



## ALCOHOL AND DRUG POLICY

### Aims

R K Bell 'the Company' is committed to protect the health, safety and welfare of all its employees'/contractors and those who are and may be affected by our works. One element of that commitment is to ensure that our employees and others, such as consultants, sub-contractors or agency workers, hereafter known as contractors', are not placing themselves or others at risk by the misuse of drugs or alcohol.

The purpose of this policy is to ensure that that employees/contractors do not report for work in an unfit state by virtue of use of alcohol or drugs, including both illegal drugs, legal medication and legal highs, nor consume or be in possession of alcohol, or any drug that may affect their ability to undertake their duties.

However, the Company recognises that employees'/contractors could develop alcohol or drug related problems. The effects of drug and alcohol misuse range from absenteeism, low productivity and increased disciplinary action to injury in the workplace. This policy aims to promote a responsible attitude to drink and drugs and to offer assistance to employees who may need it.

This policy applies equally to all employees'/contractors and will be reviewed and monitored regularly to ensure that it continues to be appropriate and effective.

Please note that if we are working on a client's site, their drug and alcohol policy supersedes ours. A copy will be made available at the on-site induction.

### Responsibility

The Company encourages all employees'/contractors to take responsibility for awareness of the problems. All levels of management are responsible for the implementation of the policy; but ultimately responsibility for the operation of this policy lies with the Board of Directors.

### Definitions

**Alcohol misuse** is defined as consumption of alcohol during working hours, or attending work under the influence of alcohol. The 'prescribed limit'<sup>1</sup> as specified in current UK legislation for drink driving is listed below<sup>1</sup>.

**Drug misuse** refers to the use of illegal substances and the misuse of prescribed drugs and other substances such as solvents.

During working hours includes during breaks or on the way to work.

### The rules

The organisation does not permit:

- drug or alcohol misuse during working hours
- being under the influence of drugs or alcohol while at work
- encouraging others to misuse alcohol or drugs

Employees are permitted to drink alcohol beyond these policies limits at appropriate company, industry or customer functions with prior agreement from their line manager. They must not drive a vehicle or return to work whilst over the limits, and that their behaviour is appropriate, lawful, and does not offend, harass or irritate others present, nor bring the Company into disrepute.

<sup>1</sup> The UK 'prescribed limit' as laid down by the Road Traffic Act 1988 and the Railways and Transport Safety Act 2003 is:

- a) 35 microgrammes of alcohol in 100 millilitres of breath or 22 microgrammes of alcohol in 100 millilitres of breath in Scotland
- b) 80 milligrammes of alcohol in 100 millilitres of blood or 50 milligrammes of alcohol in 100 millilitres of blood in Scotland
- c) 107 milligrammes of alcohol in 100 millilitres of blood or 67 milligrammes of alcohol in 100 millilitres of blood in Scotland

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## Safeguards

The Company recognises the difficulties that can be faced by those who misuse drugs and alcohol, and therefore:

- absence for treatment and rehabilitation for drug and alcohol problems will be regarded as normal sickness
- it will be recognised that relapses do occur

## Help

It is the Company's intention to deal constructively and sympathetically with an employees'/contractors' alcohol or drug related problems, such as alcohol or drug dependency. When it is known that an employee has an alcohol or drug problem, the HR Manager or other senior manager will be able to provide advice and guidance on how to seek suitable treatment. The primary objective of any discussion will be to assist the employees'/contractors with the problem in as compassionate and constructive a way as possible. Any discussions of the nature of an employee's/contractor alcohol or drug problem and the record of any treatment will be strictly confidential, subject to the provisions of the law.

If you have an alcohol or drug problem, you should seek appropriate help. If you have an alcohol or drug problem which affects your conduct or performance at work and you refuse the opportunity to receive help, the matter will be referred for action under the Company's disciplinary procedure as appropriate. Likewise, if after accepting counselling and assistance, and following review and evaluation, an employee's conduct or work performance reverts to the problem level, the matter may also be dealt with through the disciplinary procedure.

## Alcohol and drug related misconduct

Whilst these rules are aimed at assisting employees with alcohol or drug problems, action will be taken under the Company's disciplinary procedure if misconduct takes place at work as a result of drinking or taking drugs, or if an employee/contractor is found to be under the influence of alcohol or drugs whilst at work. Even a small amount of alcohol can affect work performance and, if an employee/contractor is found under the influence of alcohol whilst at work, there might be serious health and safety consequences. The same applies to being under the influence of drugs. Incapacity or misconduct at work caused by an excess of alcohol or drugs is a potential gross misconduct offence under the Company's disciplinary procedure and the employee/contractor is therefore liable to be summarily dismissed. This also applies to any employee/contractor believed to be buying or selling drugs or in possession of or taking drugs on the Company's premises, including any sites that the employee/contractor may be working on. Possession/dealing will be reported immediately to the police.

The Company reserves the right in any of these circumstances to arrange for the employees/contractor to be escorted from the Company's premises, including any sites that the employee/contractor maybe working on, immediately. There is no alternative to this procedure.

## Testing

The Company reserves the right to carry out alcohol and drugs testing on all employees'/contractors in the workplace. Testing for alcohol or drug misuse may be carried out in the following ways: random unannounced; 'for cause'; at the request of one of our clients; after an accident or incident; or where there is suspicion of misuse.

