

## CASE STUDY: John F Hunt Demolition Ltd

**John F Hunt**

John F Hunt Demolition Ltd recognises any employee under the influence of drugs or alcohol is at risk to such an extent that it may affect their and those surrounding's health, safety, performance, conduct and relationships at work. The company policy includes an extensive content of rules, definitions, procedures and regulated outcomes with the sole intention to provide a safe, healthy working environment for all employees.

The company's drugs and alcohol policy aims to:

- Comply with current legislative requirements, in particular the Health & Safety at Work Act 1974; Management of Health & Safety at Work Regulations 1992; Road Traffic Act 1988; Misuse of Drugs Act 1971.
- Prevent risks to employees, contractors, any other individuals involved in its operations and third parties from the abuse of alcohol and drugs by workers engaged in Company operations.
- Provide a positive approach to employees seeking help to overcome problems of abuse of alcohol, which may involve the Company providing assistance.
- Promote the health and well-being of employees and to eliminate problems at work arising from the effects of alcohol and drugs.
- Identify employees with possible problems relating to the effects of alcohol or drugs at an early stage and to offer a counselling service.
- Ensure those Company employees and the employees of sub-contractors are aware that to use, possess, consume, store or sell illicit drugs on Company premises is illegal and to report for work having taken drugs if discovered will result in disciplinary action in accordance with the Company Disciplinary Procedure.
- Ensure that employees and sub-contractors are aware that to consume alcohol on Company premises or to report for work with unacceptable levels of alcohol, may result in disciplinary action in accordance with the Company Disciplinary Procedure.
- Ensure that employees and sub-contractors are aware that work performance and safety may be impaired by taking certain prescription or over-the-counter medications and encourage them to inform management if they are taking any medication, which may affect their performance.
- Ensure that alcohol is only provided at Company functions, as listed below, when a member of the Board of Directors has authorised it and strict supervision is maintained. Where alcohol is served at such functions no opportunity will be afforded for employees to return to work. The Company will also ensure that non- alcoholic drinks are also available and suitable arrangements are made with transport etc. Such events include Christmas Parties,

Residential Training sessions, retirement parties, and client entertainment, which are expected to take place away from normal Company premises.

#### **'For cause' Alcohol and Drugs screening**

Alcohol and drugs screening carried out when a safety critical incident occurs on railway infrastructure to find out whether alcohol or drugs was a possible causal factor in an accident or incident, or behaviour giving cause to suspect that a person is under the influence of alcohol and/or drugs.

In summary Drug and Alcohol testing will take place;

- Pre-employment Testing
- Part of Company medical health checks
- Prior to Network Rail PTS training
- When it is suspected a person is unfit to work through the influence of alcohol and/or drugs
- Following a safety critical (notifiable) accident or incident

#### **Testing For Alcohol and Drugs - Screening Programme**

The Company will carry out testing for evidence of drugs and/or alcohol. Screening during employment will be carried out by an independent Company that use proven scientific means under a confidential "chain of custody" arrangement to ensure the policy is adhered to.

Screening prior to employment may be carried out by an appointed medical surveillance Company.

All alcohol and drugs screening for personnel in Network Rail safety critical posts will be carried out by Network Rail approved suppliers of Medical and Screening services listed on the Link-Up Supply Chain Approved Supplier Register. The laboratory providing testing will be NAMAS (National Measurement Accreditation Service) accredited and comply with GCMS standards for confirmation of results.

The provider of alcohol and drugs screening certification will ensure that the employer/sponsor requesting the service is issued with an original certificate which clearly states "Employer Original" and the individual being examined is issued with a second original which is clearly marked "Candidate or Donor Original". Records of alcohol and drugs screening certification will be maintained for audit purposes for a minimum period of 10 years for all negative test results and indefinitely for all positive results.

#### **Planned screening**

Planned alcohol and drugs screening will be carried out prior to a person becoming a Sentinel sponsored individual and annually for safety critical staff working on Network Rail infrastructure.

