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# Alcohol, Drug & Substance Abuse Policy

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POL-046

## 1. Introduction

1.1. John Graham Construction Ltd. (“GRAHAM”) has a duty toward, and cares about, the health, safety and welfare of all employees. It is therefore Company policy to:

- Provide a safe working environment free from the adverse effects of alcohol and drugs/substances;
- Encourage employees who may have an alcohol or drug/substance related problem to seek help voluntarily;
- Promote a climate which will reduce the tendency to conceal or deny alcohol or drug/substance related problems by enhancing awareness
- Provide a supportive framework for employees who come forward with an alcohol or drug/substance dependency issue
- Comply with appropriate legislation relating to alcohol and/or drug abuse at work in the relevant jurisdiction of operation.

1.2. The abuse of alcohol, drugs/ substances can have a detrimental effect upon an individual’s health; it can adversely influence their work, work performance and their relationships with colleagues and customers, and can result in an increased safety risk, absenteeism and reduced efficiency.

1.3. For the purpose of this policy, drug abuse includes the misuse of medication provided via general sale/ over-the-counter; pharmacy only; prescription only; and natural or herbal products. (See 4.4.2)

1.4. GRAHAM are committed to being an inclusive workplace where all employees, customers and stakeholders can fully participate and contribute. We strive to ensure accessibility across all facets of our operations, including physical spaces, digital platforms, communication channels and services.

Our People policies are regularly audited against rigorous accessibility standards to ensure compliance and to support every employee.

Anyone who requires additional support or has any questions regarding accessibility can contact the HR team at [HR-JGC@graham.co.uk](mailto:HR-JGC@graham.co.uk)

## 2. Scope

2.1. This policy applies to all GRAHAM employees.

2.2. For other persons working for or on behalf of GRAHAM, including Supply Chain\* employees (whether employed directly or indirectly by the contracted Supply Chain Member), they are required to be aware of and comply with these arrangements. [\*NOTE: Supply Chain refers to 3rd party companies who supply goods or services to GRAHAM and includes Labour Agencies].

GRAHAM reserve the right to prohibit any Supply Chain employee’s access to our sites if we suspect the individual’s performance is being impaired due to alcohol or drug/substance abuse.

### **3. Confidentiality**

**3.1.** All results and information in relation to drug and alcohol testing will be collected and used by management, in compliance with the Conditions for Processing Sensitive Data under the Data Protection Act 2018, where relevant and necessary to enable the Company to:

- comply with its health and safety and occupational health obligations
- manage sickness absence and consider how an employee's health affects their ability to do their job and whether adjustments to their job might be appropriate
- manage its relationship with employees effectively, lawfully and appropriately
- provide information for consideration under its disciplinary or grievance procedures
- protect its legal position in connection with any legal proceedings (including prospective legal proceedings)

Where we hold personal details, these may (subject to Data Protection rules) be passed to the relevant authorities upon request. Note that results may be disclosed to the relevant employer where this is felt relevant to protecting the health & safety of others.

### **4. Responsibilities**

#### **4.1. Directors**

4.1.1. The GRAHAM Board of Directors has overall responsibility for the effective operation of this policy, but has delegated day-to-day responsibility for overseeing its implementation to the SHE and HR Directors.

#### **4.2. SHE / HR Director**

4.2.1. The SHE and HR Directors have responsibility for the implementation of this policy, the appropriateness of the testing regime, and will monitor and report on the results and effectiveness on an ongoing basis.

#### **4.3. Managers**

4.3.1. All managers have a specific responsibility to ensure that employees understand the standards of behaviour expected of them and to take action when behaviour falls below the Company's requirements.

4.3.2. Managers will be given training in:

- The nature and causes of alcohol and drug problems.
- The effect of alcohol and drug/ substance misuse on workplace safety and performance.
- The assistance that can be provided by our SHE, HR Departments and outside Agencies

#### **4.4. Employees**

4.4.1. If an Employee believes that they may have an alcohol or drug/ substance related problem, they should seek specialist advice and support as soon as possible. The GRAHAM HR Department will try to assist and will,

where possible, do so in confidence.

- 4.4.2. It is the responsibility of individual employees with diagnosed medical conditions and/or who are on **medication\*\*** which could affect their work performance or innocently give rise to positive test results to inform either their manager or the HR team. The company will deal with such information in confidence and will make appropriate, temporary adjustments where possible.
- 4.4.3. Employees must inform HR of any condition which by law requires them to declare it to DVLA / DVA / NDLS, or any medication you may be on that controls are treats a condition declarable to DVLA / DVA / NDLS.

