and clients. Misuse can also bring the Ministry and its employees into disrepute. Such misuse can impair:

productivity/ work performance
attendance
reliability
judgment and/or physical responses
safety
morale
organisational reputation.

Examples of substances that can be misused

Substance misuse that may impair performance can include, but are not limited to:

alcohol
solvents eg. adhesives
illicit drugs eg. cannabis, methamphetamines
prescribed medication.

Responsibilities

Employees must:

- take personal responsibility for ensuring their own safety in the workplace
- ensure their actions do not cause harm to others while at work
- not consume alcohol on Ministry premises at any time (including after work hours) without the express permission of the immediate manager
- not consume substances that impair their performance and in the process compromise the safety of themselves and others:
- during work hours, or

- prior to work where it affects the employee's performance during work hours
- not use alcohol or any substance at any time where that use is against the law and/or has the potential to bring the Ministry into disrepute
- not bring substances that may impair their performance onto Ministry premises at any time [1]
- not operate a Ministry vehicle while under the influence of alcohol and drugs[2]
- inform their manager immediately when they are taking prescribed pharmaceuticals, which may impair their work performance, so that:
- provisions can be made to ensure that their safety and that of others is not compromised
- processes can be implemented (in the interests of the employee) to ensure that the quality of work is maintained.

[1] Subject to the note within the "How can substances be misused" clause

[2] Refer to Finance and Human Resources Policies: B07 - Asset Management for more information on use of Ministry vehicles

Managers must

- take all practicable steps to provide a safe and healthy workplace for all their employees, contractors, clients and visitors and ensure that they are aware of and comply with this Policy
- recognise and discretely deal with any staff who have job performance problems that may be related to alcohol and/or drugs
- check with the HR Consultants about developing, where possible, a suitable rehabilitation plan, where treatment is required for a substance-related illness or addiction
- ensure that their staff know how to handle unsafe or threatening situations including dealing with clients who are intoxicated or under the influence of substances [3]

[3] Clients and visitors who are intoxicated and/or under the influence of substances are not permitted onto Ministry premises

Mental Health Condition:

It is important that where a mental health condition may be a factor, managers read the Ministry's guidance on managing performance issues which may result from the mental health condition.

Prior to any action being taken, such as talking to, meeting with or writing to an employee, managers must seek advice from the HR Consultancy team.

[Mental Health Guidelines \(PDF 351.34KB\) \[http://doogle/documents/resources/helping-staff/forms-templates/hr/mental-health-guidance-dmhr.pdf\]](http://doogle/documents/resources/helping-staff/forms-templates/hr/mental-health-guidance-dmhr.pdf)

Staff who wish to address substance misuse

Where a staff member recognises that they have a substance-related illness or addiction they wish to address, the Ministry supports the use of confidential counselling through the Employee Assistance Programme.

[Employee Assistance Programme \(EAP\) \[http://doogle/working-here/keeping-healthy-and-safe/keeping-myself-safe/your-wellbeing/eap-employee-assistance-programme.html\]](http://doogle/working-here/keeping-healthy-and-safe/keeping-myself-safe/your-wellbeing/eap-employee-assistance-programme.html)

Further information on support can be found through websites such as: [ALAC \[http://www.alac.org.nz/\]](http://www.alac.org.nz/) and [Drug Foundation \[http://www.drugfoundation.org.nz/\]](http://www.drugfoundation.org.nz/).

[ALAC \[http://www.alcohol.org.nz/\]](http://www.alcohol.org.nz/)

[Drug Foundation \[http://www.drugfoundation.org.nz/\]](http://www.drugfoundation.org.nz/)

Drug and alcohol (substance misuse) procedures

More detailed procedures on:

how to manage employees who do not comply with this policy, and

clients and visitors who are intoxicated and/or under the influence is provided in the Drug and Alcohol (Substance Misuse) Procedures

[Drug and alcohol \(substance misuse\) procedures \[http://doogle/resources/helping-staff/procedures-manuals/health-safety-security/drug-and-alcohol-substance-misuse-procedures.html\]](http://doogle/resources/helping-staff/procedures-manuals/health-safety-security/drug-and-alcohol-substance-misuse-procedures.html)

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RELEASED UNDER THE
OFFICIAL INFORMATION ACT

Home » Resources & Tools » Helping Staff » Procedures and Manuals » Hazard Management » Drug and alcohol (substance misuse) procedures

Drug and alcohol (substance misuse) procedures

Managing employees who do not comply with the policy

Employees may face disciplinary action, potentially resulting in dismissal, where they are found to be:

under the influence of alcohol and/or illicit substances during work hours

in possession of alcohol and/or illicit substances during work hours

in a Ministry vehicle while under the influence of alcohol or drugs

have brought in alcohol for consumption and/or have consumed alcohol on Ministry premises without the express permission of the immediate manager.

In some cases, where the law has potentially been broken, Police may be contacted to investigate further.

In cases where a manager recognises that an employee is displaying reduced performance due to alleged substance misuse, including where it occurs outside of work hours, the manager will discretely discuss the matter with the employee and offer assistance through the Employee Assistance Programme. Failure to improve performance after a fair and reasonable time may result in disciplinary action with the employee concerned. Such action could include dismissal.

Employees who require time off work to receive treatment for an alcohol or substance addiction must provide a medical certificate in accordance with the Ministry's requirements when taking sick leave. Managers should contact a HR Consultant to discuss the employee's absence and how they can best support them when they return to the workplace.

Managing Clients who are intoxicated and/or under the influence

Out of scope

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