

Alcohol and drug misuse or abuse can be a serious problem within the workplace. Employees who drink excessively or take unlawful drugs are more likely to work inefficiently, be absent from work, have work accidents and endanger their colleagues. DAWSON WAM LTD has a duty to protect the health, safety and welfare of all its employees. However, the company recognises that, for a number of reasons, employees could develop alcohol or drug related problems. These rules aim to promote a responsible attitude to drink and drugs and to offer assistance to employees who may need it.

DAWSON-WAM Ltd carries out work in the rail environment that requires enforcement of relevant Network Rail standards relating to alcohol and drug use (NR/L1/OHS/051). We shall make sure that all employees are aware of the contents of this policy statement, our arrangements for managing risk from workers carrying out tasks whilst under the influence of alcohol or drugs and the implications from the Transport and Work Act 1992.

The following shall constitute instances of misuse:

- Use of prohibited drugs as defined in the Misuse of Drugs Act 1971
- Abuse of prescribed drugs, proprietary medicines or other substances
- Use of medication prescribed by a doctor or advised by a pharmacist, which could affect work performance
- Consumption of alcohol.

It is a requirement that no employee or sub-contractor shall:

- Report or endeavor to report for duty having just consumed alcohol or under the influence of drugs.
- Report for duty in an unfit state due to use of alcohol or drugs
- Be in possession of drugs or the abuse of drugs in the workplace
- Consume alcohol or drugs whilst on duty

### ***Prohibition on Alcohol & Drug Consumption in the Workplace***

No alcohol or drugs must be brought onto or consumed on company premises at any time. Staff must never drink alcohol or take drugs if they are required to drive private or company vehicles on company business. Staff must also not drink alcohol or take drugs when they are on operational standby or on call.

Employees representing DAWSON WAM LTD at business/client functions or conferences or attending company organised social events outside normal working hours are expected to be moderate if drinking alcohol and to take specific action to ensure they are well within the legal limits if they are driving. They are prohibited from taking drugs on these occasions.

Social drinking after normal working hours and away from the company's premises is, of course, generally a personal matter and does not directly concern the company. The company's concern only arises when, because of the pattern or amount of drink involved, the employee's attendance, work performance or conduct at work deteriorates.

### ***Alcohol & Drug Related Misconduct***

Whilst the company recognises the difficulties that can be faced by those who misuse alcohol and drugs action will nevertheless 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 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 is found under the influence of alcohol whilst at work, there could be serious health and safety consequences. The same applies to being under the influence of drugs.

### ***Disciplinary Action***

Alcohol and drug misuse may become a matter for disciplinary action in accordance with the company's disciplinary or capability procedure, subject to the letter and spirit of this policy, particularly where help is refused and / or impaired performance continues.

Dismissal may result from disciplinary action.

Possession of and dealing in illegal substances will be immediately reported to the police in all cases; there is no alternative to this procedure.

The company reserves the right in any of these circumstances to arrange for the employee to be escorted from the company's premises immediately and sent home.

## **Alcohol & Drug Testing**

On the grounds of health and safety and where necessary to achieve a legitimate business aim, the company reserves the right to carry out random alcohol and drug screening tests on employees in the workplace. Employees will not be given prior warning that they have been selected for testing.

Refusing to give a sample is potential gross misconduct. If an employee 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 employees are required to be part of the testing procedure. Refusal is not accepted unless there is good medical reason for this.

If the employee is taking prescribed medication they should inform the medical practitioner before the sample is taken. The company doctor 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 company doctor will remain confidential.

If the employee is pregnant she should inform the medical practitioner before the sample is taken. There should be no problem with proceeding to take the sample, but if the employee is worried at all the practitioner will discuss the issues with the employee.

A programme of screening has been put in place including procedures to:

- Detect the use of alcohol and / or drugs by both current and potential employees
- Detect the use of alcohol and / or drugs by any person(s) involved in an incident / accident where there are grounds to suspect that the actions of the person(s) led to the accident / incident ('For Cause' contract provided by Express Medicals Tel. 020 7500 6900)
- Detect the use of alcohol and / or drugs where abnormalities of behaviour prompt managerial intervention (which may include a request for screening).

## **Test Results**

If the results of any test show that the employee was under the influence of alcohol or drugs whilst at work, the medical practitioner will inform both the employee and the H&S Manager. The employee is then likely to be subject to disciplinary proceedings, which could include dismissal.

It might be appropriate to carry out further testing. However, the time passed since the first sample was taken will be considered first.

## **Advice and Counselling**

The company is committed to providing information to employees about the effects of alcohol and drugs on health & safety. It is the intention of DAWSON WAM LTD to deal constructively and sympathetically with an employee's 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 company doctor, Dr. R Harrison, will be able to provide advice and guidance on how to seek suitable treatment. The primary objective of any discussions will be to assist the employee with the problem in as compassionate and constructive a way as possible. Any discussions of the nature of an employee's alcohol or drug problem and the record of any treatment will be strictly confidential unless the employee agrees otherwise.

If you have an alcohol or drug problem, you should seek appropriate help.

  
Signed:  
D.E.McGALL - Managing Director

Date: 6<sup>th</sup> January 2020