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| Policy Name: | DRUG AND ALCOHOL TESTING POLICY | | | | | |
| Version: | 1 | | | | | |
| Date: | 05/09/22 | | | | | |
| Reviewed and approved by: | HRD | | | | | |

Introduction

The working environment should be free from the influence of substances. Being under the influence of drugs or alcohol can seriously impair an individual's judgement and reactions leading to an increased risk of accidents and injuries occurring.

The purpose of this policy is to ensure the safety of our employees and temporary workers and others with whom they come into contact with by having clear rules in place in relation to the use and possession of drugs and alcohol, and, to ensure an effective and safe service to our clients and their customers.

Scope

This policy and procedure applies to all jobseekers, salaried staff, temporary workers, contractors and volunteers within the Company at all levels, or supplied to a client, or supplied by a Recruitment Intermediary (or sub-agents) or sub-contracted Labour Provider.

Related documents

Client drug and alcohol Policy
Client testing consent form

Responsibilities

It is the responsibility of all those in scope of this policy to comply with this policy and to inform their direct manager, in confidence, if they become aware of any individual who may be under the influence of alcohol or drugs at work, or, if they themselves are under the influence of alcohol or drugs.

It is the responsibility of managers to manage all incidents involving drugs and alcohol without delay and seek guidance from the HR department where necessary.

It is the responsibility of the HR department to provide advice and support and monitor incidents involving drugs and alcohol and work and to put measures and improvements in place where required.

Policy

The Company takes its obligations under the Health and Safety at Work Act with regards to providing a safe working environment seriously and strives to prevent accidents and impaired performance at work which may be alcohol or drug related.

Abuse of alcohol or substances can result in serious injury or property damage, and as such, the Company may require individuals to take a drug and alcohol test. The test will collect health data.

The Consumption of alcohol or drugs while on 24-7 Recruitment or our Client premises ("**Work premises**") or whilst carrying out Company duties will be treated seriously and may amount to a gross misconduct offence which may lead to summary dismissal without pay of notice.

Procedure

During working hours and at all times whilst on work premises or on assignment off work premises, you must be free from the influence of drugs or alcohol. If you are taking prescription drugs, these must only be used if they have been prescribed to you, and you must take only the prescribed dose. To safeguard you and others

around you, you must inform your immediate Line Manager/24-7 representative if the prescribed drugs have side effects and your 24-7 representative immediately regardless of any side effects.

You shall not:

- Report to work with drugs or alcohol (whether illegal or not) in your system regardless if this has any effect on your ability to carry out your duties (it is at the reasonable opinion of the Company and our client to determine fitness for work in the circumstances).
- Be in possession of drugs or alcohol on work premises or whilst working off work premises.
- Supply others with drugs or alcohol in the workplace or while at work off work premises.
- Consume drugs or alcohol on work premises or whilst working off work premises.
- Consume alcohol or drugs before attending work which may place you under the influence of alcohol or drugs during work times regardless of the effects.
- If you are required to drive as part of your duties, you should not consume alcohol before attending work or while on duty. Drivers are reminded that the Road Traffic Act 1988 makes it illegal for any person to drive or attempt to drive a motor vehicle while unfit to drive through the use of a substance (this includes prescribed and over-the-counter medication, as well as illegal drugs and alcohol); and this is likely to result in the involvement of the police.

You must:

- Be aware of all side effects of any prescription drugs and notify your Line Manager (or other relevant line of reporting at the client) and your 24-7 representative of all side effects regardless if in your opinion it does not have an effect on your ability to carry out your duties.
- Report to the Company any involvement in Court proceedings arising from the misuse of alcohol and/or drugs that may have a bearing on future employment/engagement with the Company.
- Be reminded that alcohol consumption outside of work leading to hangovers can also be detrimental to performance at work.

If you are intoxicated, under the influence of drugs, or showing behaviour that indicates you will be placing yourself and others at risk at work, you will be sent home immediately. The manager should ensure that the individual will be able to reach home safely and where required should arrange a lift.