**\*\*NOTE:** Medication is defined as shown below. For all medication there is still a possible danger of overdose or side effects and users must read any accompanying information in relation to this.

- General sale/ over-the-counter - common treatments for minor complaints which can be bought over-the-counter in shops where there is not a pharmacist present – i.e. paracetamol, etc.
- Pharmacy only - medicines which don't need a prescription and can be bought from a pharmacy under the supervision of a pharmacist – i.e. certain eye drops and nasal sprays, etc.
- Prescription only - medicines which can only be prescribed by a doctor, dentist or other qualified health professional – i.e. antibiotics, blood pressure medicines, etc.
- Natural or herbal products - medicine made from a plant or plants used in conjunction with, or in place of, conventional medicine – i.e. St John's wort, Echinacea, etc.

Employees who notice a change in a colleague's pattern of behaviour should encourage them to seek assistance through their manager (or the HR Department). If they will not seek help themselves, employees should draw the matter to the attention of their line manager. Employees should not cover up for a colleague whose work or behaviour is suffering, which may be as a result of an alcohol or drug/ substance related problem.

## 5. Rules On Alcohol and/ or Drug Abuse

### 5.1. General Rules

Employees/Other Persons must not:

- Report or try to report for work when unfit due to the influence of alcohol, drugs (whether illegal or not) or substance abuse.
- Be in possession of alcohol or illicit drugs in the workplace. ('illicit drugs' include drugs which are controlled under the Misuse of Drugs Act 1971 / Misuse of Drugs Act 1977 / Misuse of Dugs Act 1984 and Amendments, as well as those which are illegal to produce, distribute, sell or supply under the Psychoactive Substances Act 2016 / Criminal Justice (Psychoactive Substances) Act 2010).
- Consume alcohol, use illicit drugs, misuse prescribed or over-the-counter medication, or abuse any substance while at work.

- Employees may consume a moderate amount of alcohol at company functions where this has been authorised by senior management. Employees are responsible for maintaining safe, sensible and legal drinking limits and ensuring that the Company is not brought into disrepute by inappropriate behaviour. Employees should ensure they return to work in a fit and safe condition to undertake their duties, and must not, at any point during a subsequent working day, be under the influence of any substance which could adversely impact their health and safety, the health and safety of others, or the effective delivery of their projects or workload.  
If any company functions take place during working hours, employees must not consume alcohol if they are returning to work. There will always be non-alcoholic drinks available at in house functions.

## 5.2. Possession Or Dealing In Illicit Drugs And Substances

Possession of, or dealing in illicit drugs on company premises/ projects or on Client sites/premises will be reported to the police.

## 5.3. Searches

We reserve the right to conduct searches for alcohol, drugs or substances in lockers, filing cabinets, desks, welfare facilities or storage facilities on our sites or in our offices where we have reasonable suspicion that they may be being used to store alcohol, illicit drugs or substances for personal use or supply.

We further reserve the right to request personal consent to search bags, clothing and packages belonging to employees or others working on our sites or in our offices. Unreasonable refusal by employees may lead to disciplinary action up to and including dismissal. Unreasonable refusal by others may result in them being excluded from our sites or offices.

Any alcohol, illicit drugs, or substances likely to be abused, found as a result of a search will be secured until the appropriate authority and/or employer are contacted and attend. Those employees found to be in possession of alcohol, drugs or substances may be subject to action under the GRAHAM Disciplinary Procedure up to and including dismissal. Others found to be in possession of alcohol, drugs or substances may be excluded from our sites or offices.

## 6. Testing

### 6.1. Types of Testing And Frequency

The company will conduct testing for alcohol and drug abuse in the following circumstances:

- Scheduled, unannounced testing
  - This will include mandatory and random selection of individuals as set out at 6.4
- For-cause testing
  - Where there is a reasonable suspicion that an individual may be under the influence of alcohol or drugs
- Post-incident testing
  - This will occur where there is reasonable suspicion (or where it is to be discounted) that alcohol, drug misuse, or substance abuse may be a contributing factor to the root cause of an incident.

- Pre-employment testing
  - Pre-employment testing may be conducted depending on role, client requirements, or industry sector. Those candidates who test positive for alcohol or drugs may not be appointed.

Scheduled testing frequency will be conducted on a risk-based approach.

