



# DRUGS AND ALCOHOL POLICY

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## Document Approvals

Author	HR Manager	01/04/2015
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## AMENDMENTS

Issue	Date	Description	Prepared & Checked By	Checked by	Approved By (As applicable)
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					MSM	Operations Director
1.1	01/08/13	0.4 Responsibilities section added to document. Removal of reference to contractors in section 0.2. Additional information in section 4.0 regarding use of Alcometer and reference to Alcotest Monitoring Form.	J Dennis	J Cousins		
1.2	20/01/14	Further explanation in section 0.2 – scope and objective. Addition to section 4.0 – CAA medical dept to be informed of positive test result for aviation licence holders.	J Dennis	J Cousins		
1.3	01/04/15	Policy reviewed in line with CAA IN-2015/012. Reference made in section 3.0 regarding informing employer if there is a concern about an airport user.	J Dennis	J Cousins		

## **0.1 - TABLE OF CONTENTS**

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*Please note: This document is up-dated regularly however some elements of its content may be out of date due to recent changes in legislation. In all circumstances minimum legal requirements will apply.*

## **0.2 - SCOPE AND OBJECTIVES**

In line with the Health & Safety at Work Act 1974, and Management of Health & Safety at Work Regulations 1999, Exeter and Devon Airport Ltd (EDAL) has a duty to ensure, as far as is reasonably practicable, the health, safety and welfare of its employees. Similarly, employees are required to take reasonable care of themselves and others including customers and members of the public, who could be affected by what they do. EDAL also has an obligation to meet the requirements of the Civil Aviation Authority.

Alcohol impairs performance at any level, and the impairment increases with the amount taken. Many medicines, whether prescribed by a doctor or obtained 'over the counter' or by other means (such as over the internet) also impair performance as do illicit drugs. Some effects may be short term, affecting judgement and decision making etc, whilst some effects, such as balance and slow recognition, can last for longer periods. High or persistent intake of alcohol, medication or drugs over a prolonged period can result in a wide range of chronic and debilitating illness, therefore the Company must have a clear position regarding the consumption of such items by its employees.

EDAL also wants to encourage employees who think they may have an alcohol or drugs-related issue to seek and accept help from the Company. EDAL recognises

that addiction is an illness and wishes to support employees in the same way as it would for other illnesses.

The Company will treat each case compassionately and on its own merits and this may mean that a different procedure is used in one case to that of another, as appropriate under the circumstances.

### **0.3 – DOCUMENT CHANGE AND CONTROL**

Exeter & Devon Airport Limited undertakes all document changes and controls in line with the Document Management Governance Document CIMS/GT/01 which describes how all users prepare, reviews and issues procedural documentation that forms part of Exeter Airports CIMS.

### **0.4 - RESPONSIBILITIES**

The Human Resources Manager is responsible for:

- The development and upkeep of this policy.
- Ensuring this policy and subsequent updates are communicated to relevant departments and personnel.

All managers, and in particular the Human Resources Manager, are responsible for the proper application of this policy.

## **DRUG AND ALCOHOL PROCEDURES**

### **1.0 Management Responsibilities**

Managers who suspect one of their employees is suffering with an issue of substance abuse (see section 7.0 for a list of definitions) should discuss the matter with the Human Resources Department before approaching the employee with their concerns.

The Manager will then discuss the matter with the employee and try to establish the cause of the issue, offering support and outlining the details of this policy. The Manager should agree with the employee what follow-up action is to be taken. Where it is established that alcohol or drugs is, or could be the issue, an appointment should be arranged with the Company Medical Advisor who will be fully briefed in the detail of this policy and will provide advice to the Company about the individual's fitness for work.

If the employee denies that either alcohol or drugs are the cause of the issue the manager may require the individual to undergo a urine test (see section 7.0 for definitions). Section 3.0 gives details about drug and alcohol screening.

Details of any issues relating to drug or alcohol abuse will be treated with the strictest of confidence by all parties.

### **2.0 Employee Responsibilities**

Employees must not consume alcohol or prohibited substances (see section 7.0 for definitions) whilst on duty. This includes during break times, whether paid or not.

Employees must not possess, conceal, transport, promote, provide or sell alcohol or prohibited substances whilst on Company premises (see section 7.0 for definitions) without the express permission of a Director.

Employees must not report for duty under the influence of alcohol or any prohibited substance which might have a detrimental affect on their work performance. Should they do so their airside pass may be temporarily deactivated.

