


POLICY NUMBER: SLPOL009:4		
POLICY TITLE: FITNESS FOR WORK (INCLUDING DRUGS AND ALCOHOL) POLICY		
Approver: David Cooke (Chairperson)	Date Approved: February 2025	Review Date: February 2027

1.0 PURPOSE AND SCOPE

Skillset Limited ('Skillset') is committed to ensuring the health and safety of all Skillset Employees, contractors, visitors and anyone who may be involved in our business operations. In line with this commitment, this Policy details standards required of Employees to ensure their 'fitness for work'. This Policy includes both general fitness for work factors, and specific factors impacting fitness for work including drugs and alcohol, fatigue, and non-work related illness and injuries.

This Policy is applicable to all Skillset Employees, Board Members, contractors, and visitors to any site or office in connection with their work with Skillset. This policy does not apply to Skillset Senior College Employees who are covered by an equivalent Skillset Senior College Policy.

Note: many Host workplaces have their own Fitness for Work Policies, including Drug and Alcohol Policies which must be strictly adhered to at all times, by all Skillset Employees.

2.0 POLICY

All Skillset Employees are responsible for ensuring they are fit for work at all relevant times, in line with their Contract of Employment. Being fit for work is a broad term and generally means that an individual is in a physical, mental, and emotional state that allows them to perform their job duties safely and productively. This includes being free from the adverse effects of fatigue, personal or professional circumstances impacting mental health and wellbeing, stress, alcohol, drugs, medications, injury or illness or any other condition that could impair their ability to work safely and productively. Being fit for work also means that an Employee is able to safely perform the inherent requirements of their role.


An Employee who attends or performs work in an unfit manner is operating outside Skillset's policy. Skillset has zero tolerance for any conduct that causes serious or imminent risk to the health and safety of a person or the reputation, or viability of Skillset.

3.0 RESPONSIBILITIES

Skillset Managers will:

- a) Identify, assess and manage fitness for work risks.
- b) Utilise practices, including pre-employment medicals where deemed required, that aim to ensure Employees and contractors are fit, capable and are able to undertake their assigned roles and responsibilities.
- c) Ensure all Employees understand the requirements of this Policy.
- d) Provide information to all employees and contractors on how to recognise the signs and symptoms of fitness for work issues.
- e) Take prompt, reasonable management action to address fitness for work concerns that are raised or observed.
- f) Coordinate fitness for work testing and assessments as appropriate.
- g) Regularly review fitness for work practices.
- h) Ensure all issues pertaining to fitness for work are kept strictly confidential.
- i) Provide counselling and other support as appropriate for employees (which may include: resources, referral to professional support, referral to the Employee Assistance Program (EAP), flexibility in work hours/conditions where safe and appropriate.)
- j) Monitor Employee leave accruals, work hours, overtime hours worked and ensure effective roster management.

All Skillset Employees will:

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- a) Ensure they are fit for work and comply with the requirements of all Skillset Policies and Procedures.
- b) Ensure that they do not adversely affect the safety or health of themselves or any other person.
- c) Advise their Manager or a member of the Senior Leadership Team immediately if they become aware of any fitness for work issues affecting themselves or others' ability to complete their work duties or compromise the health and safety of themselves or others.
- d) Declare if they are taking medications or have a medical condition that could impact on their ability to undertake work safely.
- e) Inform their respective Manager of any changes in their personal circumstances that may affect their fitness for work.
- f) Participate in all forms of fitness for work testing as directed.
- g) Ensure legal compliance and fitness for work when operating vehicles and machinery. Employees must not, under any circumstances, drive a vehicle or operate machinery or equipment, if they are impaired by drugs or alcohol (including illicit, prescription and/or 'over the counter' medication).

3.1 Drugs and Alcohol

Drugs and alcohol can affect a person's ability to work safely, including increasing the risk of injury and illness to themselves or others. This includes medicines that are prescribed or over the counter.

Employees are prohibited from:

- Working or attending for work while impaired by drugs or alcohol.
- The use, possession, distribution, or sale of illegal drugs and alcohol on any work-related worksite (including but not limited to: usual place of work, work provided accommodation and host/contract worksites).
- Consuming alcohol during work hours, including breaks, unless approved by the CEO.
- Misusing controlled substances or alcohol in a workplace or work setting.


