

M. J. Hickey (Plant Hire) Ltd
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DRUG AND ALCOHOL POLICY

This document has been considered
and adopted by the above company on
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DRUG & ALCOHOL POLICY

Premise:

People that work in the construction industry are six times more likely to be killed at work than in any other type of employment in the UK – one third of all fatalities happen in this sector.

1. Introduction:

M J Hickey Plant Hire Ltd has a vital interest in maintaining a safe, healthy and efficient working environment for its employees. Drug and Alcohol misuse has the potential to damage the health and well-being of our employees and threaten the integrity and effectiveness of our services. Employees under the influence of drugs (non prescribed medications) and/or alcohol, present health and safety risks to themselves and their fellow employees and could have a potential detrimental effect upon the high standards of performance and conduct that M J Hickey Plant Hire Ltd expects. This policy sets out the principles within which our company will deal with drug or alcohol related issues, subject to the understanding that each case may need to be treated on its own individual merits. This policy relates to all staff (including full, part-time, permanent and those on a temporary contact.

2. Aims:

2.1 It is the policy of M J Hickey Plant Hire to:

- Maintain a safe and healthy working environment for all employees free from the influence of drugs and alcohol, in order to ensure a high level of performance.
- Provide assistance to employees who seek help in overcoming dependency upon or problems with drugs and alcohol.

2.2 Successfully tackling substance misuse can benefit both the employee and the company in a number of ways. These include:

- Reduction of absenteeism or reduced productivity;
- Improvement in employee morale as employees will experience care for their well-being;
- Reducing the risk of accidents due to impaired judgement;
- Enhancing public perception of the company as a caring employer;
- Saving on the cost of recruiting and training new employees to replace those whose employment has been terminated due to substance misuse;

- Reducing the risk of prosecution due to injury to an employee.

3. Principles:

The misuse of drugs or alcohol would mean that employees using Plant and Machinery are not able to carry out their duties safely and effectively. This policy will apply across all of the sites that the company work on and will not discriminate at any level, and is intended to support local procedures in place. Employees should be aware that breach of these rules will be considered to be misconduct and may be subject to the companies disciplinary procedures. Contractors/temporary workers will also be expected to abide by these rules.

3.1 Employees' Obligations:

To ensure safe working procedures for themselves, colleagues and users of the Company's services,

- All employees at all levels in the organisation will be required to be present themselves fit for work. This includes working at any of the sites or premises or when officially representing the company off-site.
- Consumption of alcohol or drugs is not allowed on any site or in vehicles or Plant machinery during working hours (including lunch time)
- The use, possession, distribution, purchase, sale or being under the influence of alcohol or any controlled drugs whilst at work is prohibited and will be viewed as gross misconduct and will result in dismissal without notice. Breach of this policy by an employee will be fully investigated and normally will be dealt with under the company's disciplinary procedure.
- In addition to M J Hickey Ltd duties to its staff, all employees are personally responsible for their own health and safety and the safety of others who may be affected by their acts and omissions. Employees are therefore required to advise the company immediately if they are taking prescribed drugs that may affect their work performance.

3.2 The Company's obligations:

Where appropriate, the company will provide support internally and/or through external agencies to employees who are willing to co-operate in treatment for a drug or alcohol problem.

The company reserves the right to conduct drug and alcohol screening as part of the process for pre-employment selection if justified by any concerns raised by pre-employment medical screening. Any candidate who has a positive screen, or who refuses to provide the appropriate samples, may not be considered eligible for employment.

M J Hickey Plant Hire Ltd reserves the right to conduct or require a drug or alcohol screen on any employee whilst at work. This will not be undertaken on a random basis but as a result of specific incidences, or the outcome of an investigation, where it is believed that drug or alcohol misuse may be occurring. Such screening will only be carried out with the employee's consent. However, refusal to provide appropriate samples may lead the company to draw its own inferences against the employee.

3.3 The highest standard of confidentiality will be maintained throughout the entire procedure.

3.4 Prevention and rehabilitation

The primary objectives of this policy are the prevention of the adverse affects of drugs and alcohol in the workplace and the early diagnosis, treatment and rehabilitation of employees who have alcohol or drug-related problems.

M J Hickey Plant Hire Ltd will ensure that there are confidential means whereby employees can seek assistance and advice for any drug or alcohol problem, whether by self-referral or at the request of their line manager.

Employees should recognise that it is their responsibility and in their best interests to seek help at the earliest possible stage when treatment may be easier and before the problem affects work sufficiently to become a disciplinary matter. If any employee with an alcohol or drug problem fails to comply with the recommendations of the agreed programme of treatment, then the disciplinary procedure may be followed. Employees enrolled on a rehabilitation programme will usually be subject to normal sickness/absence rules.