Employees are responsible for notifying their supervisor/manager in relation to the taking of prescribed or non prescribed drugs which may adversely affect their work performance.

Employees must inform their supervisor/manager if they feel that they are experiencing issues with drugs or alcohol which might affect them at work.

It is recognised that the appearance and behaviour of employees at all levels has a major influence on the image and reputation that the public has of the airport as a safe operator. Therefore employees must not enter public houses or private clubs whilst visibly displaying any item of Company uniform, either during or out of working hours, unless the entry is to carry out work-related duties and is so authorised by the Department Manager.

Employees who are disqualified from driving for an alcohol or drugs related offence, and whose job requires them to drive, may be subject the Company's Capability, Disciplinary and Dismissal procedure which may result in dismissal without notice.

If employees consume alcohol at work functions or on Company business outside working hours, they should do so in moderation. Employees are not expected or required to consume alcohol whilst entertaining clients. If an employee feels pressure to do so they should report this to the Human Resources Department.

Employees who fail to comply with these requirements may be subject to the Company's Capability, Disciplinary and Dismissal policy. Serious contravention of these responsibilities may be considered as gross misconduct and therefore result in dismissal without notice.

### **3.0 Drug and Alcohol Screening**

#### 'With Cause' Testing

Employees may be required to submit to a test to check for the presence of drugs or alcohol under the following circumstances:

- Following an accident or incident on Company or client premises, (see section 7.0 for definitions) at a worksite or involving a Company vehicle;
- Following the discovery of a prohibited substance on Company premises;
- Where there is reason to suspect that the employee may be under the influence of a prohibited substance (see section 7.0 for definitions) including the morning after drinking alcohol.
- Where it is suspected there has been a breach of the policy, e.g. high individual accident rate, excessive absenteeism, observed erratic behaviour and/or deteriorating job performance.

Any employee who suspects that another employee is under the influence (see section 7.0 for definitions) should advise their Manager in the first instance, or a Duty Manager immediately so that a decision about whether or not the individual should remain on site can be made. If the decision is made to remove the individual from site, a safe mode of transport will be arranged to take the individual home. If this results in a cost to the company the individual may be asked to reimburse the full amount. In the case of alcohol screening this decision would be based on the outcome of a 'with cause' breath alcohol test. If further advice is required regarding suspension please contact the Human Resources Department.

In addition, if an employee suspects that an airfield user (i.e. cabin crew, contractor etc) is under the influence, they should inform the Operations Director in the first instance, or Human Resources Department or Duty Manager immediately, who will then contact their employer and instruct them to deal with the individual in line with their company policy.

#### Random Testing

Random and unannounced alcohol/drugs testing may be carried out on any member of staff.

Testing will be undertaken in accordance with the protocol in section 4.0.

#### Refusal to Take A Test

If an employee refuses to take a test for drugs or alcohol, the employee will be subject to action under the Company's Capability, Disciplinary and Dismissal policy up to and including dismissal.

#### Right Of Search

The Company reserves the right to search the person, possessions and/or immediate work area of any employee who works, visits or performs services on Company premises if there is reasonable suspicion of abuse of drugs or alcohol. This will be conducted by an Airport Duty Manager. Searches of individual's possessions or work area will be conducted in the presence of that individual.

### **4.0 Protocol for the Testing of Drugs and Alcohol**

When deemed necessary (see section 3.0 'With Cause testing') an 'on-site' breath alcohol test will be carried out in the presence of another company representative. This will be undertaken by a Duty Manager, or other trained personnel, using an approved and regularly calibrated alcometer (which will be held at the information desk) and following the instructions for use document CIMS/HR/D&A/1.1

This test will be conducted twice, with the second taking place twenty minutes after the first. All data will be recorded on an Alcotest Monitoring Form - CIMS/HR/D&A/1.2. If both readings exceed 9 microgrammes of alcohol in 100 millilitres of breath (significantly lower than the public highway limit - based on Part 5 of the Railways and Transport Safety Act 2003) the individual will be suspended from duty (which in all cases will be affected by a manager) pending further action. This may include completion of a drug urine test (see section 7.0 for definitions). If the decision is made to remove the individual from site, a safe mode of transport will be arranged to take the individual home. If this results in a cost to the company the individual may be asked to reimburse the full amount. If suspension is required the manager must notify the Operations Director of this immediately.