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## Test Results

**Negative** - If the results of a drug and alcohol screening test are 'negative' then the line manager can arrange for the employee/contractor to return to work.

### **Non-negative**

**Safety Critical Worker** - If an employee/contractor receives a 'non-negative' test result, but there are no other indicators that the employee/contractor is unfit for work due to the effects of drugs or alcohol, then the line manager needs to decide if their role can be adjusted so they do not undertake safety critical work activities. If adjustments can be made then the employee/contractor will be left in role with the caveat that they must not drive any company vehicle (including motorised plant) or undertake safety critical activities. These restrictions will stay in place until confirmation of results are returned from the laboratory. If no adjustments can be made then the employee/contractor will be removed from the role until the results are confirmed from the laboratory.

The Company will look at alternatives to suspending the worker pending confirmation of the 2<sup>nd</sup> test. However, it should be emphasised that such alternative arrangement will be dependent upon the Company's capacity to suitably adjust the work/workplace.

**Non-Safety Critical Worker** - In normal circumstances, they can remain at work again, with the caveat that they must not drive any company vehicle (including motorised plant) or undertake safety critical activities. These restrictions will stay in place pending confirmation of the 2<sup>nd</sup> test. Employees do not need to be 'suspended' from duties pending the results.

Following a drug and/or alcohol test, in the case of a for cause or suspicion test where there is reason to believe that the employee/contractor will test positive, the employee should be suspended on full pay pending the result of the test.

In either instance, if the contractor is removed from site, payment for the period they are absent will be unpaid as they will be in breach of the contract between the contractor and the Company and should be dealt with under the contractors' own policies and procedures.

Alcohol and drug testing will be carried out on employees'/contractors' who work in safety-critical jobs, including those working with machinery and whose duties involve driving.

### **Positive breathalyser result for alcohol**

If the result of the breathalyser screening for alcohol is positive, then the person conducting the test should notify the line manager and or HR at the earliest opportunity. The line manager will arrange for the employee/contractor to be suspended from duty with immediate effect and ensure that safe and appropriate arrangements are made for the employee/contractor to safely travel home e.g. escorted or in a taxi.

Payment for the remainder of that shift will be unpaid, because the employee/contractor will be deemed to be in breach of their contract during the remainder of the shift, by virtue of having failed the breathalyser and thereby being unfit to work.

The failure of the breathalyser test by an employee will be regarded as gross misconduct and the HR department will assist the appropriate line manager with implementing the disciplinary procedures as appropriate.

### **Refusing to provide a sample**

Refusing to give a sample maybe regarded as a positive screening result and the appropriate disciplinary procedure will be initiated

If the employee/contractor does refuse to give a sample then a reason must be given. The action taken will depend on the reason given. However, it must be emphasised that all

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employees are required to be part of the testing procedure. Refusal is not accepted unless there is a good medical reason for this.

Refusing to give a sample will be viewed as a potential gross misconduct offence and may render the employee liable to summary dismissal in accordance with the Company's disciplinary procedure. Unreasonable refusal to submit an alcohol or drug test will be considered to be a breach of the employee's Contract of Employment for employees.

**Medication and other medical issues**

If the employee/contractor is taking prescribed medication, then s/he should inform the company carrying out the test before the sample is taken. The testing company may require further details of the medication being taken, so that advice can be taken about any impact that it might have on the sample that has been given. All information given to the testing company will remain confidential.

**Pregnancy**

If the employee/contractor is pregnant she should inform the testing company before the sample is taken. There should be no problem with proceeding to take the sample, but if the employee/contractor is at all worried the testing company will discuss the issues with the employee/contractor. All information given to the testing company will remain confidential.

**NOTE:** Please see below for guidelines on how long after use, drugs can still be detected.

**DRUG SCREENING - ORAL FLUID**

Test Parameters

<b>Drug Type</b>	<b>Retention Time (saliva)</b>
Amphetamine	72hrs
Alcohol	12hrs
Barbiturates	12-50hrs
Benzodiazepines	24hrs
Buprenorphine	48-72hrs
Cannabis	14hrs
Cocaine	24hrs
Methadone	48hrs
Methamphetamines	72hrs
Opiates	48-72hrs
Oxycodone	48-72hrs
Phencyclidine	24hrs

**DRUG SCREENING – URINE**

Test Parameters

<b>Drug Type</b>	<b>Retention Time (urine)</b>
6-mam	1-4 days
Amphetamines	1-4 days
Barbiturates	3-8 days
Benzodiazepines	3 days – 6 weeks
Buprenorphine	3-6 Weeks
Cannabis (THC)	7-30 days
Cocaine	2-5 days
Clonazepam	3-10 days
Ecstasy (MDMA)	1-4 days
EDDP	1-7 days
Fentanyl	2-3 days

Ketamine	<24hrs
Methadone	1-7 days
Methamphetamines	1-4 days
Morphine	1-4 days
Opiates	1-4 days
Oxycodone	2-3 days
Phencyclidine	3-8 days
Propoxyphene	1-4 days
Spice (Synthetic THC)	2-3 days
Tramadol	1-4 days
Tricyclics	1-9 days