

## ALCOHOL AND DRUGS POLICY

As a leading company within the Construction Industry MJ Church, as a responsible employer, recognises that employees who work while under the influence of alcohol or drugs pose danger to themselves, other employees and the general public and we are committed to ensuring the highest possible safety standards in all our operations.

Our policy is to protect and improve the general welfare and health of its employees and to forbid the possession and use of alcohol and drugs by any employee at their workplace, to ensure that all employees are fit to undertake their work.

**Note: Due to the diverse nature of the activities undertaken by the Company, certain customers (such as Balfour Beatty, Bardon Aggregates, Network Rail & Others) have lower test limits 13mcg/100ml BrAC, who will also apply a more stringent policy including pre-employment, for cause and random (Network Rail 5% of PTS operatives tested annually) drugs and alcohol screening, which must be adhered to when working for or on behalf of these companies.**

Employees who have alcohol and/or drug dependency and seek help from the company will receive, wherever possible, appropriate help and assistance.

Employees who conceal a dependency issue and only declare the problem when a serious misconduct issue or test has arisen, are more likely to face disciplinary proceedings or dismissal (even if it is a first offence).

### **MJ Church Employees must:**

- Inform their line manager before starting work, if they are taking any medication (prescribed or non-prescribed) which may affect their work performance.
- Not attend work or undertake company business (on or off company premises) with excess alcohol (above the UK Drink Driving limit 35mcg/100ml BrAC or as above Note) or illegal drugs present in their body (as defined in the current Misuse of Drugs Act 1971 legislation).
- Never possess, consume or bring to work or sell illegal drugs, substances or alcohol during working hours or on their working premises.
- Participate when requested in individual screen testing for substances (which may involve providing a sample specimen of breath, urine or other appropriate means) in the event of:
  - Pre-employment, Conditions of Qualifications (PTS) or Site Requirements.
  - 'For cause' after accident, incident or reportable dangerous occurrence on the company premises or on company business (as soon as practicable after the event
  - A company (or customers) 'random testing'.
  - Being required by a Manager acting on behalf of the company (or customer) who has cause to believe the employee may be intoxicated or impaired due to:
    - a) Evidence of inappropriate drugs or alcohol is detected in work.
    - b) Involvement in violence, intimidating or threatening language or behaviour.

- c) Physical or mental impairment.
- d) Being found asleep during normal working hours.
- e) Acting in an unusual manner or have an inability to perform work in a safe productive or usual manner.
- A search at any time of themselves and their property on Company premises (or that of our customer) if there is reasonable grounds to believe that the prohibition of substances is being or has been infringed.

Employees are permitted to drink alcohol beyond these policies limits at appropriate company, industry or customer's functions with prior agreement from their line manager, they do not drive a vehicle or return to work whilst over the limits, and their behaviour is appropriate, lawful, does not offend, harass or irritate others present, nor bring the company into disrepute.

### **Screening Procedures:**

- Screening will be undertaken by trained collectors (internal and external) to the standard of screening known as 'Chain of Custody' and the test procedure will be explained to them before they undergo the test.
- Any samples sent to an accredited laboratory will be undertaken in a secure manner (including the process through analysis to reporting).
- Employees have the right to be accompanied by a work colleague who is on site and close by when they are tested.
- If an employee refuses to undertake a screening test, he or she will be given a short period of time (10 minutes) to reconsider and be advised that continued refusal will be a breach of this policy (the company reserves the right to treat a test as a positive test result).

### **Positive Results:**

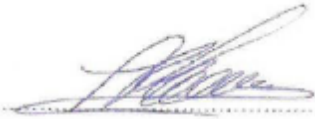
- A positive result (showing the individual was intoxicated or had drugs in their system when the screening test was undertaken).
- An employee who is breathalysed or commits an offence (and subsequently prosecuted by the Police or being unfit to drive due to drink or drugs) whilst undertaking company business will be in breach of this policy (this must be reported to their line manager immediately).
- Any employee who is disqualified from driving as a result of an offence, who was not on company business at the time will not be in breach of this policy, but disciplinary action will be based on whether the employee's contract relies on the condition that their employment requires driving as part of their job. (Disqualified drivers required to be mobile as part of their work may wish to employ a driver at their expense for the duration of the ban).
- The company may inform the Police of any suspicions it may have with regard to the use of controlled drugs by any employee at work.

A positive result, refusal or breach of this policy will be deemed as a positive result and leave the individual liable to disciplinary action (on the grounds of Gross Misconduct), up to and including dismissal. In certain situations, employees who return a positive result may be suspended until further tests are undertaken and the results confirmed.

It is the responsibility of every manager, employee and persons working on our behalf to comply with this policy and to respond to any issue or discuss any possible improvements or requirements. It is the responsibility of every manager to arrange drugs and alcohol tests to be undertaken as soon as possible after any event (including ALL employees involved in an accident or reportable dangerous occurrence) and to seek advice from the Health & Safety Manager at the earliest sign or notification of an alcohol, drugs or other substance issue within the workplace.

This policy will be periodically reviewed and amended if required, to ensure its effectiveness and the performance monitored.

For & on behalf of MJ Church



**Steve Blower**  
**Managing Director**  
**Last reviewed: April 2017**