

DRUGS AND ALCOHOL POLICY

Power Lines, Pipes and Cables Ltd (PLPC Ltd) is a family run business that was established in 1973 to provide a power line construction service to Distribution Network Operators (DNO) across the UK. PLPC Ltd supply and install overhead power lines and fibre optic systems to DNO's and private clients.

Alcohol and drug consumption/dependency affects individual health and work performance in terms of safety, efficiency, productivity and attendance. In addition, it can have a detrimental effect on colleagues and dependants. As a responsible employer, PLPC recognise the need to take measures address the issue of alcohol and drugs in the workplace. This policy has been developed to protect the health and safety of employees, contractors, customers and visitors and to comply with relevant legislation.

Employees are expected to be familiar and comply with this Policy on Alcohol and Drugs, to ensure that of their performance or ability to carry out their activities at work safely and competently is not impaired in any way. All employees should observe the following, and note that failure to do so may result in disciplinary action being taken, may be found guilty of gross misconduct, and may face summary dismissal:

Section 4 (1) Road Traffic Act 1988 states –

A person who, when driving or attempting to drive a mechanically propelled vehicle on a road or other public place, is unfit to drive through drink or drugs is guilty of an offence.

It is PLPC's Policy than when reporting for duty your breath alcohol level should not be in excess of 9 micrograms of alcohol in 100millilitres of breath.

Policy limits:

0.1 - 9 micrograms	-	Investigation
9 - 22 micrograms	-	Suspension pending investigation which may lead to disciplinary action.
Over 22 micrograms	-	Immediate disciplinary as result is above Scottish Limit.

To comply with the above employees should restrict themselves to "light consumption" of alcohol during the 24 hours preceding such duties, as in the workplace is can impair performance, result in inappropriate behaviour, and can place both the individual and those around them in danger, as well as affect health.

- Employees must not present themselves for work under the influence of alcohol or drugs so that their performance or ability to carry out their activities at work safely and competently is impaired in any way.
- Consumption of alcohol and/or drugs during working hours or on company premises is prohibited.
- When representing PLPC outside normal working hours, for example, when staying away from home during normal work and faults, employees are expected to take a responsible attitude to alcohol.
- Unless formally approved by a Director or Manager for specific reasons (for example, entertaining outside guests) alcoholic drinks must not be consumed by employees during the eight hours before reporting for work.

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- Employees will be held to be responsible in the event they cause any accident or damages to anyone or anything, due to negligence of the Employees consumption of alcohol or drugs whilst on Company business.
- Consumption, possession or sale of illegal drugs is prohibited. Possession and sale are also criminal offences under the Misuse of Drugs Act 1971.
- PLPC operate a zero-tolerance policy towards drugs.
- Employees who are suspicious of any colleague, who they consider to be incapable through the consumption of alcohol or drugs should immediately report the matter to their supervisor/manager.
- Prescribed and over-the-counter medications are not exempt from the Policy. Such drugs can be used illegally and even when used legally could cause side effects that have potential safety implications. Employees therefore have a duty to inform their pharmacist / medical practitioner of the nature of their job and to discuss known possible side effects of medication with their line manager where it has implications for health and safety relating to the employee's duties at work.

Where an employee's health, attendance or work performance is affected by an alcohol or drug-related problem, he or she will be dealt with under the relevant procedure. We however recognise that an alcohol or drug problem may be an illness and we will treat it in the same way as any other illness, we support the importance of early identification and treatment and encourage those with a problem to seek help. PLPC assure confidentiality in dealing with these matters.

Misconduct related to consumption of alcohol and/or drugs will be dealt with under the relevant disciplinary procedure, which may lead to dismissal.

To assist in the successful implementation of this policy, PLPC will utilise pre-employment, random screening, 'with cause' and post-incident alcohol and drug screening, at its discretion. As a responsible employer, PLPC also reserve the right to carry out follow-up alcohol and drug screening, for employees who have been absent from work because of an alcohol or drug-related problem. Alcohol and drug screening is not intended to discriminate against or harass any individuals. It is a preventative measure to assist in looking for drugs that can lead to impairment and ensuring employees' safety and productivity and identifying and assisting people with problems.