Any worker who is prescribed drugs must actively consider and obtain professional advice about any potential risks or hazards associated with the use of those drugs in connection with their work. Employees must inform their Manager or Supervisor prior to the commencement of work where they are taking prescription or non-prescription medication that may impair their ability to work safely or may provide a positive result in a drug screen (various medications containing substances such as codeine, pseudoephedrine etc., are displayed as illegal substances in drug screens). In the case of apprentices, trainees and labour hire personnel, they are required to contact their Workforce Consultant. The Employee's Manager or Supervisor is required to take the necessary action to mitigate the risk and to notify People & Culture of this.

Skillset recognises that Employees may enjoy a variety of social activities as part of the social interaction / activities of Skillset. Those participating in such activities are required to do so in a safe and responsible manner that will not harm the Employee or others, or Skillset's property or reputation.

Some indicators that can suggest the presence of alcohol and other drug misuse include: incidents, violence, habitual lateness, frequent absences, neglect of personal grooming, interpersonal problems, mood swings, irritability, impaired motor skills/coordination or speech, blood-shot eyes or dilated pupils, smell of alcohol on person, and poor concentration and/or visual disturbance.

3.1.1 Drug and alcohol testing

Skillset will undertake drug and alcohol testing of Employees, at its discretion. Testing is undertaken to identify and address substance use that could impair an employee's ability to perform their duties safely. Where a positive test result is obtained, this will be deemed as a breach of this Policy.

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Any person suspected of being impaired by drugs or alcohol, will not be permitted to commence work or continue to work. Such persons will be immediately removed from risks of danger to themselves and others and will be asked to undertake a test.

Skillset may require Employees to undergo testing for the presence of drugs or alcohol in the following circumstances (with or without prior notice):

- a) Pre-employment medical testing – conducted before hiring a candidate.
- b) Random Testing - where a small number of Employees are randomly selected to complete a drug and/or alcohol screen, unannounced.
- c) Reasonable suspicion (with cause) testing:
 - If Skillset suspects, on reasonable grounds, that an Employee or Contractor is under the influence of drugs or alcohol in breach of this policy.
 - Upon finding evidence that a worker has used, possessed, sold, solicited or transferred drugs whilst in the workplace or while on Skillset property.
 - Upon receipt of a report of drug or alcohol use.
- d) Targeted Testing - where an Employee holds a position where the use of drugs or alcohol would pose a very high/significant risk to the health, welfare or safety of that worker or to others in the workplace.
- e) Post Incident or Near-miss – conducted during the investigation of an incident or near-miss.
- f) Blanket Testing - where all Employees of Skillset that are present at work on the nominated day are required to complete the drug and /or alcohol screen.
- g) Host / Site specific testing – where the Host (or similar) has their own testing requirements, these must be adhered to by Skillset Employees. A positive test result in such a workplace, is a breach of this Policy.

Skillset considers the request to participate in drug and alcohol testing as a lawful and reasonable instruction. Failure to participate in a requested drug and alcohol test will be treated the same as a positive test.

Skillset will treat any requests for assistance from any Employee who volunteers the information that they have an alcohol or drug related problem sympathetically and confidentially. During any support regime, the individual would remain subject to the requirements of this Policy whilst at work.


Employees should be aware that drug detection periods may extend well beyond the effects of the drug. Measurable traces of drug metabolites can vary significantly dependent on a range of factors, including but not limited to: The type of drug consumed, the quantity consumed, how the drug was administered, the type of test being undertaken (e.g. saliva, urine, blood, hair sample), individual factors (age, height, weight, sex, biological factors), individual drug tolerance, and consuming multiple types of drugs. Employees must be aware that they are operating in contravention to this Policy, should they attend for work in an unfit state, which includes where they are found to have traces of proscribed substances exceeding reportable levels.

3.2 Fatigue

Fatigue is a physical condition that can occur when a person's physical or mental limits are reached. Fatigue may include feeling sleepy, physically or mentally tired, weary or drowsy, feeling exhausted or lacking energy.

Fatigue reduces alertness and affects a person's ability to think clearly which may lead to errors and an increase in incidents and injuries, particularly when: operating fixed or mobile plant, including driving vehicles; undertaking critical tasks that require a high level of concentration; and undertaking night or shift work, when a person would ordinarily be sleeping.

It is important that all Employees are able to identify signs and symptoms of fatigue. Some examples include:

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- lack of concentration; daydreaming;
- low motivation / making more mistakes than usual;
- slowed reflexes and responses;
- difficulty making decisions;
- poor judgement or poor memory;
- needing more sleep than usual during days off work;
- mood changes, increased irritability or other changes to the person's mental health;
- excessive yawning or falling asleep at work;
- noticeably reduced capacity to engage in effective interpersonal communication;
- changes to the person's general health or fitness.

