



100%
ACCIDENT FREE
CULTURE



POLICY: DRUG, ALCOHOL & SUBSTANCE MISUSE

DA&S0817

INTRODUCTION

M Lambe Construction Ltd recognises that drug, alcohol and substance misuse are growing social and medical problems, which can lead to accidents at work, reduced efficiency, poor decision making and lost productivity. In order to address these issues the Company is committed to having procedures which:

- Minimise drugs, alcohol and substance misuse related problems in the workplace, through promoting a sensible attitude to alcohol and a greater awareness of the risks of taking other drugs;
- Offer support and advice for employees experiencing difficulties related to alcohol or drug use.

This policy relates to instances where individuals have become dependent upon alcohol or drugs. It does not apply to isolated instances of misconduct or absence from work caused by the effects of excessive alcohol or drugs. In this instance, misconduct will be dealt with under the normal disciplinary rules.

The objective of this Policy is to:

- Comply with our legal responsibilities;
- Assist managers and supervisors in dealing with substance misuse-related incidents in the workplaces
- Establish clear, easily-understood guidelines for dealing with misconduct, arising from substance misuse;
- Demonstrate the organisation's commitment to staff health and safety; and
- Raise awareness amongst staff of the effects of drugs and alcohol and the impact on themselves and the workplace of inappropriate use.



Make Sure

- You are never on site whilst under the influence of any substance which could effect your safety in a negative way.
- If you believe others may be having difficulty in this area, let someone know
- If you have a problem with the issues we're talking about, let someone know...

Any worker or contractor shall be in breach of this policy if they:

- Report or attempt to report for duty having just consumed alcohol or being under the influence of drugs
- Report for duty in an unfit state due to the use of alcohol or drugs
- Be in possession of drugs whilst at work or in the workplace or supply or attempt to supply them in the workplace or whilst at work.
- Consume alcohol or drugs whilst at work or in the workplace
- Use prescribed or over the counter medicine while working without first finding out if there are side effects likely to impair their work performance and safety from the drug or other medication, and advising the person in charge. (This may be referred to the approved medical provider for advice on whether it will affect your work performance and your ability to carry out work safely)
- Fail to tell their Supervisor or Manager if they believe they have or may have a drug or alcohol related problem
- Decline or discontinue an approved course of treatment/ rehabilitation for a drug or alcohol problem without good cause
- Fail an alcohol or drugs test
- Refuse to undertake an alcohol or drugs test

How to recognise the problem

In most cases it is the behaviour associated with drug, alcohol and substance misuse that will be evident to both managers and colleagues.

Listed on the following page are a number of indicators. It is essential to note that these indicators could equally apply to other illnesses or stress.

It is important to thoroughly examine each situation before acting.



Testing

- Our sites are subject by random, unannounced drug testing.
- The problem substances remain detectable in the human body for varying lengths of time.
- If found to be showing a positive test you may be instantly dismissed from site
- You are entitled to refuse to take a drugs and alcohol test.
- Those wishing to refuse to take the test are requested to provide a reason why the test has been refused?



Possible indicators of misuse

- Patterns of depression or fatigue (often after the weekend)
- Absenteeism – short term / frequent patterns
- Poor timekeeping
- Erratic performance
- Lack of discipline
- Unusual irritability or aggression culminating in harassment
- Over-confidence
- Sudden mood swings
- Inappropriate behaviour
- Reduced response times
- Becoming easily confused
- Reduced productivity
- Deterioration in relationships with colleagues, customers or management
- Financial irregularities
- Dishonesty and theft

Remember: These are only signs – they can all be caused by other factors.

The cornerstone of this policy is the commitment to regard drug, alcohol and substance misuse as a health and social problem, which may affect work performance. The guidance aims to enable the individual to seek help in order to maintain his/her performance at work.

The success of this guidance depends upon a joint commitment from management and employees.

This policy seeks to ensure that support and assistance is proactively offered to employees' as appropriate and available to those seeking help. It is also recognised that the alcohol/drug problems of a family member may impact upon employees' work efficiency. This guidance provides a background of advice and assistance which managers should consider in any disciplinary hearings where alcohol and/or drugs might be a contributory factor to poor performance or misconduct.

What if...

- You notice someone showing the indicators detailed on this page..
- That person has an accident at work a week later because they were under the influence of something which effected their judgement.
- What if they lost control of a dumper....
- And that person wasn't the only one effected by the incident...
- What if your mate on site was killed because of it...
- Dumper just ran into him, operator didn't see him.. Pronounced dead at the scene...
- And if you'd spoken up last week, your mate would be heading home to his family tonight...
- But he isn't.
- His wife is visiting him at the morgue.
- His kids are told Daddy isn't coming home ever again.
- The lad that killed him has taken his own life too because of it... overdose.
- Speak up.
- What's the worst that could happen?

What should I do if I suspect an employee's work is being affected by drug, alcohol or substance misuse?

