

Family Cab Drugs and Alcohol Policy

1. Purpose

Sober Drivers Pty Ltd trading as Family Cab, ("Family Cab") aims to provide and maintain a workplace environment that not only protects the health and safety of all drivers whilst working, but also facilitates a productive workplace. A safe and productive work environment includes the respectful treatment of others in the workplace. The consumption of drugs and/or alcohol can impair a drivers ability to perform work in a safe manner and can also lead to unacceptable behaviour towards others. The purpose of this Policy is to reduce the likelihood of injury, damage and/or other negative effects of alcohol and/or drug use.

2. Scope

This Policy applies to all employees, contractors, subcontractors, an employee of a contractor or subcontractor, collectively referred to in this Policy as 'drivers'. This Policy is not restricted to the workplace or work hours. The obligations contained in this Policy extend to all functions and places that are work-related. A "work-related function" is any function that is connected to work. For example, conferences, work lunches or meetings etc. Drivers must comply with this Policy at all work-related functions. Any reference to work in this Policy includes a work-related function. This policy also applies when drivers go to other workplaces in connection with work, for example when visiting a customer, client or supplier.

3. Definitions

In this Policy:

"Drugs" includes Illegal drugs and Prescription and Pharmacy Medications as defined below.

"Illegal drugs" includes any drug prohibited by any State, Territory or Federal law in Australia or any other laws (including foreign and international laws) to which Family Cab is subject or which apply to the work performed by drivers for Family Cab. In this Policy, "Illegal drugs" includes Prescription and Pharmacy Medications (as defined below) which are used without the necessary prescription or for purposes for which they were not intended.

"Impaired by the effects of alcohol or drugs" means: - for employees operating/driving a vehicle a blood alcohol content greater than 0.00% (consistent with Victorian government regulations) - for all employees - a positive drug test result in excess of the cut-off levels specified in Australian Standard AS 4308; and/or physical or mental condition and/or behaviour which limits the employee's ability to undertake work in a safe and effective manner.

"Prescription and Pharmacy Medications": Family Cab recognises that drivers may have legitimate medical reasons for taking some Medications. This includes where a medical practitioner has properly prescribed lawful Medications for a diagnosed medical purpose or where the Medication is lawfully available at Australian pharmacies (without a prescription) and is required for the treatment of a legitimate condition. These Medications are referred to in this Policy as "Prescription and Pharmacy Medications".

"Non-negative drug test result" means the result from the first test of a sample that may indicate the presence of a substance being tested for.

"Work hours" is any time where a driver is on their way to a passenger, driving a passenger, waiting time in between passengers and heading to home or base following the completion of the last job for the day.

4. Policy

4.1 Responsibilities

Except as set out in this Policy, drivers are not permitted to do the following:

- 5.1.1 work while impaired by the effects of drugs and/or alcohol;
- 5.1.2 commence or return to work while impaired by the effects of drugs and/or alcohol;
- 5.1.3 consume or use illegal drugs and/or alcohol at work or during work hours;
- 5.1.4 bring alcohol and/or illegal drugs to work;
- 5.1.5 sell or dispense alcohol and/or drugs at work; or
- 5.1.6 possess alcohol and/or illegal drugs at work.

Family Cab does not accept liability for the consequences (property damage, injury etc.) of any illegal or inappropriate actions of any driver whilst he/she is affected by drugs and/or alcohol. The driver is solely and wholly responsible for the consequences of their actions. Detailed responsibilities are contained in the Drug and Alcohol Procedure.

4.2 Prescription and pharmacy medications

Where a driver is taking Prescription and Pharmacy medications for a legitimate medical purpose, the driver will not breach this Policy by attending work, if:

- 4.2.1 The driver takes the Prescription and Pharmacy Medications in accordance with the instructions of their medical practitioner and normal directions applying to the use of those drugs;
- 4.2.2 The driver does not misuse or abuse Prescription and Pharmacy Medications;
- 4.2.3 The driver is aware of the effects (including potential effects) of consumption of alcohol while taking Prescription and Pharmacy Medications; and

4.2.4 The driver checks with their medical practitioner or pharmacist about the effect of the drug on their ability to drive vehicles, operate machinery and generally perform their work duties in a safe manner. If a drivers ability to perform his/her work safely could be impaired by Prescription and Pharmacy Medications, the driver should promptly obtain advice in writing from the medical practitioner or pharmacist and provide it to his/her manager or supervisor, before undertaking his/her work.

