

# DRUG & ALCOHOL POLICY STATEMENT



## Policy Statement:

Rev 4

## Issue Date:

10/01/2017

## Signed:

EAMONN LAVERTY

Managing Director

McAler and Rushe Contracts UK Ltd recognises that alcohol, drugs and solvent misuse can be detrimental to the health and performance of individual employees and may pose a potential risk to the safety and welfare of others within the workplace.

This policy sets out our procedures and seeks to protect all employees from the dangers of alcohol, drugs and solvent misuse within the workplace. This policy applies equally across the organisation at all levels.

## OBJECTIVES

To meet requirements of the McAler and Rushe health and safety policy and to ensure compliance with the Misuse of Drugs Act 1971.

To identify potential problems at an early stage, if possible and minimise the risk to the health and safety of employees.

To safeguard the health and safety of employees and others who could be affected through misuse of certain substances.

To provide appropriate assistance whereby employees suffering from misuse problems can seek help and advice in confidence and referral routes to specialist support services.

## EMPLOYEE RESPONSIBILITIES

Employees and sub-contractors are prohibited from reporting to work under the influence of alcohol, solvents or drugs, including prescription drugs, which impair their ability to perform normal work activities in a safe manner. This includes those employees who drive private or company vehicles whilst on company business.

Employees and sub-contractors are prohibited from bringing alcohol, unprescribed drugs or substances of abuse into the workplace.

Employees and sub-contractors may not consume alcohol during normal working hours unless officially sanctioned for hospitality reasons and under no circumstances should they be over the legal blood alcohol limit for driving.

Employees and sub-contractors undergoing prescribed medical treatment with any substance that interferes with their work activity must report this treatment to their Line Manager. Prescribed medication should be kept in its original container, which identifies the drug, date, and prescribing doctor.

Employees and sub-contractors may not drive or operate a McAler and Rushe vehicle or another vehicle whilst on company business having

**McAler and Rushe  
Contracts UK Ltd**  
17-19 Dungannon Rd  
Cookstown  
Co. Tyrone  
BT80 8NR

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F +44(28) 86758962

E [info@mcaler-rushe.co.uk](mailto:info@mcaler-rushe.co.uk)

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consumed alcohol or taken drugs or substances of abuse, whilst under the influence of these.

Employees and sub-contractors are also required to take reasonable care of themselves and others who could be affected by what they do. Every employee has a responsibility to keep the workplace free from the dangers of alcohol, drugs and substance misuse.

Employees and sub-contractors who believe they have an alcohol, substance abuse or drug related problem are encouraged to seek help and treatment in the first instance, voluntarily through their own general practitioner (GP). Employees may alternatively consult, in confidence, the Occupational Health Nurse or discuss concerns with their Line Manager or a member of the Human Resources Department.

Failure to observe these requirements may lead to an allegation of gross misconduct, which will be dealt with through the company's normal disciplinary procedures.

## MISCONDUCT

Should an employee's alcohol or drug problem come to light in a disciplinary meeting it should only be treated as a mitigating factor for certain "less serious" disciplinary offences, such as poor timekeeping or lateness, provided the person is prepared to undergo treatment, attends treatment and incorporates all suggestions and/or medical advice given.

Employees and sub-contractors who take Class A and B or other banned substances or prescription only drugs, whilst at work or representing the company, which have not been prescribed on medical grounds, will, in the absence of mitigating circumstances, be deemed to be committing an act of gross misconduct and will thus render themselves likely to be summarily dismissed. The term 'drug' applies to drugs controlled under the Misuse of Drugs Act 1971, prescribed drugs or over the counter medication or solvents.

Any employee believed to be buying or selling drugs, whilst at work or representing the company, or in possession of unlawful (i.e. unprescribed, banned substances or Class A or B) drugs shall also be deemed to be committing an act of gross misconduct that will render them likely to be summarily dismissed. Please be aware that the police will normally be notified.

The use, manufacture, supply, or offering to supply controlled drugs is a breach of policy and the police will be notified of any such activity.

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## TEMPORARY STAFF, VISITOR AND CONTRACTOR RESPONSIBILITIES

It is a requirement of McAleer and Rushe Group that no employee, temporary member of staff, visitor or contractor shall:

Attend or endeavour to attend for duty where their ability to perform their job is impaired by the effects of alcohol, drug or substance abuse.

Consume, sell, manufacture or possess alcohol, drugs or any substance of abuse in the workplace or during breaks in the working day, including meal breaks or when rostered on call, and thus liable to be required to work for the company on short notice.

Where company personnel are involved in allowing temporary staff, visitors or contractors to attend company premises, they must bring this policy to their attention or to the organisation's, in advance of them attending site.

## MANAGEMENT RESPONSIBILITY

Managers who believe or become aware that an employee has an alcohol, substance or drug related problem, should encourage the individual to seek help voluntarily through their GP, alternatively arrangements can be made to discuss the problem with a member of the Human Resources Department or the Occupational Health Service.

Where an employee, who believes they have an alcohol, substance abuse or drug related problem, advises their line manager of this, the line manager shall treat the employee's situation with the utmost confidentiality, involving Occupational Health and/or Human Resources as appropriate.

If a Manager believes that the problem is clearly prejudicial to an employee's effectiveness in their work then the Manager must intervene by taking the matter to the Human Resources Department.

Managers, who believe that an employee's actions as a result of a misuse problem could endanger themselves and/or others in any way, must take corrective action to prevent injury/ damage or other serious risk by suspending and removing the employee from the workplace immediately, until such time as a meeting can be arranged to discuss the behaviour. In addition, a manager should at all times, if practical, seek a 2nd witness to the employee's behaviour/condition - this may be another manager, supervisor or team member. In addition, if the employee is a member of a trade union and there is a trade union representative available, managers should seek their attendance, only if practical. The attendance of others must not be at the risk of the employee or the business, if the employee's continued presence on site poses a health and safety risk. Consideration should be given to ensure the continued safety of the individual and that they arrive

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home safely, under no circumstance should an employee be allowed to drive any vehicle whether company or privately owned, a taxi or lift home should therefore be arranged. However, should an employee insist on driving their car home, the police would be informed.

Where it is deemed that an employee can return to work, following an investigation into alcohol or substance abuse and/or a disciplinary hearing, a risk assessment must be carried out by the line manager and supported by a Health & Safety person on site, to ensure adequate controls are in place to protect persons, plant and property.

## ESTABLISHING THE PROBLEM

The Company's supervisors and managers should be aware that the misuse of drugs or alcohol by employees might come to light in various ways. The following characteristics, especially when arising in combinations, may indicate the presence of an alcohol or drug-related problem:

### ABSENTEEISM

- Instances of unauthorised leave
- Frequent Friday and/or Monday absences
- Leaving work early or lateness (especially on returning from lunch)
- Excessive level of sickness absence
- Strange and increasingly suspicious reasons for absence
- Unusually high level of sickness for colds, flu, stomach upsets
- Unscheduled short-term absences, with or without explanation

### HIGH ACCIDENT LEVEL

At work or elsewhere, e.g. driving, at home

### WORK PERFORMANCE

- Difficulty in concentration
- Work requires increased effort
- Individual tasks take more time
- Problems with remembering instructions or own mistakes
- Sleeping at work

### MOOD SWINGS

- Irritability
- Depression
- General confusion
- Changes in personality

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The above can be consequences of alcohol and or substance abuse problems. If dealing with an agency worker or contractor – contact the agency direct, they are responsible for dealing with the situation and removing the person from site.

## SELF-REFERRAL

In some instances, employees may seek help and advice themselves. Support agencies include:

Alcoholics Anonymous (AA): 0845 7697 555, [www.alcoholics-anonymous.org.uk](http://www.alcoholics-anonymous.org.uk). Over 3,300 groups in the UK

Drinkline: 0800 917 8282: Advice and information for people with alcohol problems or anyone concerned about alcohol misuse. Advice on sensible drinking and information on services to help people cut down on their drinking.

Drugs Helpline Tel: 0800 776 600 Website: [www.talktofrank.com](http://www.talktofrank.com)  
a confidential telephone information and advice service for anyone who has a drug problem or is worried about someone who may be using drugs. Arranges a referral to appropriate agencies, all calls are free.

## MANAGEMENT REFERRAL

Employees who appear to be under the influence of drugs or alcohol, once suspended and taken safely from the premises by their manager, will be referred to the Human Resource department, who will manage the process in tandem with their manager and involve an appropriate external counsellor (if applicable).

Confidentiality will be assured by this policy, unless doing so would compromise the safety of others.

Referral will not affect the employee's current job; unless they are unfit to fulfil their duties. A risk assessment must be carried out, to ensure adequate controls are in place to protect persons, plant and property.

Normal promotion prospects will be unaffected following successful treatment.

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## INTERVENTION AND TREATMENT

### Intervention

The Company's supervisors and managers who feel an employee's unsatisfactory performance may be drug, alcohol or substance related should arrange to hold a meeting with the employee. Should discussion elicit an admission that alcohol or drugs is at the root of the perceived problem, medical advice will be sought via Occupational Health to agree the appropriate course of action.

Such treatment/rehabilitation if considered likely to be successful may be offered, at the Company's discretion and at the Company's expense. Where treatment is available through another agency, time off may be allowed for such treatment to suit business requirements (this may be before or after working hours).

### Treatment

Where employees acknowledge that they have a problem and are offered help and treatment, this will be on the understanding that:-

They must commit themselves to undergoing the treatment offered and follow any advice, medical treatment given or attend counselling sessions.

Whilst they are undergoing treatment, any necessary absences will count as sick leave entitling the employee to the usual sick pay benefits.

Every effort should be made to ensure that on completion of the recovery programme, employees are able to return to the same or equivalent work.

However, where such a return would jeopardise either a satisfactory level of job performance or the employee's recovery, the appropriate management (senior management and a member of the Human Resources team) will review the full circumstances surrounding the case and agree a course of action to be taken. This may include the offer of suitable alternative employment or consideration of retirement on the grounds of ill health, or dismissal where appropriate.

### Relapse

Where an employee, having received treatment, suffers a relapse, the Company will consider the case on its individual merits. Medical advice will be sought in an attempt to ascertain how much more treatment/rehabilitation time is likely to be required for a full recovery. At the Company's discretion, more treatment or rehabilitation time may be given in order to help the employee to recover fully.

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If treatment or rehabilitation is considered unlikely to be successful, or after an employee has received treatment, recovery seems unlikely; the Company may be unable to continue to support the employee, in such cases, dismissal may result. However in most cases a clear warning will be given to the employee beforehand, and a full medical investigation will have been undertaken. In addition the capability procedure will be followed.

## TRAINING AND DEVELOPMENT

McAlee and Rushe will seek to inform and educate employees, line managers and trade union representatives on the effects of alcohol, solvent and drug misuse. This will be instigated through training initiatives and awareness campaigns. They will be encouraged not to cover up for employees with a drink or drug problem but to recognise that collusion represents a false sense of loyalty and will in the longer term damage those employees and present a real threat to the safety of co-workers.

Employees who recognise that they have a drink or drug problem, or that they are at risk of developing one, should be encouraged to come forward for confidential help.

## SCREENING TESTS

Employees and sub-contractors may be required to undergo an alcohol and/or drugs screening test as part of an annual Random programme

If a test is required, an external provider will undertake all such screening in line with the procedures laid down in this policy.

Written consent for every alcohol and drugs screening test will be obtained from each employee. The company will ensure that medical confidentiality in relation to the alcohol and drugs screening tests is preserved. Refusal to grant consent will be deemed to be an unjustified refusal and may lead to disciplinary action. The Company reserves the right to draw adverse conclusions from any refusal to consent.

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