Where a urine test is required for the detection of drugs or alcohol only the Company Medical Advisor will be authorised to undertake it following the provision of written consent by the individual. There are strict requirements which the medical advisor will adhere to with regard to a 'chain of custody' (see section 7.0 for definitions). The medical advisor will also be responsible for reviewing the test results and for identifying an individual as fit or unfit for work.

The Medical Department of the UK CAA should be informed of any confirmed positive result for any individual who is an aviation licence holder. For the avoidance of doubt this applies to ATCO's.

An individual has the right to appeal test results by writing to the Human Resources Manager, within seven days of receipt of the test results, clearly outlining the grounds for appeal.

An employee will always have the right to be accompanied during testing by a colleague or trade union representative, as long as this does not prevent a test being carried out immediately if required.

A register of tests undertaken will be maintained in the Human Resources Department.

## 5.0 Suspension

If an employee is known to be, or is strongly suspected of being, under the influence of alcohol, drugs or solvents during working hours, arrangements will be made for the employee to be escorted from the Company premises immediately. Where possible they will be immediately escorted to the Company Medical Adviser for testing.

Employees removed from Company premises will be suspended on full pay pending further action.

## 6.0 Treatment and Assistance

If a test proves positive, the employee will be invited to attend an interview with a member of the Senior Management Team. The employee will have the right to be accompanied by a colleague or trade union official at this interview.

The outcome of the interview with the senior manager will depend on the circumstances but could include:

- An offer for the employee to undergo a programme of medical treatment, rehabilitation or counselling, where the employee accepts that he/she has an issue with alcohol or drugs misuse and is willing to cooperate with the employer in the provision of such support;
- Referral under the Company Capability, Disciplinary and Dismissal procedure and arrangements for further tests to be taken on a timescale that the Company considers appropriate.

Where employees acknowledge that they have an issue with substance abuse (see section 7.0 for definitions) and are given help and treatment, this will be on the understanding that:

- The Company will give an employee, assessed as having a substance abuse issue, reasonable time off in accordance with the Company's Managing Sickness Absence Policy at the discretion of their Manager; and
- Every effort should be made to ensure that on completion of the recovery programme employees are able to return to the same or equivalent work. Where such a return would jeopardise either a satisfactory level of job performance or the employee's recovery the Manager will, in conjunction with the Human Resources Department, review the full circumstances surrounding the case and agree a course of action to be taken. This may include an offer of alternative employment.

Should an employee refuse to acknowledge that they have an issue, refuse or discontinue counselling/treatment, or fail to improve their work performance, the Capability, Disciplinary and Dismissal procedure may be implemented.

### Relapse

Where an employee, having received treatment, suffers a relapse, the Company will consider the case on its individual merits. Medical advice will be sought in an attempt to ascertain how much more treatment/rehabilitation time is likely to be required for a full recovery. At the Company's entire discretion, more treatment or rehabilitation time may be given in order to help the employee to recover fully.



### Recovery Unlikely

If, after the employee has received treatment, recovery seems unlikely, the Company will consider the feasibility of extended rehabilitation time. Where the Company may be unable to afford the employee more time for recovery, dismissal may result but in most cases a clear warning will be given to the employee beforehand and a full medical investigation will have been undertaken.

### Useful Contacts

- **Counselling Service** – confidential service providing access to trained counsellors – 01392 383277
- **Alcoholics Anonymous** - 0845 370 0203
- **Addaction** – local support for a range of addictions - 01392 255151

## **7.0 Definitions**

- 'Under the influence' means that there is a sufficient amount of a substance in the employee's system to produce a positive result from a medical test or breathalyser unit and/or that the employee shows erratic, abnormal behaviour likely to pose a risk to others or to interfere with their job performance.
- 'Substance abuse' includes the use of illegal drugs and the misuse of legal drugs or other substances such as solvents or alcohol.
- 'Prohibited substances' includes all illegal drugs and other substances such as solvents
- 'Company premises' means all property owned, leased by or otherwise under control, in whole or part by the Company. It includes company vehicles/equipment.
- 'Urine test' refers to a device used to determine the presence and levels of pre selected drugs or alcohol.
- 'Chain of custody' refers to a system of controls and procedures that document the progress from urine specimen collection through to testing and disposal of the specimen by the performing accredited laboratory. It must unequivocally link the specimen to the donor and the result of the test.