



# Drugs and Alcohol Policy Statement

## 1. Who This Policy Applies To

This policy applies to all J Breheny Contractors Ltd employees, subcontractors and visitors to all premises operated by the company.

## 2. Policy Statement

At J Breheny Contractors Ltd we are committed to ensuring the health and safety of our employees, those who work on our sites and those who may be affected by our works. One element of this commitment is to ensure that employees are not placing themselves or others at risk by the misuse of drugs or alcohol. Also, we recognise the importance of balancing respect for individual privacy with the need for a safe, secure and productive working environment. Therefore the purpose of this policy is to ensure that employees, workers, subcontractors, agency staff and visitors do not report for work unfit through being under the influence of alcohol or recreational drugs, nor consume or be in possession of alcohol or any drug that may impair safety.

This policy also allows for the Company to support employees who voluntarily seek help for alcohol or drug problems.

The following rules will be strictly enforced. No employee, workers, subcontractor, agency staff or visitor shall:

- Report or try to work whilst impaired through alcohol or drugs (whether illegal or prescribed).
- 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 at work or whilst representing the Company.

Contravention of these rules is a very serious matter and the Company will take disciplinary action in the event of an infringement under the Company's disciplinary procedures, which may include removal from site and/or dismissal.

A copy of this Policy is to be made available to all employees, communicated to non-company workers, subcontractors, agency staff and visitors and a copy is to be clearly displayed in all places of work.

## 3. Definitions

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

**Alcohol** Includes, but is not limited to, distilled spirits, liquor, beer, wine, malt liquor, 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.

**Impaired/ Intoxicated (Alcohol)** In terms of this policy and person who has a Breath Alcohol Concentration that exceeds 35ug of alcohol in 100ml of breath or a Blood Alcohol Concentration exceeding 80mg of alcohol in 100ml of blood (the Drink-Drive limit).

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**Impaired (Drugs)** In terms of this policy, any person found to have consumed illegal drugs or used drugs in an unsanctioned or unreported way and be above the following levels, as confirmed by an appropriate positive test. A positive result is deemed to be levels in excess of the following:

- Cannabinoids (Cannabis) 30ng/ml
- Cocaine 150ng/ml
- Opiates (Opium) 300ng/ml
- Amphetamine Group 500ng/ml
- Benzodiazepines 200ng/ml
- Methadone 300ng/ml

### 4. Screening and Testing

Screening and testing applies to all employees, workers, subcontractors, agency staff and visitors on Company sites and premises. The purpose of screening and 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 drug and alcohol testing will be arranged via the Company's SHEQ Department or Human Resources Personnel who have arrangements for sample collection and testing.

Screening and 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.

**Post Serious Accident/ Incident** Where a serious accident or incident has occurred, those individuals involved may be requested to provide samples to determine whether or not alcohol or drugs may have been a contributory factor.

**Random Testing** Employees may be randomly selected and tested at any of the Company's premises. This process is regardless of the employees status or job function. This is to ensure fairness within the policy and to give a clear message that the misuse of alcohol or drugs cannot be tolerated. *These random tests may take place at any time and we will target sites where there is reported or evidence of illegal drug use.*

**Pre-Employment Testing for Safety Critical Operations** Safety Critical Operations are defined as tasks that require the job holder to have a high level of safety awareness and the full use of his or her faculties in order to prevent dangerous incidents, or a post where the majority of work occurs in a safety critical area. Such Safety Critical Operations include the operation of some items of plant. In such cases, an employee may be given an alcohol or drugs test prior to being employed or assigned to safety critical operations.

**Client Required Regular Testing** Some clients require that regular screening and testing of employees, workers, subcontractors, agency staff and visitors take place. In these cases, testing will take place in accordance with the client's requirements.

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### 5. Refusal to Test

Refusal by an employee to present for a test or refusal to provide a sample of breath or urine for a test will be treated as a failure to comply with the reasonable request of an employer and so will be subject to the Company's disciplinary procedures. In most cases, this will be treated as if a positive test result had been received.

Any refusal by a subcontractor to present for a test or refusal to provide a sample will result in that individual being removed from the company premises. Their employer will be notified of this decision and bear any financial consequences of this removal from site.