If Family Cab suspects that a drivers ability to safely perform work is impaired (or likely to be impaired), Family Cab may take steps to address the issue in accordance with this Policy.

5.3 Consumption of alcohol

Family reserve the right to waive the prohibition on the consumption of alcohol in certain circumstances such as for special functions, Christmas parties, work functions etc. The decision to waive this prohibition is at the sole discretion of the Chief Executive Officer. Prior to the relevant function, drivers will be notified whether or not the prohibition of alcohol is waived. Unless notified otherwise, all drivers must assume that the prohibition applies. Even if Family Cab waives the general prohibition on consumption of alcohol, the following restrictions continue to apply at all work-related functions:

5.3.1 drivers who consume alcohol should do so in a responsible manner;

5.3.2 drivers must not become inebriated or drunk;

5.3.3 drivers must uphold an appropriate standard of behaviour at all times.

Inebriation will not be accepted as an 'excuse' for misconduct;

5.3.4 the restrictions set out below in relation to the operation of any vehicles and machinery continue to apply;

5.3.5 Drivers must not drive any vehicle if under the influence of alcohol or drugs.

Drivers who do not have a means of transport should advise their supervisor or manager in order to arrange transport.

5.4 Vehicles/Buses

Drivers must not, in any circumstances, operate any vehicles or buses if they have consumed alcohol or illegal drugs, or prescription and pharmacy medications which may impair their ability to drive the vehicle or operate the bus in a safe manner.

Family Cab does not accept liability for any damage to any bus or vehicle, any injury to any person, or damage to any other property caused by a drivers use of a vehicle or bus while under the influence of alcohol or drugs. The driver is responsible for the consequences of their actions. Where a driver is taking Prescription and Pharmacy Medications, the driver must comply with any warnings or cautions with respect to those medications. Further, if a driver is taking Prescription and Pharmacy Medications and feels that their ability to safely

drive a vehicle or operate a bus is impaired (regardless of whether or not the drug contains a relevant warning), the driver must not drive any vehicle or operate any machinery and must promptly notify their manager or supervisor of this fact.

5.5 What will Family Cab do if it suspects a driver is affected by drugs or alcohol?

If Family Cab suspects on reasonable grounds that a driver is under the influence of drugs and/or alcohol, Family Cab will take steps to address the issue. Family Cab may have that suspicion in any circumstance where the driver:

- is unable to co-ordinate their actions;
- Is seen to have red or bloodshot eyes or dilated pupils;
- smells of alcohol;
- acts contrary to their normal behaviour;
- or otherwise appears to be impaired.

In circumstances when Family Cab suspects a driver to be under the influence of drugs and/or alcohol Family Cab may take any or all of the following actions:

5.5.1 direct the driver to go home; or

5.5.2 may require the driver to undergo on site testing for drugs and alcohol; and/or

5.5.3 direct the driver to attend a medical practitioner and submit to a medical examination to determine whether the driver is fit to safely perform their duties without risk to health or safety. The medical examination may include a drug and/or alcohol test. Further, in relation to Prescription and Pharmacy Medications, Family Cab may require evidence as part of the medical examination about the effects and proper usage of the drug. The driver may be directed to go home following the medical examination.

If the driver refuses to undertake a drug and/or alcohol test or attend a medical examination, the driver will be directed to go home. Refusal to undertake a drug and/or alcohol test, attend a medical examination or refusal to go home constitutes a breach of this Policy and may result in action being taken against the driver, as set out below under 'Breach of this Policy'.

