

ALCOHOL AND DRUGS Policy Statement

Alcohol or drug abuse by employees and sub-contractors can adversely affect the safety and health of themselves or others. Therefore it is Company policy that any person known to be, or suspected of being, affected by alcohol or drugs must be referred to the appropriate manager, who will arrange for the person to be removed from the workplace.

Any person who is taking a course of medication that may affect them at work must report this to their Project manager or to a Director.

Failure to comply with screening or other requirements may be regarded as gross misconduct and may lead to disciplinary action, summary dismissal or termination of contract.

Requirements

Unless specified otherwise, the Company will adopt and adhere to the following requirements for all personnel:

All employees must not:

1. Report for work if they are under the influence of alcohol or drugs;
2. Possess any alcohol, drugs or other such substances whilst on duty;
3. Consume alcohol, drugs or other such substances whilst on duty.

In order to comply with item 1, above, employees should not consume any alcohol at all in the 8 hours before starting work. Also they should ensure that in the 16 hours prior to that, they have not consumed more than 7 units of alcohol.

When working on Network Rail projects all operatives must comply with the requirements of RT/LS/P/051 as the minimum requirements.

Note: 7 units of alcohol are approximately 3 pints of beer/lager of medium strength or equivalent. Stronger beers may exceed the 7 unit limit in only 2 pints.

Disciplinary Code of Practice

Any Emico Ltd employee engaged in railway operations failing a screening with an alcohol level of more than 29 milligrams of alcohol per 100 millilitres of blood (or equivalent in breath or urine) will be dismissed.

Any Emico Ltd employee engaged in railway operations who tests positive for illegal drugs will be dismissed.

Any sub-contractor failing either an alcohol screening as detailed above or who tests positive for illegal drugs will be stopped from working within the scope of Emico Ltd operations and escorted from site.

Similarly any person who refuses to attend or other wise co-operate with the requirements of this policy will be regarded as having failed a test and will be dismissed.

Note – that in circumstances where a positive result is obtained, a criminal offence under the Transport and Work Act 1992 may have been committed.

Testing

All personnel may be subject to testing for alcohol or drugs. Testing may be initiated:

- Before starting work
- On suspicion
- Post incident
- Random/unannounced.

Any individual found to be under the influence of alcohol or drugs, or in any way in contravention of this procedure, will be immediately suspended from all work and removed from site. Authority to work for Emico Ltd in any capacity will be suspended until a full investigation has been completed.

Where such investigations find that this procedure has been contravened, disciplinary proceedings may follow and where appropriate, dismissal may result. In the case of any individual working on railway activities, dismissal will follow in accordance with the disciplinary code above and the individual will not be permitted to work for Emico Ltd in any capacity thereafter and may be reported to other bodies, such as the British Transport Police as appropriate. In other cases, not railway related, where an individual is not dismissed, the individual may be required to participate in on-site screening programmes or referred for examination by a doctor to determine the person's continued suitability for employment.

Drugs and Alcohol Unannounced/Random Screening

Unannounced or Random screening will be undertaken of at least 5% annually of Emico Ltd PTS employees engaged in railway operations.

The Admin Manager will generate a random selection for Drugs and Alcohol screening of employees engaged in railway operations. Individuals selected for screening will not be given prior warning of the appointment. Records of employees randomly tested will be kept on file within the Head Office.

Individuals who have participated in an unannounced screening may continue their duties whilst the results of the test are awaited unless their manager has any reason to suspect that such continuation could be detrimental to on-going safety requirements.

Only approved Network Rail providers of Occupational Health Services shall carry out unannounced or random screening.

Non-attendance, unless authorised by the Line/Project Manager or Health Safety and Quality Director, will be treated as a positive result and will be dealt with as detailed in the Disciplinary code of practice contained within this procedure.

Sub-contractors employed to work within the scope of Emico Ltd operations will be subject to the above requirements.

Drugs and Alcohol 'For Cause' Screening

For Cause screening may be undertaken on any employee or sub-contractor, engaged in railway operations, whose behaviour gives cause to suspect that they are unfit to work due to the effects of drugs or alcohol.

Emico Ltd have an arrangement with an approved medical provider for the purpose of undertaking for-cause screening on a call-off 'as required' basis.

