



Safety guidelines

Managing risks:
alcohol and other drugs
– raft and jet boat operators

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Purpose

The use of alcohol and other drugs, even if consumed outside the workplace, can lead to employee impairment while at work. Poor concentration, carelessness, risk-taking behaviour and errors in judgement can occur. Alcohol and other drug use not only affects work performance, but also results in higher rates of injuries, fatalities and absenteeism, as well as reduced productivity.

In adventure activities, detection of alcohol and other drugs use that can cause impairment is critical to establishing safe operations for all people involved in the operation. This guidance will help you manage the workplace hazard of impairment from the use of alcohol and other drugs, in fulfilment of your duties under the Maritime Transport Act (MTA) 2004 and the Health and Safety in Employment Act (HSE Act) 1992.

Background

Recreational drug use has been implicated in 20 deaths in two separate adventure aviation accidents. The government wants to ensure that the risks from drugs and alcohol are adequately managed throughout the adventure sector.

Maritime New Zealand (MNZ) is the compliance agency for two key activities in the adventure sector: commercial jet boating and rafting operations in rivers.

Both the maritime rules¹ made under the MTA for these activities, and workplace safety law (HSE Act) make operators responsible for managing the risks to their operations associated with the use of alcohol and other drugs.

MNZ's role is to:

- provide information and advice about managing these risks
- verify that safe operational plans (SOPs) under maritime rules have appropriate provisions for managing the risks
- carry out compliance audits to verify that policies, systems and procedures set out in plans are working in practice
- enforce the law against operators who are not responsive to encouragement and advice, neglect to act on audit and inspection findings, and otherwise fail to meet their duty to take all practicable steps to manage the hazards associated with use of alcohol and other drugs in their operations.

Guidance

Have a policy

Your operation must have a clear sense of direction and mindfulness about the risk posed by alcohol and other drugs. That starts with you as the operator.

¹ *Maritime Rules Part 81: Commercial Rafting Operations and Maritime Rules Part 82: Commercial Jet Boat Operations – River.*

Your commitment needs to be expressed in a succinct and meaningful written organisational policy covering (but not limited to) the following aspects of the workplace hazard arising from alcohol and other drugs use:

- staff recruitment and induction
- testing (where appropriate)
- peer and senior staff responsibilities
- observation of customers and their fitness to undertake the activity.

Engage with your staff in developing your policy to increase their participation and commitment. Talking about the subject is the most powerful means of building an organisational consensus around this topic, and will help embed appropriate norms into the culture of your operation.

Assess the hazard and manage it

Operations with low or zero risks from alcohol and other drugs

Some operations are conducted in a low or near zero alcohol and other drugs hazard environment (for example a small, family-run, business where no one drinks alcohol or uses any other recreational drugs, or a larger faith-based organisation that has a strict ethic of no alcohol or other drugs use by staff).

In these circumstances, your SOP provision should include a clear policy statement that the workplace is free of alcohol and other recreational drugs, and therefore this source of harm is not present in the workplace. In such cases, there is no need for any elaborate procedures to address the hazard. However, the SOP should still detail how the organisation will monitor compliance with the policy and deal with any breaches. It should also detail observation of customers and how any risks associated with customer alcohol and other drug use will be managed.

Operations with alcohol and other drug hazards

A robust and comprehensive approach is indicated where commercial rafting and jet boat operations are conducted by operations employing diverse staff, with potentially permissive views and habits concerning the use of alcohol and other drugs.

Consider your staff: are they of an age where they enjoy an active social life out of working hours and is the business near to a resort town? Are staff well known to the operator or recruited on a seasonal basis?

If the hazard is considered a significant one for the organisation, then an alcohol and drug testing policy and alcohol and drug testing procedures are part of an appropriate response – in other words, a practicable step in terms of the HSE Act.

Testing is an approach used in a number of high-risk sectors in New Zealand, including some adventure activities. It is generally carried out in the following ways: pre-employment; post-accident; on grounds of reasonable cause to suspect use, and; randomly.

There are services available that make such testing technically feasible at most locations in New Zealand. It is acceptable under employment law, provided it is set up with appropriate safeguards for the individuals concerned. In this respect, it would be appropriate take advice from an employment lawyer.

Where you operate a testing regime, your SOP needs to be clear about the consequences of a positive test, both in terms day-to-day operations and in terms of the ongoing employment relationship.

Testing is not a complete response. Your operation's norms around alcohol and other drugs, as set out in your policy, are more likely to become a sustainable part of the business culture if the topic is subject to ongoing story-telling and appropriate behaviour by drivers' and guides' senior peers.

Consider these topics

Prescription and other medicines

Whether you operate in a low hazard or high hazard alcohol and other recreational drug setting, you need to ensure that risks associated with medicines – whether prescription or over-the-counter – are appropriately managed.

Staff need to disclose any medicines they are taking with side effects that have safety implications. An appropriate response may be to stand people down from safety critical duties where the side effects include drowsiness, slowed reactions, light headedness or confusion.

Managing visitors and passengers

Your SOP should provide clear instructions to staff on managing potential passengers turning up at the operations base showing signs of being impaired, or suffering from the after effects of alcohol or other drug use.

Resources

Ministry of Business, Innovation and Employment

Ministry of Business, Innovation and Employment, 2013, "*Guidance for Managing Drug and Alcohol-Related Risks in Adventure Activities*".

[\[http://www.osh.govt.nz/publications/booklets/managing-drug-alcohol-related-risks-adventure-activities/managing-drug-alcohol-related-risks-adventure-activities.pdf\]](http://www.osh.govt.nz/publications/booklets/managing-drug-alcohol-related-risks-adventure-activities/managing-drug-alcohol-related-risks-adventure-activities.pdf)

Civil Aviation Authority

The Civil Aviation Authority (CAA) approach to managing alcohol and other drugs is available on the CAA website: http://www.caa.govt.nz/HSE-CAA/drugs_alcohol.htm

Support Adventure

General guidance on safety systems for the adventure sector and information about alcohol and drug testing is available on the Support Adventure website: <http://www.supportadventure.co.nz>