Employees must advise their Manager immediately should they have any issues in relation to fatigue management or fitness for work that may affect their ability to work safely.


Fatigue management strategies include:

- Designing work schedules/rosters which allow for adequate rest and recovery.
- Ensuring time is scheduled for adequate breaks during work, including when travelling for work. Employees are required to stop every two hours when traveling for work.
- Monitoring overtime hours worked to ensure this is not excessive.
- Fostering an open and transparent workplace culture which encourages reporting of concerns, including fatigue-related issues.
- Employees may be directed to take leave or reduce hours for a period of time where excessive hours have been ongoing for more than three weeks' duration.
- Managers providing support for Employees with workload management, especially during peak workload periods.
- Employees should be aware of the effects of fatigue when driving to and from work or as part of their work activities. Precautions whilst driving include:
 - Taking regular and adequate rest breaks, including taking breaks every two hours;
 - Stopping when tired;
 - Planning the journey, taking into consideration pre-journey work duties, the length of the trip and post-journey commitments;
 - Advising your manager if driving time and non-driving duties will exceed ten hours in one day, where this is outside of your regular hours of work, so accommodation and other fatigue management strategies can be discussed; and
 - Sharing driving duties if possible.

Managers may apply additional fatigue management measures on a 'case by case' basis for individuals who may be more exposed to the risk of fatigue (for example due to the requirements of their position). Consideration and discretion can be applied by Managers on an individual basis, which may include (but not limited to) enabling an Employee to finish work early, start later, or take additional breaks.

3.3 Non-work related injury or illness (including physical health and functional capacity)

Employees are required to be fit for work and ensure that non-work related illnesses or injuries do not affect their ability to safely perform their duties. Employees are entitled to be temporarily absent from work due to illness and injury, and may utilise available leave entitlements, where illness or injury prevent them from being able to undertake their normal duties.

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Employees must report any pre-existing injury, illness or disability, on commencement of employment, where this impacts on their ability to perform the inherent requirements of their role.

Employees have an ethical and common law Duty of Care (*Work Health & Safety Act 2012 s 28*) to provide relevant information to Skillset (normally via conversation with their Manager) about their health status when this could impact upon their capacity to perform the inherent requirements of their role, and/or where the illness or injury has the potential to place themselves or others at risk.

Where risk is present due to a non-work related illness or injury, an Employee may be directed to cease work until relevant information is available to ensure they and others are safe.

Skillset may seek professional medical advice on an Employee's non-work related injury or health-related issue that is or may be, affecting an Employee's ability to perform the inherent requirements of their role. Generally, this information is provided by the Employee's normal health professional. The Employee and Manager will consult with the People and Culture team to determine an appropriate plan to obtain this advice. This may include direction to attend a medical professional for assessment. Employees must at all times comply with any relevant medical restrictions advised by such a professional. This is to ensure that the Employee is not put at risk of further illness or injury, or delayed recovery, as a result of their work; and others are also kept safe. Clarification of medical advice may also be sought by Skillset from the treating medical professional, or alternate professional.

In some circumstances an Employee may be able to attend work with restrictions or modifications. This will be on a case-by-case basis, dependent on the inherent requirements of the role, the work being performed, the work site or environment, and supported by medical information that such restrictions do not place the Employee or others at risk. Skillset must not incur unjustifiable hardship to accommodate such restrictions or modifications.

4.0 SUPPORT FOR EMPLOYEES WHO ARE NOT FIT FOR WORK

All Skillset Employees who face issues related to fitness for work, will be treated with dignity and respect. All issues pertaining to fitness for work shall be kept strictly confidential at all times.

Available leave entitlements may be utilised by Employees to assist in the management of fitness for work concerns.

All Skillset Employees have access to the Employee Assistance Program (EAP). The EAP is a free, professional and confidential counselling service available to all Employees and their immediate family members to access, should they need support for work-related or personal reasons. Details of Skillset's EAP can be found on SkillPoint.

5.0 NON-COMPLIANCE

Failure to comply with this Skillset Policy may result in disciplinary action, up to and including the termination of employment or termination of contractual arrangements. Skillset has zero tolerance for any conduct that causes serious or imminent risk to the health and safety of a person or the reputation, viability or profitability of Skillset.