This Policy, including guidelines and procedures in relation to alcohol and drugs, is designed to achieve the following:

- To have a working environment free from the effects of alcohol and drugs.
- To encourage employees who suspect or know they have an alcohol or drug-related problem, to seek help voluntarily.
- To reduce the personal suffering of employees, with alcohol or drug-related problems, and their dependants and colleagues.
- To provide practical guidance to management and employees, on how to deal with all alcohol or drug-related problems effectively.
- To promote a climate which will reduce the tendency to conceal or deny, alcohol or drug-related problems.

This Policy will be communicated and applies to employees and all other persons, working for, or on behalf of PLPC.

It is the responsibility of all employees, visitors and contractors to fully support this policy through their active participation and co-operation.

This policy will be displayed at our Carlisle office and on the company website, with distribution to customers, suppliers or any person, group or organisation on request.

This policy will be kept under regular review to evaluate its effectiveness.

Signed:



Dale Harrison
Managing Director

Last Reviewed: May 2022
Next Review Date: May 2023

EMPLOYEE GUIDELINES

The purpose of these guidelines is to help employees understand the PLPC Policy on Alcohol and Drugs and should be read in conjunction with the Policy Statement.

How are alcohol, drugs and related problems defined in this Policy?

'Alcohol' is defined as a beverage, condiment or food additive which contains alcohol in any form.

'Alcohol-related problem' is defined as any consumption of alcohol, which interferes with an employee's health and safety while carrying out his/her duties at work.

'Drugs' are defined as illegal substances, prescribed and over-the-counter medications, and any other substance, gas or liquid which may cause impairment.

'Drug-related problem' is defined as any use of illegal drugs or misuse of legal drugs which interferes with an employee's performance in any aspect of employment.

When will alcohol or drugs screening be carried out?

An established screening procedure to test for the presence of unauthorised substances in the body will be used, under the following circumstances:

- a) As part of a pre-employment medical assessment, candidates offered employment will be subjected to routine screening for the presence of drugs and alcohol.
- b) Random screening may be carried out at any time.
- c) Following any accident or other incident all employees or other persons directly involved may be screened, along with any other employee or person responsible for taking decisions directly related to the activity or place at which the accident occurred.
- d) 'With cause', that is, when it is determined that unusual or abnormal behaviour on the part of an employee or other person may be related to the use of drugs or alcohol.
- e) Following the discovery that an employee or other person has or has had in their possession (whether on their person or among their belongings) any controlled substance.
- f) Following any incident involving an employee or other person during their travel to or from a place of work, at any time, when on Company business.
- g) Employees who have been absent from work because of an alcohol or drug-related problem may be required to undergo a series of follow-up screens at periodic intervals.

In addition to screening, disciplinary proceedings may be initiated where the cause of screening is (b), (c), (d) or (e) above.

Failure to comply with any of the steps in the screening procedure, is classed as gross misconduct and may result in dismissal.

Any candidate for employment who refuses to undergo a screening procedure will not be employed; however, all non-negative test results will be subject to medical review and interpretation and may result in a decision not to employ.

Who will conduct the screening procedure?

PLPC will carry out testing and may also contract with one or more external organisations to provide the screening service. A copy of the screening result will also be given to the employee.

In cases of post incident or 'with cause' screening, the line manager immediately responsible will refer any person requiring to be screened for screening.

Drugs and Alcohol Testing

PLPC use an EN Approved (evidential) handheld breathalyser which gives a digital reading of the quantity of alcohol in the sample of breath tested. Each employee will be required to sign a printout of their results at the time of testing. A copy of these results will be held confidentially in personnel files.

Drugs testing will be saliva based testing and if a positive result is established, a further sample will be sent to an external lab for verification.

Falsification of a screening test, whether by tampering with, or substituting, specimens or by seeking to change or otherwise influence the results, will be dealt with as a disciplinary procedure, which may result in dismissal.