### 6. Screening and Testing Protocols

#### Alcohol

The test will be performed by the SHEQ Director, nominated officer or by an impartial collection agency specialised in alcohol and drug testing

The test will comprise a breath sample collection using a calibrated digital alcometer, similar to those employed by the police, or by the testing of a urine/ blood sample. The person will be asked to complete and sign a consent form to enable the test to take place. The test will be performed and the result will be recorded and verified by the employee, their representative (if applicable) and another witness.

If the breath test is positive (over 35ug per100ml) the test will be repeated at least 20 minutes later. If the second test is also positive and therefore confirms the first test, the person will be safely removed from the Company premises. Company employees will be suspended with pay pending the implementation of disciplinary proceedings, whilst non-company workers, subcontractors, agency staff and visitors will be removed from site.

If the breath test shows a breath alcohol content below 35ug per100ml of breath but above zero, a further test will be performed at least 20 minutes later to ensure that the alcohol is not in ascendancy. If this second test is not in the ascendancy and the test second test is below 35ug per100ml then the test will be deemed as a negative result.

Anyone testing positive to a urine or blood test will be safely removed from the Company premises and suspended.

On no account should the person be sanctioned to drive. If necessary, the person is to be taken to their home to ensure that their safety is not impaired.

#### Drugs

Drug testing will be carried out by an impartial collection agency specialising in drug testing.

The test will comprise the collection of a urine sample from the donor under controlled conditions. The person will be asked to complete and sign a consent form to enable the test to take place. The person will be fully briefed on the procedure to be followed and will be given every opportunity to advise the person undertaking the test if they are receiving any medication or have recently taken any recreational drug that may affect the test result.

An initial on-site test of the sample will be made to identify the presence of drugs. If this initial on-site test is shown to be positive, a sample will be delivered to an approved laboratory under strict chain-of-custody procedures for detailed analysis.

When an initial positive test is obtained, the person shall be removed from site and suspended pending the detailed laboratory analysis results. Company employees will be



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suspended on full pay whilst non-company workers, subcontractors, agency staff and visitors will be immediately suspended from site.

### 7. Positive/ Negative Test Results

The Company operates a zero-tolerance policy with regard to the misuse of drugs and alcohol whilst on Company business or on Company premises.

**Any employee testing positive for drugs and alcohol under this policy will be subject to the Company's disciplinary procedures, which will include dismissal for gross misconduct.**

All non-company workers, subcontractors, agency staff and visitors will be immediately suspended from site. Those testing positive for alcohol or drugs will not be permitted to return to work on this, or any J Breheny Contractors Ltd site or premises.

Should the laboratory tests negative, the individual will be allowed to return to work without penalty.

### 8. Client Requirements

Some clients may have drugs and alcohol policies that are different to this policy. In such cases, the client's policy will be adhered to if it is equally stringent or more stringent than this policy. However, if the client's policy is less stringent, then our policy will continue to apply.

Many clients, such as Network Rail, London Underground, Airport Operators, and many Main Contractors, etc., also have a zero drugs and alcohol policy. Should an employee test positive for drugs or alcohol, then they will be immediately suspended for work and shall not be allowed to continue working on that or any of their sites.

### 9. Assistance to Employees

Employees taking prescribed drugs and medication that may impair their ability to undertake tasks are required to inform their site supervisor or line manager immediately so that appropriate allocation of tasks or locations of employment may be allocated. The Company will offer all reasonably practical assistance. Such employees will not be penalised.

The Company will offer reasonable practical assistance to those employees that prior to being tested, voluntarily seek help for their alcohol or drug problems.

### 10. Review

This policy may be reviewed at any time by the Company to reflect changes in legislation, industry standards or the expectations and requirements of the Company.

Such changes will be communicated to employees, workers, subcontractors, agency staff and visitors.

This Policy is to be reviewed no later than 31<sup>st</sup> December 2012.

A handwritten signature in blue ink that reads 'J.N.E. Breheny'. The signature is written in a cursive style with a large loop at the end of the last name.

**John Breheny – Chairman  
1 January 2012**