



Drug and Alcohol Policy

1. Introduction

1.1 Under the Health and Safety at Work Act 1974, all employers have a general duty to ensure the health, safety and welfare of their employees and other persons using company premises. The Act also places a general duty on employees to take reasonable care of their own health and safety and of any other persons who may be affected by their acts or omissions whilst at work. Alcohol and drug misuse affects performance, conduct and relationships at work and at home. Employees who develop alcohol or drug-related problems cause harm to themselves and to others.

1.2 This policy applies to all employees & contractors who undertake work for E P Industries at our Depot(s) and off site to include, but not limited to: National Rail Managed Infrastructure, Construction and Aggregate sites.

2. Purpose

2.1 Drugs and alcohol affect people's ability to work safely, which is a risk to individuals as well as to the organisation.

2.2 Implementation of this policy contributes to controlling the risk of EP Industries Ltd employees and contractors working while under the influence of drugs and alcohol.

2.3 It also helps achieve compliance with the requirements of the Transport and Works Act 1992, Network Rail's Health & Safety Management System, EP Industries Ltd and Railway Group Standard.

3. Policy Aims

This policy:

- A. Sets out the drugs and alcohol principles for all employees and contractors working on behalf of EP Industries Ltd on the Network Rail Infrastructure, Construction & Aggregates sites.
- B. Includes requirements and guidance for drug and alcohol testing and breaches of the policy
- C. Aims to provide the opportunity to offer the employee referral to an appropriate agency for assessment, counselling or other forms of help, where it is suspected, or known, that there is an alcohol, or drug, related problem

4. Policy on Drugs and Alcohol

4.1 An unfit state through drugs means having taken, or had administered, a dosage of any drug that could adversely affect a person's safety, performance, conduct or efficiency, as well as the safety and wellbeing of others.

4.2 An unfit state through alcohol means the presence of alcohol above the cut-off level.



Alcohol testing cut-off levels are those prescribed by the Railway Group Standard GE/RT8070 to define a positive result. An unfit state through alcohol means more than:

- 29 milligrams of alcohol per 100ml of blood
- 13 micrograms of alcohol per 100ml of breath, or
- 39 milligrams of alcohol per 100ml of urine.

4.3 Results of drug and alcohol testing shall be recorded on the Sentinel database where data shall be reviewed annually to verify the percentage of random tests conducted.

5. Employees and Contractors

A) Shall not come to work in an unfit state through drugs and/or alcohol

B) Shall not bring alcohol & drugs to your place of work, nor consume alcohol at your place of work at any time including designated breaks on or off E P Industries site or any other customer's work place.

C) Shall not use, possess or supply any drug at work including designated breaks or on any other customers place of work.

D) Shall be aware that the consumption of alcohol, even in small quantities and the consumption or use of any drugs might adversely affect their safety, performance, conduct or efficiency, as well as the safety and wellbeing of others

E) Shall not discontinue a course of treatment for a drug or alcohol related problem, agreed with their employer and their employer's advisors

F) Shall, when requiring medication, find out if there might be side effects likely to impair their work performance and safety from the drug or other medication concerned, whether prescribed or available without prescription

G) Shall tell their line manager, supervisor or Human Resources (HR) representative if they believe they have a drug or alcohol related problem

H) Shall undergo drug and alcohol testing when requested to do so.

6. Pre-Employment Testing

All Staff members who are to work on NRMI must pass a pre-employment Drugs and Alcohol screen before taking the Personal Track Safety (PTS) course.

7. Random Unannounced Testing

PTS qualified staff will also be subject to random Drugs and Alcohol screening, at a rate of at least 5% of PTS qualified staff per year whilst they are employed by the company.

7.1 The HR Manager will have in place a process for random drug and alcohol testing so that the policy is implemented consistently on a non-discriminatory basis; and

7.2 A process to advise the medical service supplier of the locations where the employees are to be tested

8. For Cause Testing

The Company comply with the arrangements of the Contractor's whom we work under, who reserve the right to request any individual who the company sponsors to undergo a 'For Cause' Drugs and Alcohol screening in certain circumstances, which are detailed below:-

Should an individual's behaviour give either the Company or our client's in respect of work on the Network Rail Managed Infrastructure cause to suspect that they are unfit for work due to the effects of drugs or alcohol or should there be reasonable grounds to suspect that an individual has compromised safety through the consumption of drugs or alcohol.

Should an individual undergo a 'For Cause' Drugs and Alcohol screening, they will not be allowed to carry on working on Network Rail Managed Infrastructure until either:-

- A) A negative result is obtained; or, in the case of testing after an accident or incident;
- B) It can be demonstrated that the individual did not contribute, either through their actions or omissions, to the accident or incident.

9. Collection and analysis of test samples

9.1 Drugs and alcohol testing shall be carried out by a qualified agent of a medical service supplier, named in Network Rail's licensed Register

9.2 Testing for drugs and alcohol shall be carried out under a chain of custody procedure, with employee's informed consent

9.3 Testing will be carried out on:

- A) Urine and breath samples; or
- B) Blood and hair, when a sample cannot be provided due to medical reasons. This shall be done under the direction of a Medical Review Officer

9.4 Medical suppliers shall demonstrate, that a particular test result could not have arisen from contamination prior to undergoing analysis and that it is traceable to the individual donor



9.5 Urine samples shall undergo analysis at laboratories that are United Kingdom Accreditation Service (UKAS) and that are approved for gas and liquid chromatography and mass spectrometry for confirmation of results

9.6 The laboratory used shall be listed on the approved Network Rail Supplier Register, under the accreditation of Workplace Drug and Alcohol Testing and Analysis

9.7 Drug and alcohol testing is carried out in a way that protects the dignity of the person being tested and maintains confidentiality in respect of the testing process and any declared medication being taken, which might affect the results of the test.

