



## Drugs and alcohol policy

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# DRUGS AND ALCOHOL POLICY STATEMENT

Kier Group recognises that both the health of the individual and the safety of the work place are paramount in achieving the goals of the business as a whole. Employees can be at risk from misuse of alcohol and drugs, both cause effects on individuals which can manifest themselves in the workplace leading to increased risk of accidents, sickness absence, and disciplinary problems and reduced efficiency.

## **Under this policy Kier Group requires that:**

- We are compliant with relevant current legislation relating to substance abuse i.e. The Health & Safety at Work etc Act 1974, the Misuse of Drugs Act 1971, the Transport and Works Act 1992 and where relevant the Railways (Safety Critical Work) Regulations 1994.
- Kier Group employees, consultants, contractors or sub-contractors must not try to report for work if they are unfit through alcohol or illegal drugs.
- When at work employees must not consume alcohol or illegal drugs or be in possession of these items nor be involved in the sale or distribution of alcohol or illegal drugs on any company premises.
- Measures to prevent any person attending work under the influence of alcohol or illegal drugs will include testing at pre-employment, post incident or 'for cause' and random unannounced testing.
- Anyone identifying themselves as having a problem will be supported positively and confidentially with guidance, and information and where applicable referral for treatment to overcome the alcohol and/or drugs problems. **Help must be requested prior to testing.**
- Anyone suspected of being under the influence through the use of alcohol and/or illegal drugs that tests positive will be in breach of this policy. They will also be subject to suspension from work, full investigation and potentially disciplinary action under the process.
- \* Those employees failing to consent for testing could face disciplinary action up to and including termination of employment.

**This policy will be reviewed in light of all current legislation and any changes to that legislation. Amendments will be communicated to all relevant stakeholders as appropriate.**

**Kier Group  
2009**

# Drugs & Alcohol Policy, Organisation & Arrangements for Kier Operations in the UK

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## 1.0 INTRODUCTION

Kier Group plc is referred to as "the Company" for the purpose of this policy and this includes any of its subsidiary companies. Any reference to Contractors includes Sub-Contractors, Trade Contractors or other specialists.

Employees can be at risk from misuse of drugs and alcohol, both cause effects to individuals which can manifest themselves in the workplace leading to increased risk of accidents, sickness absence, disciplinary problems and reduced efficiency.

Drug misuse can be a serious problem not only for the person who misuses drugs but also for the business where they work and their co-workers.

The possession of some drugs is **illegal**, exposing the person who misuses these drugs to the risk of **criminal charges** as well as causing harmful effects to their health.

Alcohol is a common part of life for many people and most of the time drinking alcohol in moderation doesn't cause any problems, however, drinking too much or at the wrong time can be harmful. Excessive drinking can affect some people during their lives.

Alcohol will sometimes be permitted on company premises **for organised events and special occasions sanctioned by Senior Management**.

The government has produced guidance on sensible drinking and lists the following examples of specific situations when the advice is not to drink at all:

- Before or whilst driving
- Before using machinery, electrical equipment or ladders
- Before working or in the workplace

**The Company has considered these matters and as a result of health, safety and commercial considerations feels it necessary to have a Drugs and Alcohol Policy.**

## 2.0 PURPOSE

To ensure employees and others do not report for work under the influence of drugs or alcohol, nor to consume these substances while on duty. Individuals also have a responsibility to ensure they are fit to work.

To assist with rehabilitation of Kier employees who voluntarily seek help for drug or alcohol problems. Detailed information is available from the Human Resources (HR) and Occupational Health (OH) departments.

# Drugs & Alcohol Policy, Organisation & Arrangements for Kier Operations in the UK

## 2.1 SCOPE

This policy applies to all employees of the Company, all Contractors, and any other persons working at or visiting the Company's premises regardless of their job function. This policy is also applicable to all Company premises including sites and company vehicles.

## 2.2 DEFINITIONS

- **Substances** – Includes, but isn't limited to, drugs and alcohol e.g. solvents.
- **Drugs** – any that affect mood, thought processes and/or perception, available both legally and illegally. All drugs covered by the Misuse of Drugs Act 1971 and the Medicines Act 1968.

**There are no acceptable levels of drugs in the workplace other than those prescribed by a doctor or obtained from a pharmacist. These and any other over the counter medication that could have an adverse affect on work performance should be notified to your supervisor/manager/HR department.**

Managers/Supervisors who receive information from Kier employees that they are taking prescribed or over the counter medication **which may affect their ability to work safely are to notify their HR Department.**

**The HR Department should seek advice and guidance as appropriate from the Occupational Health Manager.**

**In the case of Contractor's personnel, take similar action to the above in consultation with the individual's employer.**

- **Alcohol** – includes, but isn't limited to, spirits, liquor, beer, wine, or any other beverage containing alcohol.

The legal limit above which you must not drive in the UK is 35 microgram's of alcohol per 100ml of breath or 80 milligram's of alcohol per 100ml of blood.

For the purpose of this policy an unfit state through consumption of alcohol is proven or "positive" when test results of more than the levels in the following table are recorded unless there are any other site specific or client requirements.