Testing

Because being under the influence of drugs or alcohol can impair an individual's judgement and performance at work, and may place others at risk, alcohol and drug testing is necessary for the purposes of the legitimate interest of the Company to provide a safe working environment and to prevent incidents/accident that may occur whilst being under the influence of alcohol or drugs while in the workplace.

Alcohol and testing is necessary under employment, social security and social protection, in order for the Company to meet its legal duty under section 2(1) of the Health and Safety at Work Act 1974 to ensure the health, safety and welfare of its employees while at work.

Prior to test being carried out, you will be given a consent form which will provide you with information about the test. The Company relies on the legal basis above to carry out testing. Should you not consent to the test, it will be taken as a refusal and managed under the Company disciplinary procedure.

You will be given the opportunity to tell the company about any substances/alcohol you may have consumed that may affect the result of the test. All prescribed medication will be taken into account.

The Company may carry out a test in the following circumstances:

- 1) Random testing of a selection of the workforce either at set intervals or random intervals
- 2) There is reasonable suspicion that you may be under the influence of alcohol or drugs (e.g., your behavior/performance seems impaired, or a report has been made to the Company)
- 3) You have been involved in an accident/incident while carrying out your duties

Urine/Saliva Drug Test Results

- If the result is negative you will be informed accordingly and, if appropriate to do so, will return to your duties.
- If the presence of any drug is detected, the sample may be sent to a laboratory for further analysis to confirm the result. Until the results are returned from the laboratory you will be sent home and deemed unavailable for work and will not be required to return until the laboratory results are communicated to the Company.
- A confirmed positive result may be treated as gross misconduct and may result in your assignment being terminated and summary dismissal without payment in lieu of notice.
- 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 or have the presence of drugs and therefore in breach of this policy. This also applies to using alcohol, drugs or substances in a way that are harmful/hazardous to the individual or to others and which are likely to distort perception and response when at work.

Breath Alcohol Results

- If the test shows a breath alcohol level of zero, then the alcohol test will be deemed as negative.
- If the test shows a breath alcohol level above zero, whether over or under the legal driving limit of 80 milligrams per 100ml breath alcohol concentration, a further test will be performed at least 20 minutes later (or in line with the clients' policy) to validate the first test result.
- During the waiting period between the two tests, you should not eat, drink, belch or put your hands in your mouth. You will be required to wait for the test and must not return to your work area during the waiting time.
- Should you refuse to wait for the second test, this will be treated as a breach of this policy.
- In this time your body will process more alcohol and the results of the 2nd breath test collected after the waiting period will reflect the new concentration of alcohol in your blood.
- The reading may differ, either higher or lower than at the first test.
- The results of the second test are considered to be definitive and another breath sample will not be taken.
- If the second breath result is less than the first and below the legal 80 milligrams of alcohol per 100 millimetres, then you will be permitted to continue your duties.
- On the equipment used this would be equivalent to a reading of 0.080% BAC (blood alcohol concentration) which is the legal drink drive limit.

- If the result is over 80 milligrams, OR, is below 80 milligrams but the BAC result has stayed the same or increased since the first test, then the urine sample collected for your drug test will be divided and sent to the laboratory for analysis in the same manner as described above.
- Until the results are returned from the laboratory you will not be permitted to return to your assignment and you will be deemed unavailable for work until the laboratory results are communicated to the Company.
- A confirmed positive result may be treated as gross misconduct and may result in your assignment being terminated and summary dismissal without payment in lieu of notice.
- Where there is reasonable belief that you are under the influence or may have drugs or alcohol in your system regardless of your behaviour or effect on your performance (such as the smell of alcohol on the breath), you will be sent home immediately and deemed as unfit and unavailable for work.

Non-Compliance

Breaches of the Policy will be managed via the Company disciplinary procedure.

Monitor and Review

The HRD shall monitor the policy to ensure practices are adhered to and assessments are carried out and measures put in place where there are failures in the policy, its procedure and application of it.