

Fitness for Work Policy

For Australian Small & Medium Enterprises

Template Version 1.0 | December 2024

Important Notice

This template is provided as a general guide only. Fitness for work policies involve complex legal considerations including privacy, discrimination, and industrial relations law. We recommend having this policy reviewed by a legal or HR professional before implementation.

1. Purpose

This policy establishes [Company Name]'s requirements and procedures to ensure all employees are fit to perform their work safely. Being fit for work means being in a physical, mental, and emotional state that enables an employee to perform their job duties safely and effectively.

2. Scope

This policy applies to:

- All employees, including full-time, part-time, and casual workers
- Contractors working on [Company Name] premises or on behalf of the company
- All work activities and locations

3. Policy Statement

[Company Name] is committed to:

- Providing a safe workplace for all employees
- Supporting employee health and wellbeing
- Taking reasonable steps to ensure employees are fit to work safely
- Treating all employees with dignity and respect
- Maintaining confidentiality of health information
- Complying with relevant legislation including WHS, privacy, and discrimination laws

4. Factors Affecting Fitness for Work

Factors that may affect an employee's fitness for work include:

4.1 Alcohol and Drugs

- Alcohol impairment
- Illicit drug use

- Misuse of prescription or over-the-counter medications
- After-effects of alcohol or drug use

4.2 Fatigue

- Insufficient sleep
- Extended work hours
- Shift work patterns
- Secondary employment

4.3 Health Conditions

- Illness or injury
- Chronic health conditions
- Mental health conditions
- Temporary medical conditions

4.4 Medications

- Prescription medications that cause drowsiness or impairment
- Over-the-counter medications with side effects

4.5 Other Factors

- Emotional distress
- Extreme stress
- Personal circumstances affecting concentration

5. Alcohol and Drugs

5.1 Prohibited Conduct

Employees must not:

- Attend work under the influence of alcohol or illicit drugs
- Consume alcohol or illicit drugs during work hours (including breaks)
- Consume alcohol on company premises except at authorised events
- Possess, use, or supply illicit drugs on company premises or at work
- Attend work while impaired by the after-effects of alcohol or drug use

5.2 Prescription and Over-the-Counter Medications

Employees taking medications that may affect their ability to work safely must:

- Inform their supervisor or HR
- Provide information about potential effects (not the condition being treated)
- Follow any restrictions or alternative duties arrangements
- Never share prescription medications with others

5.3 Testing

[Company Name] may conduct alcohol and drug testing:

- Pre-employment (for safety-critical roles)
- When there is reasonable suspicion of impairment
- Following workplace incidents
- Randomly (if applicable to the role/industry)

Testing will be conducted in accordance with Australian Standards and with respect for employee dignity.

6. Fatigue

Employees must:

- Arrive at work sufficiently rested
- Report to their supervisor if too fatigued to work safely
- Disclose secondary employment
- Use breaks effectively for rest

Refer to the Fatigue Management Policy for detailed requirements.

7. Health Conditions

7.1 Disclosure

Employees should disclose health conditions or injuries that may:

- Affect their ability to perform their job safely
- Pose a risk to themselves or others
- Require workplace adjustments or restrictions

Disclosure should be made to the supervisor or HR. Medical details will be kept confidential.

7.2 Medical Assessments

[Company Name] may require a medical assessment to:

- Assess fitness to perform specific duties
- Determine appropriate work restrictions
- Support return to work after injury or illness
- Assess capacity where there are safety concerns

Medical assessments will be conducted by an appropriately qualified health professional.

7.3 Working While Unwell

Employees should not attend work if they:

- Have a contagious illness that could spread to others

- Are too unwell to perform their duties safely
- Have been advised by a doctor not to work

Appropriate leave should be taken. Presenteeism (working while sick) can be counterproductive and unsafe.

8. Mental Health and Wellbeing

[Company Name] recognises that mental health is as important as physical health. We:

- Encourage employees to seek help for mental health concerns
- Provide access to Employee Assistance Program (EAP)
- Will consider reasonable adjustments for mental health conditions
- Treat mental health matters with confidentiality and without discrimination

If personal circumstances or emotional distress affect your ability to work safely, please speak to your supervisor or HR.

9. Reporting Fitness for Work Concerns

9.1 Self-Reporting

Employees are responsible for reporting if they are not fit for work. This includes:

- Before starting work if aware of an issue
- During the workday if their condition changes
- Without fear of disciplinary action for honest reporting

9.2 Reporting Concerns About Others

If you are concerned a colleague may not be fit for work:

- Report your concerns to a supervisor or manager
- Be factual about observed behaviours
- Do not confront or accuse the person
- Reports will be treated confidentially

10. Response to Fitness for Work Concerns

When a fitness for work concern is raised, management will:

- Assess the situation calmly and privately
- Focus on observable behaviours and safety
- Remove the employee from safety-sensitive duties if necessary
- Arrange safe transport home if required
- Conduct further assessment or testing if appropriate
- Maintain confidentiality

- Follow up appropriately

11. Support and Assistance

[Company Name] supports employees through:

- Employee Assistance Program (EAP) – confidential counselling and support
- Flexible working arrangements where appropriate
- Return to work programs
- Referral to external support services
- Reasonable adjustments for health conditions

12. Responsibilities

12.1 Employees

- Arrive fit for work each day
- Report fitness for work concerns to their supervisor
- Comply with this policy
- Not endanger themselves or others
- Seek assistance when needed

12.2 Supervisors and Managers

- Monitor employees for signs of impairment or unfitness
- Respond appropriately to fitness for work concerns
- Maintain confidentiality
- Support employees to meet their obligations
- Lead by example

12.3 Management

- Implement and maintain this policy
- Provide necessary resources and training
- Ensure appropriate support services are available
- Review policy effectiveness

13. Confidentiality

Information about an employee's fitness for work will be:

- Treated as confidential
- Shared only on a need-to-know basis
- Stored securely
- Handled in accordance with privacy laws

14. Consequences of Non-Compliance

Breaches of this policy may result in:

- Counselling
- Disciplinary action up to and including termination
- In serious cases (e.g., illicit drug possession), summary dismissal

Each case will be considered on its merits. The focus is on safety and supporting employees to meet requirements.

15. Review

This policy will be reviewed annually or following significant incidents or changes to relevant legislation.

Employee Acknowledgement

I acknowledge that I have read and understood [Company Name]'s Fitness for Work Policy. I understand my obligations to attend work fit for duty and to report any concerns that may affect my fitness for work.

Employee Name: _____

Signature: _____

Date: _____