

HEALTH & SAFETY

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REVIEW

The Health and Safety Authority has opted to publish guidance on Intoxicants testing, rather than introduce legally binding regulations.

Speaking from the floor at the IBEC annual health and safety conference, the Authority's assistant chief executive, Mary Dorgan, told delegates that the Authority has "no plans for drug and alcohol testing at this time". Instead she said the Authority "will produce guidance".

Since the passage of the SHWW Act 2005, which provided that an employee, if reasonably required by his/her employer, could be asked to submit to testing for intoxicants (section 13.1.c) one of the most frequently asked questions has been when the regulations prescribing testing would be introduced.

Following Ms. Dorgan's remark, it is now clear that the HSA will not be proposing regulations for intoxicants testing to the Government. The decision was taken at a recent HSA board meeting, Ms. Dorgan told the conference.

Before the guidelines are introduced, there will, Ms. Dorgan said, "be widespread consultation". Speaking to HSR after the conference, she said the consultation process and the development of guidance will be managed by the Authority's Occupational Health Unit.

She expects it will be autumn of next year before the Authority will carry out a full public consultation, given the groundwork that has to be carried out on what Ms. Dorgan describes as a "complex subject, with a lot of issues around it". In the meantime, the HSA will be consulting with the social partners, Government departments and agencies and others who have an interest in the area.

In developing guidance the Authority will, Ms. Dorgan said, be looking at what is happening in other countries and will be looking at the European Workplace Drug Testing Society (EWDTS) Guidelines for Legally Defensible Drug Testing. (Article reproduced with permission of Mr. Herbert Mulligan, Editor, Health & Safety Review www.healthandsafetyreview.ie)