10. Positive Results

Should a positive result be obtained from any Drugs and Alcohol screen which an individual has taken, that individual shall not be permitted to carry out works on Network Rail Managed Infrastructure for a minimum of five years.

11. Prescribed and 'over-the counter' medication

There is a sole exception to the above clause, which will apply should the positive result of a Drugs and Alcohol screening be caused by the presence of medication which the individual has informed the person carrying out the test that they are taking before the test is carried out.

All PTS qualified individuals should inform the Line Manager when they are taking any prescription or over the counter medication and are due to carry out works on Network Rail Managed Infrastructure, so that the Company are able, in consultation with our Railway Medical provider, make an assessment as to whether the medication being taken will affect their work on Network Rail Managed Infrastructure.

12. Refusal to take a test

Should any staff member refuse to take a random unannounced Drug and Alcohol screen, this will be counted as a positive result and the member of staff will be unable to undertake work on Network Rail Managed Infrastructure for a minimum period of five years.

13. Assistance for a Member of Staff

13.1 The Company will, where possible, provide the following assistance to a member of staff:

- Helping the member of staff to recognise the nature of the problem, through referral to a qualified diagnostic or counselling service.
- Support during a period of treatment. This may include a period of sick leave or approved other leave, continuation in post or transfer to other work, depending upon what is appropriate in terms of the staff member's condition and needs of the Company.
- The opportunity to remain or return to work following the completion of a course of treatment, as far as is practicable, in either the employee's own post or an alternative post.

13.2 The above is conditional to the employee's co-operation and the guidance and advice provided to the company from the Occupational Health Service or Company Approved Doctor.

14. Disciplinary Actions

1. In line with the Company's disciplinary rules, the following will be regarded as serious misconduct:
 - a) Attending work and/or carrying out duties under the influence of alcohol or drugs.
 - b) Consumption of alcohol or drugs whilst on duty (other than where prescribed or approval has been given).

Breach of these rules will normally result in summary dismissal, and only in exceptional cases will either notice or the reduced disciplinary action of a final written warning be applied.

2. Where a breach of these rules occurs, but it is established that an alcohol or drug abuse related problem exists, and the member of staff is willing to co-operate in referral to an appropriate service and subsequent treatment, the Company will **suspend** application of the Disciplinary Procedure and provide assistance as described above. Employees who do not comply with the treatment suggested or continue to abuse alcohol or drugs will be subjected to the application of the Disciplinary Policy.

Term	Definition
Alcohol cut-off level	<p>Alcohol testing cut-off levels are those prescribed by the Railway Group Standard GE/RT8070 to define a positive result. An unfit state through alcohol means more than:</p> <ul style="list-style-type: none"> • 29 milligrams of alcohol per 100ml of blood • 13 micrograms of alcohol per 100ml of breath, or • 39 milligrams of alcohol per 100ml of urine.
At work	<p>Any time when a person is being paid and is 'on duty', including periods of paid 'on call' duties. Attendance at evening functions, periods of free time at the end of a training day within residential courses etc., are not generally considered to be time at work for these purposes.</p>
Candidate	<p>A person who requests or seeks employment with Network Rail or a contractor.</p>
Contractor	<p>Any contractor, subcontractor, an agency employee or other person engaged under a contract of service to work for or on behalf of Network Rail, excluding domestic services. Where the contractor is a company, this includes all employees or agency workers (whether permanent or temporary) of that company working on behalf of Network Rail.</p>
Donor	<p>Person providing specimen for drugs and alcohol testing.</p>
Drug	<p>A substance that, when taken into the body, is capable of affecting mental or physical performance.</p>
Employee Assistance Programme	<p>A confidential service for information and advice or counselling, available to employees free of charge, 24 hours a day, and 365 days of the year.</p>
Informed consent	<p>Consent to a procedure, freely given following a full explanation.</p>
Laboratory analysis	<p>Confirmation of the nature and concentration of substances present in the sample, using current scientific best practice, under the supervision of a toxicologist.</p>
Medical service supplier	<p>An approved medical service provider, which carries out the medical assessment and/or drug and alcohol testing, listed on The approved Network Rail Supplier Register.</p>
Misuse	<p>The use of alcohol at work or dependency on alcohol and/or drugs for a purpose not consistent with legal guidelines or medical recommendations for dosage, intervals or amounts.</p>
Sentinel	<p>Sentinel is Network Rail's scheme for making sure that the people who work on or near the line are competent and medically fit. All employees qualified in Personal Track Safety (PTS) shall hold a valid Sentinel competence card.</p>

15. Commitment to the Drug & Alcohol Policy

All existing and new employees are required to read the policy in full.

In addition all employees are required to sign the statement below confirming they agree to abide by this policy at all times.



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SIGNED: EDWIN PILSWORTH
Managing Director

DATE: 23/10/2017

Statement by employee:

I have read and understood the Company Drug and Alcohol policy for EP Industries and agree to abide by this policy at all times:

EMPLOYEE NAME:

SIGNATURE:

DATE: