

CASA Micro-business Drug and Alcohol Management Plan (DAMP)

Note This DAMP must be adopted as follows by a micro-business to obtain the benefit of *CASA EX56/23 — Implementation of Drug and Alcohol Management Plans (Micro-businesses and DAMP organisations) Exemption 2023*. It is a condition of the exemption that the CASA Micro-business DAMP be adopted in this way — see ss5(1) of CASA EX56/23.

adopts this DAMP as its DAMP.

On behalf of

DATE

The DAMP for our micro-business

This is the drug and alcohol management plan (**DAMP**) for the micro-business

to obtain the benefit of CASA EX56/23 (the **CASA exemption**) which exempts Australian micro-businesses from the requirements of Subpart 99.B of the *Civil Aviation Safety Regulations 1998 (CASR)*.

Note: CASR and CASA EX56/23 — *Implementation of Drug and Alcohol Management Plans (Micro-businesses and DAMP organisations) Exemption 2023* are available from the Federal Register of Legislation at <https://www.legislation.gov.au>.

We confirm that we consider

to be a micro-business as defined in the CASA Exemption.

Our DAMP contact officer

Our DAMP contact officer will liaise with CASA in relation to our organisation's responsibilities under Part 99 of CASR.

DAMP contact officer details

Name:

Phone:

Email:

We understand that we must provide these details of our DAMP contact officer to our CASA regional office within the time frames as set out for their micro-business in CASA EX56/23, in the CASA approved form.

Note Form 008 has been approved for this purpose and is available on the CASA website at <https://www.casa.gov.au>.

Our DAMP supervisor(s)

Our DAMP supervisor is authorised by our organisation to form an opinion as to whether a SSAA employee may be adversely affected by drugs or alcohol.

We may have more than one SSAA employee nominated as a DAMP supervisor.

DAMP supervisor details

Name:

Phone:

Email:

Additional DAMP supervisor details

Name:

Phone:

Email:

1. Definitions

Unless otherwise stated, terms and expressions used in this micro-business DAMP have the same meanings as in Part 99 of CASR, including *applicable SSAA, DAMP or drug and alcohol management plan, DAMP contact officer, DAMP supervisor, SSAA*.

Special definitions

For this micro-business DAMP:

micro-business employee is an employee of the micro-business who is not a person who has a contract of service or a contract for service with another organisation to provide DAMP organisations generally with generic SSAA.

SSAA employee means a micro-business employee who is performing SSAA for our business.

Note Regulation 99.010 of CASR defines SSAA as meaning a safety-sensitive aviation activity.

regular SSAA employee means an SSAA employee who is reasonably likely to perform an applicable SSAA at least 2 or more times every 90 days, for the micro-business.

applicable SSAA has the same meaning as in regulation 99.010. of CASR.

Note These include, for example, maintenance, baggage handling, security, fuelling, flight, or things done “airside”, that is on the surface of a certified or registered aerodrome or on an aircraft on such an aerodrome.

generic SSAA means the SSAA mentioned in the following paragraphs of regulation 99.015 of CASR: (e), (f), (h), (i), (j), (k) and (l).

Note In general terms, these relate to aircraft refuelling, airport security, aircraft baggage handling, air traffic control, flight information and search and rescue alert services, and aerodrome fire fighting. The effect of this definition and the definition of *micro-business employee*, for a micro-business, is that persons providing SSAA services, other than those defined as generic SSAA, must be counted as employees of the micro-business.

2. Micro-business — 10 SSAA employees

We are a micro-business for the exemption because we are a DAMP organisation that does not have, at any time, and under any circumstances, more than 10 micro-business employees who are reasonably likely to perform, or available to perform, an applicable SSAA for our business. We are also not engaged in and do not provide services to, any regular public transport operation.

2.1 What happens if we have more than 10 SSAA employees

We recognise that if, at any time, we have more than 10 micro-business employees performing, or available to perform, an applicable SSAA for our micro-business, the CASA exemption no longer applies to us and we must comply in full with Subpart 99.B of CASR.

If, at any time, we do have more than 10 micro-business employees performing, or available to perform, an applicable SSAA for our micro-business, we will comply with all the requirements and the obligations set out in Subpart 99.B of CASR.

We recognise that those obligations are significantly different in some respects from our obligations under this micro-business DAMP because of the relief otherwise provided by the CASA exemption.

3. CASA random drug and alcohol testing unaffected

We recognise that the CASA exemption does not extend to Subpart 99.C of CASR under which CASA conducts random drug and alcohol testing.

4. Implementing our CASA micro-business DAMP

1. We will make our micro-business DAMP available to our SSAA employees.
2. We will encourage each of our SSAA employees to inform the micro-business DAMP supervisor if they believe that they have consumed a level of alcohol or are taking any drug (this includes prescription and over-the-counter medication) that may affect his or her safe performance of SSAA.
3. We will tell each of our SSAA employees that if they consume a level of alcohol or take any drug that may affect the safe performance of their SSAA duties, they must not perform, or be available to perform, such SSAA duties.
4. If an employee has performed, or is in the act of performing, SSAA duties and we believe the SSAA employee has consumed a level of alcohol or taken any drug that may affect the safe performance of their SSAA duties, we will take all appropriate measures to protect the safety of our SSAA operations.
5. An SSAA employee of our micro-business will not be permitted to perform, or be available to perform, an applicable SSAA for our micro-business unless and until he or she has completed the CASA eLearning. Within thirty months of completing the CASA eLearning, an SSAA employee of our micro-business will not be permitted to perform, or be available to perform, an applicable SSAA for our micro-business unless and until he or she repeats the CASA eLearning. For this purpose, our organisation will use the CASA online drug and alcohol education program (CASA eLearning) available on the CASA website.
6. Our micro-business DAMP supervisor/s will not be permitted to perform this role for our micro-business unless and until he or she has completed the same CASA eLearning as an SSAA employee, and also completed the further CASA eLearning for DAMP Supervisors. Within thirty months of completing the CASA eLearning, our micro-business DAMP supervisors will repeat the CASA eLearning. For this purpose, the company will use the CASA online drug and alcohol education program (CASA eLearning) available on the CASA website.
7. We will keep a record of:
 - all SSAA employees and micro-business DAMP supervisors who have completed the CASA eLearning;
 - the employee's name;
 - the date the CASA eLearning was completed; and
 - the date that the CASA eLearning will be repeated.

5. How we will react if the DAMP supervisor has reasonable grounds to believe a SSAA employee is affected by drugs or alcohol

1. If, when they are performing or being available to perform an applicable SSAA, any of our SSAA employees is reasonably suspected by our DAMP supervisor of being adversely affected by a testable drug or by alcohol, we will immediately cease the employee from all applicable SSAA duties, until the employee is drug and alcohol **tested by a competent person using serviceable testing equipment** and each of the test results is not a positive result.
2. If a competent person is not available to conduct testing, or serviceable testing equipment is not available, a registered medical practitioner nominated by us should certify that the employee is fit to perform, or can be made available to perform, applicable SSAA.

- 3 If a registered medical practitioner is not available, at least 32 hours must have passed since the reasonable grounds first arose, and we must be satisfied that the SSAA employee is not a risk to aviation safety.

6. How we will react if any of our SSAA employees is involved in an accident or serious incident

- 1 If, when they are performing or being available to perform an applicable SSAA, any of our SSAA employees is involved in an accident or serious incident, we will immediately cease the employee from all applicable SSAA duties until the employee is drug and alcohol **tested by a competent person using serviceable testing equipment** and each of the test results is not a positive result.
- 2 If a competent person is not available to conduct testing, or serviceable testing equipment is not available, a registered medical practitioner nominated by us should certify that the employee is fit to perform, or can be made available to perform, applicable SSAA.
- 3 If a registered medical practitioner is not available, at least 32 hours must have passed since the reasonable grounds first arose, and we must be satisfied that the SSAA employee is not a risk to aviation safety.

7. Tested by a competent person using serviceable testing methods

In the previous paragraphs, the expression *tested by a competent person using serviceable testing equipment* means this:

Tested by a registered medical practitioner, a qualified nurse or a trained collector, trained in the proper use of any reputable, commercially available, urine or oral fluid testing equipment (for drugs) or breath testing equipment (for alcohol), so that the testing is carried out using that equipment in accordance with the equipment manufacturer's approved testing methods.

This includes testing that might be done on one of our SSAA employees (including contractors) by us and use reputable, commercially available, testing equipment that is to be used as per the manufacturer's instructions.

8. Positive test results

An SSAA employee may give a positive drug or alcohol test result in different circumstances, for example:

- 1 under our own drug and alcohol testing program; and
- 2 under another organisation's drug and alcohol testing program (if we properly become aware of it); and
- 3 under Subpart 99.C of CASR under which CASA conducts random drug and alcohol testing.

9. How we will react to a positive test result for any of our SSAA employees

If, for any of our SSAA employees, we become aware of any positive test result for a confirmatory drug test or a confirmatory alcohol test, we will not permit the SSAA employee to perform, or be available to perform, an applicable SSAA for our micro-business unless one of the following events happens first:

- 1 a CASA medical review officer, or DAMP medical review officer, or a registered medical practitioner, has determined that the positive result could have been caused by medical treatment or another innocent cause and is not an aviation safety risk;

- 2 a CASA medical review officer, or a DAMP medical review officer, or a registered medical practitioner nominated by us, considers that the SSAA employee:
 - (a) has undergone an assessment for drug or alcohol use (which may include an assessment carried out by a registered medical practitioner nominated by us); and
 - (b) has received a negative test result for a confirmatory drug test or a confirmatory alcohol test; and
 - (c) is considered fit to perform, or be available to perform, an applicable SSAA for us.

10. How we will react if testing is refused or interfered with by any of our SSAA employees

If, for any of our SSAA employees, we become aware that the SSAA employee was required to take a drug or alcohol test and refused to take the test, or interfered with the integrity of the test, we will not permit the SSAA employee to perform, or be available to perform, an applicable SSAA for our micro-business until:

- 1 a CASA medical review officer, or a DAMP medical review officer, or a registered medical practitioner nominated by us, considers that the SSAA employee:
 - (a) has undergone an assessment for drug or alcohol use; and
 - (b) has received a negative test result for a confirmatory drug test or a confirmatory alcohol test; and
 - (c) is considered fit to perform, or be available to perform, an applicable SSAA for us.
- 2 In this circumstance **required** means required by law, or by us, or by CASA, or by the person's other employer (for example, if our SSAA employee is a contractor to us but employed by another person who properly conducted a drug and alcohol test).

11. SSAA employees who are on contract to us from a DAMP organisation

For this section, a **DAMP organisation** means a DAMP organisation under Subpart 99.B of CASR, **other than** another micro-business which is acting with the benefit of the CASA exemption.

If 1 of our SSAA employees is a contractor to us, provided to us by a **DAMP organisation**, then if reasonable grounds arise, or if there is an accident or serious incident, we will immediately notify the contact officer of that DAMP organisation.

We will immediately cease the employee from all applicable SSAA duties, until the employee is drug and alcohol tested by the DAMP organisation and each of the test results was not a positive result.

We recognise that it is a responsibility of that DAMP organisation to test the employee in accordance with that organisation's DAMP.

12. SSAA employees who are on contract to us from another micro-business

If 1 of our SSAA employees is a contractor to us, provided to us by **another micro-business with a CASA micro-business DAMP**, then if reasonable grounds arise, or if there is an accident or serious incident, we will immediately notify the contact officer of that other micro-business.

We will immediately cease the employee from all applicable SSAA duties, either:

- 1 until the employee is drug and alcohol tested under the other micro-business's micro-business DAMP and each of the test results is not a positive result; or
- 2 until:
 - (a) the employee is drug and alcohol tested by a competent person using serviceable testing equipment and each of the test results is not a positive result; or
 - (b) if a competent person is not available to conduct testing, or serviceable testing equipment is not available, a registered medical practitioner nominated by us certifies that the employee is fit to perform, or can be made available to perform, applicable SSAA; or
 - (c) if a registered medical practitioner is not available, at least 32 hours have passed since the reasonable grounds first arose, and we are satisfied that the SSAA employee is not a risk to aviation safety.

The expression **tested by a competent person using serviceable testing equipment** is defined above.

We recognise that nothing in this micro-business DAMP restricts, or is intended to restrict, our legal right as an employer or a contractor to terminate the employment or the contract for behaviour that is in serious breach of our employee's or our contractor's legal obligations to us in relation to the risks associated with the misuse of drugs and alcohol by SSAA employees.

13. Reporting to CASA

Under exemption CASA EX143/17 (or a subsequent renewal as published by CASA), our organisation is not required to report test records bi-annually to CASA.

14. Record keeping

We will keep the records that would have enabled us to comply with the reporting requirements that would have otherwise been applicable for 5 years from the date the information would have had to be provided to CASA.

15. CASA requests to provide information and directions to change

We will, on CASA's written request, provide CASA with any information, documents or records required by CASA for the purpose of conducting any audit of the use of our micro-business DAMP in our micro-business.

If our organisation receives a notice from CASA to adopt a new version of the micro-business DAMP, we will do so within 28 days of receiving the notice. Our organisation agrees to receive this notification electronically, by email to our DAMP contact officer at the address provided.