

DRUG AND ALCOHOL TESTING OF EMPLOYEES, UNION'S POSITION

1283. Hon. C.L. Edwardes to the Minister for Consumer and Employment Protection

I refer the Minister to the article from *The West Australian* on 28 February 2003, titled 'Surprise at union drug shift', and ask -

- (a) what is the State Labor Government's position on the union's stand;
- (b) what support will the Labor Government give to an employer who stands down an employee because they refuse drug or alcohol testing, prior to using heavy or dangerous machinery ; and
- (c) will the State Labor Government support an employer who becomes subject to strike action as a result of such a stand down?

Mr J.C. KOBELKE replied:

The Department of Consumer and Employment Protection provides the following response:

- (a) Alcohol and drug testing is a matter to be dealt with in a specific workplace.
The Government expects that employers implementing a policy relating to drug and alcohol testing in a workplace would have consulted with employees and unions, and that procedures would have been installed to ensure fairness in dealing with situations where tests of employees prove positive.
A guidance note issued by the WorkSafe Western Australia Commission provides valuable information in this regard.
- (b)-(c) Industrial tribunals are the appropriate forums for dealing with these issues. Employers acting as described in (a) above, should be confident of a positive outcome from a matter referred to an industrial tribunal for conciliation or arbitration. It is not the role of the Government to arbitrate in specific disputes.