

# POLICY

## DRUGS AND ALCOHOL POLICY STATEMENT

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REV	Date	Status / Description of Changes
01	05/08/2019	Updating all laws/regulations dates to the current standard. Adjusting template, for a more clear layout.
02	14/08/2020	Updated Template Minor changes
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### **Introduction**

The Gradewell Group is committed to ensuring the safety of its workforce and the safety of everyone affected by its operations. This document sets out the policy on drugs and alcohol at work and is in place to safeguard from the inherent risks associated with drug and alcohol use.

- Reference to "drugs" throughout this policy statement includes both legal and illegal drugs, solvents and any other substances of abuse.
- Reference to "work" or "workplace" throughout this policy statement not only includes your working hours but also includes any attempt to report for work, your presence at our offices, worksites any area under the Gradewell Group's control, or in Gradewell Group vehicles, using our property/equipment, when you are on breaks or when you are otherwise on Gradewell Group business. It also refers to your actions outside of working hours when you are in possession of Gradewell Group property/equipment, in its vehicles or in clothing bearing the name or otherwise associated with the Gradewell Group.
- Failure to comply with this policy is a serious matter and any employee found to be in breach will be subject to disciplinary action under the Gradewell Group's Disciplinary Procedure, which could lead to Summary Dismissal for Gross Misconduct (even for a first offence). For the avoidance of doubt, the Gradewell Group takes a zero tolerance approach to employees being under the influence of drugs/alcohol and the sanction normally applied is Summary Dismissal for Gross Misconduct.
- Individuals who are not employees shall be immediately removed from the workplace and referred to their employer for disciplinary action. Such individuals will not normally be permitted to return to any Gradewell Group workplace.

### **This policy applies to:**

- All Gradewell Group employees and temporary staff engaged via an employment agency.
- All other personnel engaged on the Gradewell Group projects including subcontractors, subcontractors' employees, and anyone else who carries out work on its behalf.

### **The principles of this policy are:**

- We operate a zero tolerance policy on any individual being under the influence of drugs at work (other than prescribed levels of prescribed medication or over the counter medication, subject to certain safeguards).
- We operate a zero tolerance policy on any individual using illegal drugs at any time.
- We operate a zero tolerance policy on any individual being under the influence of alcohol at work above the permitted level.
- We operate a range of testing including pre-employment, random, post incident and for cause testing for alcohol and drugs.
- We promote a safe working environment at all times for everyone employed by Gradewell Group or engaged on Gradewell Group projects, and those affected by it.
- We ensure that all breaches of the policy by employees are handled in line with the relevant disciplinary procedures and contractual provisions.
- We encourage individuals who may have an alcohol or drug related problem to come forward and request help in confidence at the appropriate time.
- We require contracted organisations to comply with this policy, or with policies consistent with this policy.

### Under the terms of the policy:

- No one shall be under the influence of drugs at work (other than prescribed levels of prescribed medication or over the counter medication, subject to certain safeguards).
- No one shall use illegal drugs at any time.
- No one shall be under the influence of alcohol at work above the permitted level.
- No one shall be unfit for work due to alcohol and/or drugs.
- No one shall try to, or report for duty while under the influence of alcohol and/or drugs other than prescribed levels of prescribed medication or over the counter medication, subject to certain safeguards).
- No one shall consume alcohol or drugs whilst at work (other than prescribed levels of prescribed medication or over the counter medication, subject to certain safeguards).
- No one shall be in possession of drugs or alcohol at work (other than prescribed medication or over the counter medication).
- No one shall trade in or supply alcohol or drugs, or permit their presence or use by others.
- All individuals have a responsibility for advising their line manager if they are taking any over the counter or prescribed medication which may impair their ability to work safely. Their line manager will, if necessary, and after consultation with an HR representative, arrange for the individual's responsibilities to be modified while taking this medication.

### Being under the influence:

We have adopted a zero traceable level for drugs and have prescribed maximum permissible levels of alcohol taking account of the Transport and Works Act 1992, Railway and Other Guided Transport Systems (ROGS) Regulations 2006, the NR/CS/OHS/051 Network Rail Alcohol and Drugs Policy, GO/RT8070 Drugs & Alcohol, London Underground Limited Drugs & Alcohol Company Standards 1-251 and 1-257, Road Traffic Act 1991 for Drugs & Alcohol, and the Health & Safety at Work Act 1974, Misuse of Drugs Act 1971, Management of Health and Safety at Work Regulations 2006.