4. Procedure for dealing with drug and alcohol misuse:

4.1 Indicators of Drug & Alcohol Misuse

Drugs and alcohol affect a person's brain and body in a number of ways. They can alter how a person thinks, perceives and feels, and this can lead to impaired judgement and concentration. Substance abuse can also bring about the neglect of general health and well being. This may adversely influence their performance at work, even when the misuse occurs outside the workplace.

Some signs of substance abuse are:

Absenteeism; Multiple instances of unauthorised absence; Excessive sick leave; Excessive lateness e.g. Monday Morning or returning back late from lunch. Very high absence for colds / flu / gastric problems Frequent unscheduled short-term absence; Excessive absence from post; Frequent trips to the toilet; Excessive coffee breaks High accident rate, Accidents at work, Accidents at home.

Appearance: Flushed face, 'bleary eyes'; Aroma of alcohol; Hand tremors; Increasingly unkempt appearance / lack of personal hygiene; Physical incapacity. Deteriorating efficiency: Tasks take longer to perform, Missed deadlines, Mistakes due to inattention or poor judgment, making poor or incorrect decisions. Complaints from colleagues or members of the public. Difficulty in recalling instructions, Confusion, Poor employee relations, sudden mood changes, unusual irritability or aggression, impaired job performance. Borrowing money, dishonesty and theft.

These signs are not exhaustive nor on their own would they indicate misuse as they may be caused by other conditions/circumstances.

4.2 Immediate response to misuse:

Where a member of staff arrives for, or is at work, and to the line manager they appear to be incapable of carrying out their duties due to the influence of drugs or alcohol they should be sent home and the disciplinary policy will apply.

4.3 Initial discussion with the Manager:

Where a line manager observes unusual behavior or unacceptable performance by an employee at work, or an accident or incident has taken place such that the line manager has reasonable cause to believe that the employee is suffering from the effects of drugs or alcohol, a meeting should be arranged for the next working day, or on the employee's return to work. The manager should discuss the situation with the employee concerned.

The manager should ensure the discussion is carried out in private. The Manager should ensure that they have any necessary paperwork to hand, including records of attendance; poor work performance and poor employee relationships. It may be very difficult for people to admit to themselves or others that they have a problem. They may feel there is a stigma attached to substance abuse and may fear disciplinary action.

It is anticipated that most cases will not proceed to a drug and alcohol screen but will be handled using normal line management practices. However, in the absence of a satisfactory explanation for the behaviour or performance, and where the employee is suspected of, or admits to, being in breach of this policy, a drug and alcohol screen would be performed. The employee may be suspended, pending the screening process until the results of the test are known. It is the company's intention that suspension should be for as short a time as possible.

If an employee refuses to co-operate with the screening or to allow the company access to the results, the consent form will be completed accordingly. In this case the employee will be suspended immediately and the company's

disciplinary policy will be instigated. The behaviour that gave rise to the suspicion may also be grounds for disciplinary action.

4.5 Dealing with the results:

Employees will be told the results of the screen as soon as practicable.

If the result of the screen is negative or drug or alcohol dependency is denied the Employee's conduct will continue to be investigated and in appropriate cases the Company's disciplinary procedure will be instigated. If the result is positive, the line manager will continue the investigation and medical advice will be sought.

If drug or alcohol dependency is found the line manager is encouraged to treat the employee's alcohol or drug dependency as an illness. Where appropriate the employee will be offered support and access to treatment for rehabilitation. Any time off to attend rehabilitation will be treated as sickness absence. The plan will include regular meetings with the manager to discuss progress and offer any help or support needed.

5. Relationship with other policies:

5.1 Disciplinary Policy

Employees who are being treated for drug and alcohol problems and complying with the agreed terms of their rehabilitation will be supported by this policy. If an employee is unable to co-operate with a treatment programme satisfactorily or be rehabilitated, then their drug and alcohol problem will be fully investigated and dealt with under the Company's disciplinary procedure.

The Company will not get involved in an employee's use of drugs or alcohol in their private life unless or until that use has an actual or potentially adverse effect upon the employee's performance of their duties or upon the best interests (principally name and reputation) of M J Hickey Plant Hire Ltd. In these circumstances the fact that the drug/ alcohol abuse may be outside the working hours or off the company's premises or designated sites it shall not prevent the company from taking action in response.

6 Legal obligations of M J Hickey Plant Hire Ltd:

Employees should be aware that the Misuse of Drugs Act 1971 makes it a criminal offence for the Company to knowingly allow the production or supply on its premises or designate sites of any controlled drugs, and for any individual who allows such activities by his or her neglect or connivance. The Company will press for the prosecution of any employee found breaking these laws on its premises or designated sites.