'For Cause' screening can be requested by a main contractor if they consider that a person is unfit to work within the scope of contractual operations due to the effect of alcohol or drugs.

Individuals required to participate in For Cause screening will be suspended from all railway operations until a Pass (negative result) certificate is obtained.

Accident/Incident 'For Cause' Screening

Emico Ltd will initiate For Cause screening for employees or sub-contractors if they have reasonable grounds to suspect that safety has been compromised through the use of alcohol or drugs following an accident/incident.

Emico Ltd employees or sub-contractors will undergo statutory alcohol and drugs testing if directly involved in any serious accident or incident.

Interface Arrangements with Other Organisations

For Cause screening may be requested by any organisation engaged within the scope of Emico Ltd operations such as a police officer following an accident/incident if there are grounds to suspect that a Emico Ltd employee or sub-contractor, engaged in Emico Ltd railway operations have had, or have the potential to compromise the safety of themselves or others through the use of alcohol or drugs.

Emico Ltd will have the right to examine Drugs and Alcohol screening records held by Sub-Contractors organisations.

Records of these checks will be examined and held by the Admin Manager. If non – compliance with this policy or poor safety performance is identified then Emico Ltd reserve the right to:

- Cease a Sub-Contractor from working within the scope of Emico Ltd operations.
- Prevent or deny access to any organisation or individual who propose to engage themselves within Emico Ltd scope of operations
- Invoke the arrangements of this procedure and Inform the Main Contractor or Infrastructure Controller of the circumstances.

Pre-Employment Alcohol and Drug Testing.

Emico Ltd will ensure that potential employees who will be undertaking Railway associated work undergo pre-employment alcohol and drug testing. An approved medical services organisation will be engaged. Emico Ltd will ensure that persons who collect samples and undertake analysis of alcohol or drugs meet the requirements of ISO/IEC 17025: 2000 and are approved by Network Rail. Individuals will not be permitted to commence work on any railway associated work until a pass certificate has been issued confirming a negative result of the test.

Use of medication

All employees of Emico Ltd or sub-contractors personnel must inform the Project Manager or direct Supervisor of the use of any prescribed and over the counter medicines. The Admin Manager will have the facility in place with a railway industry recognised Occupational Health Services Provider that will provide advice on whether the individual can continue working within the Railway environment.

Employees are responsible for informing their general practitioner or pharmacist of their responsibilities with regards to drugs, to enable an alternation medication to be supplied which will not affect their performance while on duty.

If there are no alternative medications available, Emico Ltd shall instigate control measures to ensure the employee will not be put into a position whereby safety will be compromised.

Declaration of Alcohol or Drugs Related Problems

We will offer assistance with the rehabilitation of our staff who voluntarily seeks help for alcohol or drug related problems. Such staff must, however, seek assistance at the earliest possible opportunity; subsequent discovery or a disclosure of a problem prompted by impending screening will not be acceptable. During this time, staff must be aware that they will be removed from safety critical or safety related duties and any competencies reliant upon such status will be withdrawn. Re-sponsorship of an individual will be at the discretion of senior management. Decisions of this nature will be taken by the individual's line manager, the Health Safety and Quality Advisor and the Managing Director as appropriate and will be taken in accordance with advice sought from Network Rail or London Underground Limited.

Promoting Health and Safety

Alcohol, drugs and other substances have an obvious potential for causing death and serious injury arising from the poor performance of one or more individuals under the influence of such substances.

This policy and procedure aims to ensure that no-one is allowed to attend work in a condition such that their performance or judgement may be unsafe.

However the Company also recognise that alcohol, drugs and other substances can lead individuals into chronic conditions where the addictive nature of the substance and the behavioural changes which can occur develop into distressing and difficult long-term habits.

If any individual is concerned that they may be at risk of chronic health problems arising from their use of alcohol, drugs or other substances, they should be encouraged to seek help.

Telephone Advice Line

The Company Safety Advisor provides a confidential advice line (Tel: **01435 866107**) which may be used by any individual who is concerned about their welfare or their job performance. The line may be used by the individual themselves or by any friend or colleague concerned for them.

Callers will be able to discuss their concerns privately and may be directed to appropriate forms of help and assistance.

Signed: _____  _____ Date : _____ 31st May 09 _____

Mr. J. Barry - Director

Talma Day Associates

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