- Being under the influence of drugs refers to any trace of a drug being found in your system. Therefore remember your activities outside of work can affect whether you are deemed to be under the influence of drugs at work. For example, cannabis can remain in a person's system for a number of days, up to a number of months, depending upon the amount taken and regularity of use. During this period of time you will be deemed to be "under the influence". However, for the avoidance of doubt, the Gradewell Group does not tolerate illegal drug use at any time, whether inside or outside of work in any event.
- No one shall take prescribed or over the counter drugs which may cause side effects that may impair thinking or reactions, without the following safeguards: (i) informing their supervisor or manager; or (ii) first gaining confirmation from their doctor that the drugs will not affect their fitness for work or their ability to work safely.
- No one shall accept a call out if in breach of any of the above, or if there is any doubt as to whether they could be in breach of the above.
- The Gradewell Group has the following maximum permissible levels for alcohol being detected in individuals. If alcohol is detected in an individual is above this level, they shall be deemed to be under the influence above the permissible level: 13 micrograms of alcohol in 100 ml of breath / 29 milligrams of alcohol per 100 ml of blood / 39 milligrams of alcohol in 100 ml of urine. Again, consuming alcohol outside working hours may still mean you are over the permissible limit during working hours (such as having drinks the night before).
- When drug and alcohol testing is required as part of a third party's requirements (e.g. pre-placement for Cross rail, Nuclear, Network Rail and National Grid), the appropriate standard and process will be complied with and more stringent testing limits and regimes will apply. (Where Gradewell Group testing limits are more stringent these will take precedence). If a more stringent external regime applies than set out in this policy, you will be informed that this is the case and that will take precedence.

### **Testing:**

Types of Drug & Alcohol testing may include:

- Pre-employment/engagement – on commencement of employment/engagement or at the start of a project
- Unannounced screening – ‘Random’ (a minimum of 10% of the workforce per annum)
- Specific testing on reasonable suspicion – ‘For Cause’
- Following a work related incident or accident – ‘Post-Incident’
- As part of health screening and periodically
- Rehabilitation and compliance testing

Any person who fails to provide a negative test result either through initial ‘point of care’ screening and/or via laboratory testing will be subject to immediate suspension from work.

### **Failure to comply with this policy:**

Failure to comply with this policy is a serious matter and any employee found to be in breach will be subject to disciplinary action under the Gradewell Group's Disciplinary Procedure, which could lead to Summary Dismissal for Gross Misconduct. The Gradewell Group takes a zero tolerance approach for employees being under the influence of drugs/alcohol and the sanction normally applied is Summary Dismissal for Gross Misconduct.

Individuals who are not employees shall be immediately removed from site and referred to their employer for disciplinary action, and will not normally be permitted to return to any Gradewell Group site.

### **Examples of breaches of this policy include:**

- Providing a test that shows an alcohol level above the permissible limit stated in this policy.
- Providing a test that identifies any trace of any drug (other than prescribed levels of prescribed medication or over the counter medication, subject to certain safeguards).
- Being unfit for work due to drugs and/or alcohol.
- Trying to, or reporting, for duty while under the influence of alcohol or drugs.
- Taking illegal drugs at any time, inside or outside of work.
- Possessing alcohol or drugs at work (other than prescribed medication or over the counter medication).
- Trading or supplying of alcohol or drugs, or permit their presence or use by others.
- Consuming alcohol or drugs whilst at work (other than prescribed levels of prescribed medication or over the counter medication, subject to certain safeguards).
- Taking prescribed or over the counter drugs which may cause side effects that may impair thinking or reactions, without (i) informing their supervisor or manager; or (ii) having first gained confirmation from their doctor that the drugs will not affect their fitness for work or their ability to work safely.
- No one shall accept a call out if in breach of the above, or if there is any doubt as to whether they could be in breach of the above.
- Refusing a test.
- Attempting to tamper with a test sample.
- Providing another person's sample of urine for screening.
- Refusing or discontinuing agreed treatment for an alcohol or drugs-related problem.
- Failing to report a breach or suspected breach of this policy.

### Rehabilitation:

Gradewell Group encourages employees to make an approach for help with a drink or drug related problem and undergo an agreed form of treatment. However, approaches of this nature by an employee will not be considered acceptable when they are made immediately prior to, on the day of or subsequent to, Drug & Alcohol screening. Rehabilitation may also not be considered where the nature of work is deemed safety critical. In such circumstances, an employee will be immediately suspended on full pay pending testing and laboratory results.

Employees may also be suspended without pay whilst undergoing an agreed rehabilitation programme. Should an employee fail to remain within the requirements of any agreed rehabilitation programme, then disciplinary action will be taken which may include Summary Dismissal for Gross Misconduct.

### Re-employment

Anyone who is dismissed in accordance with the Company's disciplinary procedure or removed from site will be prohibited from being re-employed or working on a Gradewell project for a minimum period as detailed below, although this may be longer in line with sector norms;

- Illegal drugs – 12 months
- Alcohol or other substances – 6 months Re-employment is not guaranteed, with each case being assessed on an individual basis. Where re-employment is offered, pre-employment testing will be undertaken and compliance testing will be required for a minimum of 6 months after commencement.

### This Policy Statement:

Managers and Safety Advisors will brief this policy to all persons during induction. Copies of this policy statement will be issued to all persons. Copies of the policy and policy statement will also be displayed on all notice boards and in welfare facilities.

*Thomas Barrett – Director*

