

**Drugs and Alcohol in the Workplace Policy****1. Policy Statement**

Keltech requires all employees report for work in a fit and healthy manner. The company does not permit the possession or use of any intoxicant on company property. Misuse of drugs and/or alcohol impairs the abilities of an employee to perform their duties effectively and safely and may endanger their co-workers. Arriving at work under the influence of an intoxicant of any kind is in breach of the Health and Safety policy and is strictly prohibited.

**2. Purpose**

The purpose of this policy is to protect the health and safety of all employees. It also outlines the organisations policy in relation to drug and alcohol testing and the company's right to search.

**3. Scope**

All employees of Keltech This policy also applies to contractors and other individuals who may be on the company's premises from time to time.

**4. Definition**

'Intoxicant' includes alcohol and drugs and any combination of drugs and/or alcohol, whether legal or illegal, whether prescribed or not.

**5. Responsibilities**

- 5.1. Everybody has an individual responsibility to ensure that they are not under the influence of alcohol or drugs while at work.
- 5.2. It is also a legal duty under the Safety, Health and Welfare at Work Act 2005 not to be under the influence of an intoxicant to the extent that employees endanger themselves or others.

**6. Breach of this policy**

Breach of this policy will result in disciplinary action up to and including dismissal. In order to achieve the objective of this policy Keltech does not permit the possession, or use, of any intoxicant on company property. The company regards any breach of this rule as an issue of gross misconduct.

**7. Prescription Medication**

- 7.1. Keltech recognises that employees taking prescribed medication may also present a risk to themselves or others, depending not only on their state of health, the nature of the drugs prescribed and their effect, but also on the type of work activity in which they are engaged.
- 7.2. Employees are required to inform their supervisor if there are taking prescribed medication which may affect their work capabilities or pose a health and safety risk to themselves and/or to others within the workplace.

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- 7.3. In some cases it may be appropriate to consult with the company doctor for determination of the effects on work activity and any limitations that may be required.

**8. Testing for Intoxicants****8.1. General Principles**

- 8.1.1. As a condition of their employment with Keltech all employees are required to cooperate fully with any testing for intoxicants.
- 8.1.2. Any unreasonable refusal by an employee to submit to such testing may result in implementation of the disciplinary procedure up to and including dismissal.
- 8.1.3. Testing will take place onsite at Keltech or at the premises of a company nominated tester.
- 8.1.4. All testing will be carried out by a suitably trained and authorised tester
- 8.1.5. Chain of custody shall be maintained for all tests requiring laboratory testing to confirm a presumed positive test
- 8.1.6. The following tests for intoxicants may be conducted:
- 8.1.6.1. *Alcohol* – urine sample, breathalyser, blood sample or salivary swab.
  - 8.1.6.2. *Drugs* – blood sample, urine sample or hair or salivary swab.
  - 8.1.6.3. Please note these lists should not be considered to be exhaustive.

**8.2. With Cause Testing**

- 8.2.1. Any employee suspected of being under the influence of intoxicants or involved in a work-related accident may be subject to with-cause testing.
- 8.2.2. In a situation where the employee is considered to be under the influence of an intoxicant while at work, the employee will be prohibited from carrying on with work duties, using machinery or equipment, driving his/ her vehicle or any company vehicle and will be asked to leave the work area.
- 8.2.3. Prior to any employee being requested to undergo with-cause testing, more than one member of management/ HR (normally the affected employee's supervisor and the General Manager/ HR Coordinator/H&S Officer) will have observed the employees behaviour, will have spoken to the employee regarding their suspicions in relation to their fitness for work due to the influence of intoxicants and following this will have submitted an opinion that testing is justified.
- 8.2.4. The judgment as to whether with-cause testing needs to be applied can be based on a number of factors including but not limited to the following:
- 8.2.4.1. Apparent disorientation;
  - 8.2.4.2. Unsteadiness;
  - 8.2.4.3. Slurring of words;
  - 8.2.4.4. Smell of alcohol;
  - 8.2.4.5. Admitted or observed taking of illegal or non-prescribed drugs or volumes of alcohol;
  - 8.2.4.6. Unusual or abnormal behaviour.

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- 8.2.5. Once agreement has been reached that with-cause testing should be conducted the employee will be informed that a test for intoxicants will be conducted.
- 8.2.6. Testing shall be conducted in two stages. The first stage is a rapid test which will either indicate a negative result or a presumed positive result. Should a presumed positive result be indicated a sample shall be sent to a laboratory for a more detailed analysis.
- 8.2.7. should the rapid test indicate a negative result the employee shall be allowed to resume working (assuming no other factors prohibit the employee returning to work)
- 8.2.8. Should the rapid test indicate a presumed positive result a second sample shall be taken and sent to a laboratory for detailed analysis. Full chain of custody shall be maintained for this sample.
- 8.2.9. The employee shall be suspended with pay and sent home pending results of the laboratory analysis
- 8.2.10. Maximum permissible limits for the presence of drugs shall be in accordance with [EWDTS \(European Workplace Drug Testing Society Guidelines\)](#)
- 8.2.11. Maximum permissible breath alcohol content is 9 microgrammes of alcohol per 100 millilitres of breath
- 8.3. Random Testing
  - 8.3.1. Keltech reserves the right to conduct random tests to screen employees for alcohol, drugs and other intoxicants.
- 8.4. Outcome following Testing
  - 8.4.1. Once the test results have been confirmed the employee will be called to a meeting.
  - 8.4.2. Where there is evidence of intoxication the employee may be subject to the disciplinary procedure up to and including dismissal.

**9. Search for Intoxicants**

- 9.1. Keltech reserves the right to search an employee's person or property (which shall include any locker, baggage or vehicles) while on or when departing from the Company premises or within the vicinity of the Company premises.
- 9.2. As a condition of their employment with Keltech all employees are required to cooperate fully with any search which the company may deem necessary to conduct.
- 9.3. Any unreasonable refusal by an employee to submit to such a search may be treated as misconduct and result in implementation of the disciplinary procedure up to and including dismissal.
- 9.4. An employee has the right to be accompanied by a work colleague or other independent witness during any such search.

**10. Reporting Illegal Activity**

- 10.1. As the sale, use, purchase, transfer or possession of an illegal drug or drug paraphernalia is illegal under Irish law; Keltech will report information concerning possession, distribution, or use of any illegal drugs to the Garda Síochána.

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- 10.2. Keltech will also turn over to the custody of the Gardaí any such substances found during a search of an individual or property.

**11. Support for Employees with Addiction**

- 11.1. Information received from employees concerning addictions will be dealt with in the strictest confidence.
- 11.2. Employees who have an alcohol or drug addiction will be actively encouraged to avail of professional assistance and given the opportunity to do something positive to resolve their problem.
- 11.3. If an employee is provided with support and they do not accept it, or their performance does not improve, they may be subject to disciplinary action, up to and including dismissal, where appropriate.
- 11.4. All individual cases will be assessed with regard to their particular circumstances.