<b>Non-Rail Workplaces</b>	<b>Rail Workplaces</b>
35 microgram's of alcohol in 100ml of breath	13 microgram's of alcohol in 100ml of breath
80 milligram's of alcohol in 100ml of blood	29 milligram's of alcohol in 100ml of blood
107 milligram's of alcohol in 100ml of urine	39 milligram's of alcohol in 100ml of urine

**DO NOT ENTER ANY WORKPLACE UNDER THE INFLUENCE OF DRUGS OR ALCOHOL.**

### 3.0 POLICY ON DRUGS AND ALCOHOL

The Company recognises that both the health of the individual and safety in the work place are paramount in achieving the goals of the business as a whole.

This policy sets out the Company's approach to Drugs and Alcohol, enabling compliance with the requirements of the Health & Safety at Work etc Act 1974, the Misuse of Drugs Act 1971, the Medicines Act 1968, the Transport and Works Act 1992 and where relevant the Railways (Safety Critical Work) Regulations 1994 and any future legislative requirements that involve the misuse of Drugs and/or Alcohol.

This policy requires of all Kier employees, contractors or any other persons working at or visiting the Company's premises regardless of their job function that they:

- **Must not** come to work in an unfit state due to the influence of drugs and alcohol.
- **Must not** bring illegal drugs or alcohol onto Company premises. Anybody found in possession could be liable to the Company disciplinary procedure. For clarity any alcohol such as normal shopping where there was no intention of using the substance on the premises is exempt from this rule.
- **Must not** cover up or collude with colleagues whose behaviour and performance is or could be affected by taking illicit or medical drugs or consumption of alcohol.
- **Must check** with their doctor, practice nurse or pharmacist about the side effects of prescribed or over the counter medication potentially adversely affecting their ability to do their job safely.
- **Inform** their supervisor/manager/HR department if taking medication (whether prescribed or bought over the counter) **that may affect their ability to carry out their job safely**. Kier employees are advised to complete and submit to Tempsford Occupational Health Department the attached Medication Advice Form.
- **Must not** discontinue an agreed course of treatment for a drug or alcohol related problem without good reason.
- **Must never** drive or operate machinery if affected by or believe they are affected by drugs, alcohol, prescribed or over the counter medication.
- **Must tell** their immediate supervisor/manager or HR/OH department if they believe they have or may have a drug or alcohol related problem.
- **Must** undergo testing for drugs and or alcohol when requested to do so by the Company's approved testing agency.

### 4.0 SCREENING PROGRAMME: TESTING FOR DRUGS AND ALCOHOL

The Company reserve the right to:

- Carry out unannounced testing of the workforce to detect drugs and/or alcohol if there are grounds to suspect that an employee or contractor is unfit through drugs and/or alcohol
- Undertake unannounced random sampling testing of the workforce. Testing may also be undertaken following an accident or incident, or for pre -employment

**Testing:** This will be done by an independent specialist provider using proven scientific methods under a confidential process to ensure this policy is adhered to. Screening prior to employment may be carried out by Occupational Health or an appropriate external Occupational Health Service Provider.

Refusal to undergo testing may be treated as a positive test result.

## **Drugs & Alcohol Policy, Organisation & Arrangements for Kier Operations in the UK**

Results of tests for drugs and/or alcohol are confidential and reported only to Line Managers and those tested. These processes are in place to allow those tested to appeal against the positive results of a test.

For guidance on requesting, undertaking and the follow up to drug and alcohol testing refer to the Kier Drugs and Alcohol Testing Process which includes a flowchart summarising action to be taken.

### **5.0 SENIOR MANAGEMENT RESPONSIBILITIES**

- **Ensure** this policy is implemented throughout Kier.
- **Notify** all Kier employees and contractors about this policy and procedures.
- **Monitor** the effectiveness of this policy on an ongoing basis.

### **5.1 LINE MANAGERS/SUPERVISORS RESPONSIBILITIES**

- **Must be** familiar with this policy and procedures.
- **Must be** aware of and monitor changes in work performance, attendance, sickness and accident patterns and to take appropriate action (including disciplinary) in conjunction with the HR department, where necessary.
- **Must ensure** that Kier employees, contractors and other specialists or visitors are made aware of and comply with this policy.

### **6.0 DISCIPLINARY PROCEDURE**

Where the policy is contravened, dismissal may result on the grounds of gross-misconduct under the Company's Disciplinary Policy. Kier employees should refer to the relevant staff handbook for further information.

### **6.1 PROCEDURE TO BE ADOPTED WHEN AN INDIVIDUAL TESTS POSITIVE FOR DRUGS AND/OR ALCOHOL**

Arrangements will be made to remove the individual from the workplace (to ensure that they do not harm themselves or others), any Kier employee will be placed on garden leave with pay pending further investigation. Thereafter the remedy of this situation will follow the Company's Disciplinary Rules.

### **7.0 EDUCATION & TRAINING**

All Kier employees and contractors should be briefed on the requirements of this policy during induction, and via other appropriate means.

Company HR Managers should ensure that managers/supervisors receive adequate training and guidance on the requirements of this policy.

This policy will be regularly reviewed to ensure compliance with current legislation and best practice.