### Unannounced random screening

The Company operates an unannounced random alcohol and drugs test at a rate of 25% of Company site staff which incorporates 5% of Sentinel sponsored staff annually. The selection of personnel who are covered will be made without discrimination by a random selection method using a current list of personnel. This process is subject to audit.

Persons subject to unannounced random screening will continue to carry out their duties while awaiting the screening results unless there are reasonable grounds to suspect they are unfit for work due to the effects of drugs and/or alcohol at the time of the screening.

### Medical Providers

Currently the following medical providers are contracted by the company to carry out the required medical surveillance and drug and alcohol testing:

- Building Health - Occupational Health Screening
- Hampton Knight - Occupational Health Screening
- Essex County Drug & Alcohol Testing Ltd - Drug & Alcohol Surveillance Company

### Disciplinary Offences and Procedures

Any employee whose drug and alcohol testing proves positive, will be subject to the Company disciplinary procedures as per in the table below.

Breaches	Disciplinary Procedure
Anybody failing an alcohol test with a level of 80 milligrams or above in 100 millilitres of blood.	Dismissal or final written warning
Anybody screening positive for controlled drugs abuse	Dismissal
Refusing, without good cause, to undertake a screening test for alcohol or drugs.	Dismissal
Reporting for duty on any occasion, when unfit through alcohol or drugs	Suspension for rest of day and final written warning
Declining to undertake an approved course of	Final written warning

treatment for an alcohol or drug related problem or discontinuing treatment before satisfactory completion.	
Consuming or in possession of drugs whilst on duty or on Company premises and demolition sites.	Dismissal
Consuming alcohol whilst on duty unless at an authorised Company function or as described in the policy statement.	Dismissal
Covering up or colluding with colleagues whose behaviour and performance is or could be affected by taking illicit or medical drugs or consumption of alcohol	Dismissal
Employees or sub-contractors who fail to disclose use of prescribed or "over the counter" remedies and who later screen positive for drugs	Dismissal

### Rehabilitation

The Company will be keen to offer any assistance via discussions with any employee suffering from an alcohol and/or drug problem. The discussions will be held between the employee and the Company HSE Manager, and where help can be provided this will be carried out within the Company time and cost. A Rehabilitation Action Plan will be devised with the employee to allow the monitoring of the persons progress through that period. Further discussions will also be held during that period. During this period the employee will be kept within all non-risk work areas.

All discussions and actions will be treated in the strictest confidence by the Company.

### Prescribed Medicines

All Company employees shall comply with the following policy requirements:

- They must inform their doctor or chemist about the job they undertake before any medicine is taken and advise their supervisor/manager that they are taking medicine.
- Antibiotics are generally not a problem, unless prescribed for a severe infection, which may affect the individual's performance.
- Anti-depressants, sedatives and tranquillisers - safety-critical staff should not be considered fit without prior assessment by an employee's GP or an Occupational Nurse.
- Analgesics (painkilling drugs) - anyone in severe pain or regularly taking painkilling tablets, shall be assessed by GP or Occupational Nurse before being allowed to undertake safety-critical work.

- Antihistamines, cough and common cold/flu remedies - if symptoms are under control (e.g. hay fever) and drowsiness is not experienced, individuals should be allowed to work. Regular users should know if they experience adverse effects.
- Dental anaesthetics - local anaesthetics should not affect fitness for work but individuals should check details with their dentist.

#### **The 5 stage policy plan**

John F Hunt Demolition Ltd also includes a five stage plan to sustain occupational health:

- Stage 1 Company Occupational Health Questionnaire completed
- Stage 2 Consultation with Occupational Nurse if requested
- Stage 3 Occupational Nurse attending company sites and carrying out Fitness to Work Medicals Fit to do the work and checking the work is not making a person unfit with all site management and operatives
- Stage 4 Occupational Nurse attending company sites and holding Life Style consultations and management recommendations
- Stage 5 Random Drug and Alcohol testing by retained Medical Surveillance Company