Before taking a screening test for drugs, employees will be asked to disclose, to the relevant examiner, all prescribed or over-the-counter medications recently taken as these could lead to a false positive result.

In the case of screening for the presence of alcohol, any indication of presence above the Scottish Government's legal drink/drive limit, as amended from time to time, will be considered to be a non-negative test result. The limits in Scotland are different to the rest of the UK, the current Scottish limit is set at 22 micrograms of alcohol per 100 ml of breath, 67 milligrams of alcohol per 100 ml urine or 50 milligrams of alcohol per 100 ml of blood. PLPC are aligned with Scottish Legislation. Presence of an illegal drug will be considered to be a non-negative test result.

What happens if the test produces a non-negative result?

Any employee who undergoes screening will be required to submit an immediate second sample to be tested by an independent laboratory.

During any period in which testing is being carried out and the Company reasonably believes the employee may be unfit to carry out his or her duties; the individual may be suspended from the workplace pending the laboratory results.

What will happen if an employee is found in possession of illegal drugs?

The possession or trafficking of any drugs declared to be illegal within the jurisdiction in which they are discovered is in breach of the Code of Conduct and Disciplinary Rules. The employee or other person should be detained where possible whilst the police are notified. Any line manager who believes that an employee or other person is contravening this section should immediately report the circumstances to an appropriate senior manager and prepare a written report.

Any employee found to be in possession, to have been in possession or to have trafficked illegal drugs may be dismissed.

What if the employee's medical practitioner prescribes medication?

An employee should advise his or her medical practitioner of the Company's policy when being prescribed medication. On the advice of the medical practitioner, the employee must notify his or her supervisor and personnel department about any possible impact on the employee's health and safety relating to his/her duties at work.

Any employee engaged on a safety-critical task may have to be provided with alternative work during the period of medical treatment.

Employees or other persons obtaining treatment or medicines for themselves should be aware of the conditions and side effects notified, and seek out alternatives, which do not impair performance through drowsiness or other symptoms.

What happens if an employee is working at a site regulated by another organisation?

If an employee is working for or on behalf of the Company at a site/workplace regulated by another organisation ("the host organisation"), or doing work regulated by another organisation, the policy which applies in respect of drugs or alcohol in the workplace is as follows:

- a. Where the host organisation's policy is more stringent than that defined by this Policy, the host organisation's policy shall be followed.
- b. Where the host organisation's policy is less stringent than that defined by this Policy, this Policy shall apply.

What happens to employees who breach the Code of Conduct or Disciplinary Rules and misconduct is related to consumption of alcohol or drugs?

Misconduct related to consumption of alcohol or drugs is normally dealt with under the relevant disciplinary procedure and may result in dismissal.

In these circumstances, if the employee is thought to be unfit for work, he or she may be removed from the workplace whilst any investigations take place, to minimise danger to himself and other employees.

Staff whose alcohol or drug abuse problem comes to light during the disciplinary procedure should be aware that the admission of dependency may be a mitigating factor but will not necessarily result in the suspension of action. All cases will be dealt with in the light of prevailing circumstances.

An employee who commits an act of gross misconduct will be dealt with under the relevant disciplinary procedure and may well be dismissed, although circumstances will be considered.

Legal References

PLPC has a statutory duty under the Health and Safety at Work (etc) Act 1974 to ensure, so far as is reasonably practicable the health, safety and welfare at work of all its employees. Similarly, an employee is required to take care of his or her and others' safety, and to co-operate with the employer whilst carrying out his or her duties.

The Misuse of Drugs Act 1971 divides controlled drugs into three classes according to the perceived danger. Under the Act it is an offence to possess, supply or offer to supply or procure controlled drugs without authorisation. It is also an offence to ignore such occurrences.

Employers may be negligent under civil law if they know an employee has an alcohol or drug abuse problem which may cause injury to a third party and such injury occurs.

Any records on employees with alcohol or drug-related problems must be held in strict confidence according to data protection principles, and not disclosed without express consent of the individual or where required by law.

