

Number	HS-MS-03	Person Responsible	W Dee	Date Last Updated	01/07/2022	Revision	8	Status	Released
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## **PMC SCAFFOLD & ACCESS LTD - DRUG AND ALCOHOL POLICY**

### **PURPOSE**

This policy is principally intended to deal with alcohol and drug problems which, in the context of this policy are any drinking or taking of drugs, whether intermittent or continual, which interferes with work performance in relation to attendance, efficiency, productivity or safety.

PMC is committed to ensuring that the highest levels of health & safety and staff welfare are adopted at its sites and offices.

This policy has been produced to confirm PMC's values and to clarify the standards expected of all PMC's staff members and associates in going about their everyday business.

### **SCOPE**

This policy covers all individuals working at all levels and grades including senior managers, directors, employees, contractors, trainees, part-time and fixed-term employees, casual and agency staff (collectively referred to as **staff** in this policy).

The Drug and Alcohol Policy applies whilst these individuals are representing the Company during or outside working hours or attending Company sponsored functions.

This policy does not form part of any member of staff's contract of employment and it may be amended at any time.

### **GENERAL REQUIREMENTS**

PMC recognises the importance of balancing respect for individual privacy with the need to maintain a safe, secure and productive working environment free of substance misuse. The company operates a strict policy that prohibits people from working on company premises, including construction sites, if impaired by either drugs or alcohol.

The following rules will be strictly enforced - no member of staff or contractor shall:

- Attend, or try to attend for work, whilst impaired through the consumption of alcohol or use of drugs (whether illegal or not – see definition below).
- Be in possession of alcohol or illegal drugs on Company premises.
- Consume alcohol, illegal drugs, or take any substances in an unsanctioned way whilst at work or whilst representing the company.
- Attempt to sell, distribute or supply alcohol or drugs whilst on Company premises or whilst representing the company.

Contravention of these rules will be considered a very serious breach of the Company's Disciplinary Policy and the Company will take disciplinary action in the event of an infringement, under the Company's disciplinary procedures; the penalty for which may include dismissal.

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## DEFINITIONS

**Substances** - Includes, but is not limited to, alcohol, drugs and solvents.

**Alcohol** - Includes, but is not limited to, distilled spirits, liquor, beer, wine, maltliquor, or any other intoxicants used for beverage purposes.

**Drugs** - Any psychoactive substances (those drugs that affect mood, thought process or perception), available both legally and illegally.

**Dependency / Addiction** - Where the user has adapted physically and / or psychologically to the presence of a substance and would suffer if it were withdrawn abruptly.

**Company Premises** - To include all premises the Company has responsibility for and includes all Company vehicles or when on Company business.

**Impaired / Intoxicated (Alcohol)** - In terms of this policy any person who has a Breath Alcohol Concentration that exceeds 35 micrograms per 100 milliliters or 80mg / 100ml in Blood Alcohol Concentration (the drink drive limit).

**Impaired (Drugs)** - In terms of this policy, any person found to have consumed illegal drugs or used drugs in an unsanctioned or unreported way (to be confirmed by an appropriate test) is deemed to be impaired due to drugs.

**Misuse (Substances)** - This applies to using substances in an unsanctioned way. For example any illegal drug use, or using drugs for non-medical purposes without proper direction from a doctor or pharmacist. It also applies to substances that are harmful / hazardous to the individual or to others and impair normal functioning.

**Responsible person** – a senior manager / director.

## SEARCHES

We reserve the right to conduct searches for alcohol or drugs, including, but not limited to, searches of lockers, filing cabinets and desks, packages sent to our address which are on our premises. Any alcohol or drugs found as a result of a search will be confiscated and disciplinary action may result.

## TESTING

Testing applies to all members of PMC's staff. The purpose of testing is to ensure that due diligence is exercised and to deter and detect individuals working on Company premises whilst being impaired due to alcohol or drugs.

All drugs and alcohol testing should be arranged via the H&S Director who will make arrangements with an accredited company for sample collection and testing.

Testing will take place in the following circumstances:

### INTERVENTION TESTING

Where it is suspected that an individual is impaired through alcohol or drugs, that individual shall be requested to provide samples to determine the facts in that case. If an individual's performance is affected through a dependency to alcohol or drugs they may also be required to undergo a test.

Sites will be targeted where there is reporting or evidence of illegal drug use.

### SERIOUS ACCIDENT / INCIDENT

Where a serious accident or incident has occurred, those individuals involved, where possible, shall be requested to provide samples to determine whether or not alcohol or drugs may have been a contributory factor. All other accidents / incidents will be investigated and if an individual is suspected of being impaired that individual shall be requested to provide samples to determine the facts in that case. Site Management should liaise with the H&S Director who can arrange for the testing to be carried out.