Where a driver is sent home or required to attend a medical examination, the driver must report to their manager or supervisor to discuss the incident the following working day, or when the driver is no longer under the influence of drugs and alcohol. Family Cab may deal with the issue as set out below under the heading 'Breach of this Policy'.

5.6 Drug and alcohol testing

5.6.1 Drivers accepting employment with Family Cab will be required to participate in a drug and alcohol test prior to being inducted.

5.6.2 Random drug and alcohol testing will be undertaken by Family Cab. A driver or group of select drivers may be required to undergo testing at random.

5.6.3 Family Cab has a system of random drug and alcohol testing in higher risk areas of its operations, for example, wine tour operation and work connected thereto.

5.6.4 The system of selection for testing will be determined by the Director of Family Cab.

5.6.5 Any driver involved in an incident/accident while at work will be tested.

5.6.6 Testing for drugs will be by means of oral fluid sample or urine sample, where an Australian standard exists for the detection of impairment causing drugs using such means. Testing for alcohol impairment will be by means of breath analyser.

5.6.7 Non-negative results for drugs will be determined in accordance with the Australian standards for oral fluid testing or urine testing.

5.6.8 Drivers will be required at all times to maintain a blood alcohol level below the legal requirements for the operation of particular vehicles.

5.6.9 Drivers whom return a non-negative result following random testing may be subject to targeted follow up testing.

5.7 What will Family Cab do if it finds drugs or alcohol on company property?

If Family Cab finds drugs and/or alcohol on any work premises or vehicle in breach of this Policy, Family Cab may take any or all of the following steps:

5.7.1 Investigate the matter in order to attempt to determine who is responsible. For this purpose searches may be conducted, as set out in this Policy;

5.7.2 Require some, or all drivers to undergo a medical examination in order to test for the presence of drugs and/or alcohol. Drivers are required to co-operate in any investigation of such matters.

Failure to co-operate or providing false information in an investigation constitutes a breach of this Policy and will be considered to be misconduct and will be dealt with under the heading 'Breach of this Policy'.

5.8 What will Family Cab do if it suspects a driver possesses drugs or alcohol at work?

If Family Cab suspects that a driver has drugs or alcohol in their possession at work, Family Cab may take any or all of the following steps:

5.8.1 Investigate the matter to attempt to determine whether the driver does have such drugs or alcohol in their possession;

5.8.2 Require the driver to give access to any of Family Cab property such as any phone or vehicle;

5.8.3 Request the driver to allow inspection of any personal property of the driver such as any bag, or vehicle or to empty their pockets or jacket. Drivers are expected to permit such inspection and co-operate with the investigation.

Failure to co-operate or providing false information in an investigation will be considered to be misconduct. Misconduct may result in action being taken against the driver, as set out below under the heading 'Breach of this Policy'.

5.9 Breach of this policy

Drivers must comply with this Policy at all times. If an employee or contractor is found to have breached this Policy, they may be subjected to disciplinary action as outlined below. The type and severity of the disciplinary action will depend upon the circumstances of the case and the seriousness of the breach. In serious cases, this may include termination of employment or contract.

Examples of disciplinary action that may be taken include (but are not limited to):

5.9.1 counselling;

5.9.2 a formal warning;

5.9.3 demotion;

5.9.4 suspension;

5.9.5 termination of employment.

Contractors of Family Cab who are found to have breached this Policy may have their contracts with Family Cab terminated. In circumstances where a drivers behaviour or conduct may involve a breach of any Australian laws, (or any other laws (including foreign and international laws) to which Family Cab is subject or which apply to the work performed by drivers for Family Cab), Family Cab may notify the police or other relevant authority.

5.10 More Information

This Policy does not form part of any contract between any driver and Family Cab.

If a driver is unsure about any matter covered by this Policy, they should seek the assistance of the Work Health and Safety Officer.

Please complete the declaration on the attached page. Once signed, the page should be returned to the Director

Driver Acknowledgement

Drug and Alcohol Policy

I acknowledge:

- receiving the Family Cab Drug and Alcohol Policy
- that I should comply with the Policy; and
- that there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment or contract.

Your name: _____

Signed: _____

Date: _____