The following points will help by providing a process for dealing with the matter in an effective way:

- Deterioration in performance / conduct identified: substance misuse suspected
- Manager must gather facts / evidence in preparation for a meeting with the employee and discuss with Personnel
- Manager meets with the employee to discuss facts, dates, issues
- At the meeting manager determines whether the employee admits to having a problem with substance misuse
- After the meeting, manager decides if he/she continues to believe that the employee's performance / conduct is being affected by substance misuse

When poor work performance is identified as being related to substance misuse it is important to:

- Identify the problem within its work context;
- Clearly explain the action required of the employee to overcome this problem;
- Offer support and, where appropriate, access to counselling or treatment;
- Emphasise that disciplinary procedures may be suspended (depending on the seriousness of the incident) while the employee seeks assistance for a problem. Realistic timescales and outcomes will need to be agreed;
- Clearly explain that failure to follow the agreed supportive programme is likely to see a resumption of disciplinary procedure; Emphasise the consequences of not following the agreed supportive programme and the likelihood of resumption of the disciplinary procedure.
- Employee referred to Occupational Health to determine any possible underlying medical condition and to identify appropriate support mechanisms. Personnel / Occupational Health in conjunction with the employee / manager agree an action plan, monitoring mechanisms and timeframe for support. Inform the employee that there is the expectation that they will commit to a support programme where one has been put in place. Make the individual aware that relapse could result in disciplinary action

If no medical problem identified or the employee does not agree to a referral to Occupational Health, the Manager in consultation with Personnel will, consider the use of other company procedures.

If the employee is committing an act of misconduct, the formal procedures will apply.

Where an employee's capability is in question the company's normal procedures will be applied. N.B: as the Manager has been involved in investigating the matter, it is likely any disciplinary / capability hearing will need to be heard by a more senior Manager.

At all times it is vital to ensure that the matter is dealt with in a totally confidential way.

It should be handled in the same way as any other health related condition. This kind of information is sensitive personal data under the General Data Protection Regulations and Human Rights Act and could be retained on an individual's personnel records etc. Also, conjecture or gossip must be excluded from official memos or individual personnel records. If staff lack faith in the organisation's ability to monitor confidentially the policy will not function effectively.

M Lambe Construction Ltd may undertake alcohol and drugs screening of workers under the following circumstances:

- Pre-employment & periodic medical examinations

For Cause i.e.

- Following an accident or incident where the use of alcohol and/or drugs may have been a factor
- When there is cause to suspect that an individual is using or is under the influence of drugs or alcohol
- Where there is a credible report relating to a group of workers or a work location has been divulged where evidence of drugs and alcohol consumption has been found
- As part of an on-going treatment monitoring programme
- As part of the unannounced screening process
- At the discretion of the local manager

The implementation of this policy will be supported by the following:

- Collection of samples shall only be undertaken by a registered occupational nurse
- Any individual subject to For Cause Testing is not permitted to resume work until a negative test result has been obtained.
- M Lambe Construction Ltd will not tolerate any breach of these rules and will take the appropriate disciplinary action which will normally result in dismissal or the termination of an assignment in the event of any infringement.
- Workers and contractors are required to inform management if they suspect a colleague of being under the influence of drugs or alcohol whilst on duty.
- Accurate, confidential and current records will be maintained for all workers in compliance with the General Data Protection Regulations.
- Briefing of this policy to workers and contractors prior to the commencement of a project

Terminology

For the purposes of this policy, the term 'drug' includes prescribed medicines, 'over-the-counter medicines', solvents and substances controlled under the Misuse of Drugs Act 1971.

Roles and Responsibilities

The following roles and responsibilities will ensure that the guidance is implemented and applied equally to all staff.

What we don't want

We all want to ensure that no one is harmed in any way whilst at work.

Construction is generally considered a high risk industry, therefore the importance of all persons on site being fully coherent and in full control of their actions is critical.

We cannot risk anyone being injured due to the actions of someone under the influence of something detrimental to their thought process and/or actions.

The only thing we should be under the influence of whilst a work is our positive health and safety culture, which is at its best when 100% drug, alcohol and substance abuse free.

What are disciplinary issues?

Disciplinary - What constitutes a disciplinary issue? – Some examples are:

- The use of drugs as defined by the Misuse of Drugs Act 1971 during the working day (except those prescribed and over-the-counter medication).
- Many prescribed and over-the-counter medications can impair performance. All staff have a responsibility for reading medicine advice given / supplied with their medicines and seeking medical advice where appropriate);
- Working under the influence of drugs, alcohol or other substance;
- Being in possession of an illegal substance in the work place.

Managers

- To be familiar with this guidance, local resources and services
- To set a good example through their own responsible use of alcohol
- To be aware of the effects of drug, alcohol and substance misuse and be alert to and monitor changes in work performance and attendance, sickness and accident patterns
- To take appropriate and early intervention where potential alcohol or drug misuse has been identified
- To identify any aspects of the work situation which could contribute to alcohol or drug misuse and take action to change them
- To observe strictest confidentiality as far as is practicable
- To co-operate with evaluation of this guidance
- When organising work or social events, to pursue good practice by ensuring that ample supplies of non-alcoholic drinks are available

Employees

- To urge colleagues to seek help if they have a drug, alcohol or other substance misuse related problem
- To avoid covering up or colluding with colleagues
- To seek help from managers, Personnel or an outside agency, if they are worried about their own alcohol or drug use
- To use alcohol responsibly
- To be aware that the consumption of alcohol or any substance prior to entering the workplace puts him/her at greater risk of accidents and a loss of efficiency
- To ensure they are conversant with disciplinary rules and this guidance
- To avoid the use of illegal substances or any substance which may affect their work or which might place them at risk of accidents, loss of efficiency or effectiveness



M. Lambe
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