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## **RANDOM TESTING**

Staff can be randomly selected and tested at the Companies premises throughout the course of the year. This process is regardless of the member of staff's status or job function. This is to ensure fairness within the policy and give a clear message that the misuse of alcohol or drugs cannot be tolerated by PMC Safety Netting Ltd. Refusal to present for test will result in the same disciplinary consequences as a positive result.

Any refusal by a member of staff to provide a sample will result in that individual being removed from the Company premises / site.

## **TESTING PROTOCOLS**

All tests will be performed by an impartial collection agency specialising in alcohol and drug testing.

### **Alcohol**

The test will comprise of a breath sample collection using a calibrated digital alcolmeter, similar to those employed by the police. The individual will be asked to complete and sign a consent form to enable the test to take place. Failure or refusal to complete this will have the same disciplinary consequences as a positive test result and the appropriate disciplinary proceedings will be implemented.

The test will be performed and the result will be recorded and verified by the member of staff, their representative (if applicable) and another witness. If the test is positive, (over 35 micrograms per 100 ml breathe alcohol concentration) the test will be repeated. If the second test is also positive, and therefore confirms the first, the person will be safely removed from Company premises and suspended on full pay pending the implementation of disciplinary proceedings.

Should the test show that alcohol is present, but below the drink drive limit of over 35 micrograms per 100 ml breathe alcohol concentration, a Responsible Person will decide whether that member of staff is fit to remain on site. If they are considered unfit they will be safely removed from Company premises, and if a direct PMC employee be subject to informal disciplinary action, which could amount to gross misconduct.

### **Drugs – Random**

The test will comprise of the collection of a urine sample from the donor and the sample being processed through an accredited laboratory for GC / MS analysis. The individual will be asked to complete and sign a consent form to enable the test to take place. Failure or refusal to complete this will have the same disciplinary consequences as a positive test result and the appropriate disciplinary proceedings will be implemented. The collector will collect the urine sample in accordance with strict chain of custody procedures.

The drug test requires that the individuals provide a fresh sample of their own urine. The urine sample will be split into two further samples (A and B) and both will be delivered to an approved laboratory following strict chain-of-custody procedures, where it will undergo initial analysis and if required Gas Chromatography and Mass Spectrometry (GC / MS) analysis to ascertain the exact identity of the substance(s) found.

The individual shall return to work pending the outcome of the laboratory result. If the sample is negative, they will be informed accordingly. If the result is positive then the worker will be removed from site.

Group employees who test positive shall remain suspended from work on full pay pending investigation and the implementation of disciplinary proceedings, which could amount to gross misconduct.

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### **Drugs - Intervention and Post Accident / Incident**

The test will comprise of the collection of a urine sample from the donor and the sample being processed through an accredited laboratory for GC / MS analysis. The person will be asked to present for test to wait at the site offices. They will complete and sign a consent form to enable the test to take place. Failure or refusal to complete this will have the same disciplinary consequences as a positive test result and the appropriate disciplinary proceedings will be implemented.

The collector will collect the urine sample in accordance with strict chain of custody procedures. The drug test requires that the individuals provide a fresh sample of their own urine.

The urine sample will be tested onsite initially and if the result is not negative the sample will be split into two further samples (A and B) with both samples being delivered to an approved laboratory following strict chain-of-custody procedures, where it will undergo initial analysis and if required Gas Chromatography and Mass Spectrometry (GC / MS) analysis to ascertain the exact identity of the substance found.

The individual may be suspended from work pending the outcome of the laboratory GC / MS result if the laboratory GC / MS result is negative, the individual will be informed accordingly.

If the laboratory GC / MS result is positive then the individual shall remain suspended from work pending disciplinary proceedings.

### **HELP AND SUPPORT**

PMC will Endeavour to ensure that advice and specialist help are made available to any worker who feels they have a problem relating to alcohol or drugs and seeks help from the Company.

On no account should a person who has tested positive, or is under suspicion, be sanctioned to drive or use machinery where their ability to do so safely may be impaired.

### **CONFIDENTIALITY**

Any member of staff who seeks the assistance of the Company in obtaining help and support for an alcohol or drug problem is assured of their confidentiality being respected.

During any period of absence from work for agreed treatment, the Company's normal sick pay arrangements will apply and absence for treatment will be treated as normal sickness. Testing may be carried out to ensure compliance with the treatment and recovery programme. This option will be agreed with the member of staff before the commencement of the treatment and recovery programme.

The aim of treatment and rehabilitation is to ensure optimum recovery and return to work.

Any member of staff with a dependency to alcohol or drugs who only declares they have a dependency when a serious misconduct issue has arisen or where they are proven to be in breach of this policy will be subject to the same disciplinary procedures as any other member of staff who breaches this policy.

All employees/sub contractors must report any medication or illness during induction to PMC management. This can be done through the PMC medical questionnaire and also confidentially to your line manager. PMC also require at the earliest opportunity to be informed of any change in circumstances or if new medication is prescribed from your GP.

Signed:

Glenn Collins  
Managing Director