Screening testing will be conducted by either an authorised person who has been deemed suitably trained and formally assessed as competent, or by an approved and appropriately certified independent body.

Confirmation testing will be conducted only by an approved and appropriately certified independent body.

All drug testing will be in accordance with the European Guidelines for Workplace Drug Testing in Urine applicable at the time of testing (currently Version 3.0: 2022-10).

## 6.2. Drug Cut-Off Levels/ Limits

Cut-off levels for drug testing will be in accordance with those shown in Appendices D & E of the European Guidelines for Workplace Drug Testing in Urine applicable at the time of testing (currently Version 3.0: 2022-10).

The table below (TABLE A) shows the current screening test values in urine:-

<b>Primary Substances</b>	<b>ng/mL</b>
Amphetamines group	500
Benzodiazepines group	200
Cannabis metabolites	50
Cocaine metabolites	150
Methadone (or EDDP)	300 (100)
Opiates (total)	300
6-MAM	10

<b>Secondary Substances</b>	<b>ng/mL</b>
Barbiturates	200
Buprenorphine	5
Gabapentin	2000
Pregabalin	500
Ketamine	100
LSD or metabolites	1
Opioids (e.g. Oxycodone, Hydromorphone)	300
Phencyclidine	25
Propoxyphene or metabolites	300
Tramadol	200
Z-Drugs (e.g. Zopiclone, Zolpidem, Zaleplon)	200
Fentanyl	1

The table below (TABLE B) shows the current confirmation test values in urine:-

	ng/mL
<b>Amphetamines</b>	
Amphetamine (d+ l)	200
Methamphetamine	200
MDA	200
MDMA	200
Other members of the amphetamine group	200
<b>Benzodiazepines or their metabolites (e.g.)</b>	
Diazepam / Flurazepam / Lorazepam / Lormetazepam / Midazolam / Nitrazepam / Nordiazepam / Temazepam	100
<b>Opiates</b>	
Morphine	300
Codeine	300
6-Monoacetylmorphine	10
Dihydrocodeine	300
<b>Cannabis</b>	
Cannabis metabolite (THC-COOH)	15
<b>Cocaine</b>	
Cocaine metabolite (Benzoylecgonine)	100
<b>Methadone</b>	
Methadone (d+l)	250
EDDP	75
<b>Other drugs:</b>	
<b>Barbiturates</b>	
Amobarbital / Secobarbital / Pentobarbital / Phenobarbital / Other members of the barbiturate group	150
<b>Buprenorphine</b> or Nor-buprenorphine	2
<b>LSD</b> or metabolites	1
<b>Phencyclidine</b>	25
<b>Propoxyphene</b> or nor-propoxyphene	300
<b>Ketamine</b> or Nor-ketamine	75
<b>Opioids</b>	
Oxycodone / Hydromorphone / Oxymorphone / Hydrocodone	100
<b>Gabapentinoids</b>	
Gabapentin	1000
Pregabalin	250
<b>Tramadol</b> or their metabolites	100
<b>Z-drugs</b>	
Zaleplon / Zolpidem / Zopiclone	100
Fentanyl	1



**NOTE ON MEDICINAL CANNABIS:** Medicinal Cannabis is a legally prescribed cannabis- derived medicinal product for cases where patients have certain medical conditions. It can only be prescribed by specialist hospital doctors in a limited number of circumstances. The first cannabis-derived medicinal product to be licensed in the UK is Savitex. Medicines such as this contain varying quantities and ratios of the compounds THC (the psychoactive ingredient which makes people feel "high"), and CBD (CBD is not psychoactive but is reported to have certain benefits to health).

The concentration of THC in medicinal products is very low, but still may provide a positive screening result and, if disclosed as being used, can be confirmed during the confirmation process. Legally-available CBD in itself will not give a positive THC drug result at screening stage in urine, oral fluid or hair.

Be aware, that Cannabis itself is still a controlled substance and its use, possession, and sale in the UK is illegal.

**NOTE ON POPPY-SEEDED CONTAINING FOODSTUFF (BREAD etc):** In relation to persons who claim that ingestion of foodstuffs containing poppy seeds may lead to a false non-negative screening result, the Company will review the confirmation result and, based on current guidance at the time of this version issue, has confirmed that where codeine concentrations exceeds the EWDTS recommended cut-off level (currently 300ng/mL) and are coupled with a morphine-to-codeine ratio <2, we will interpret this as CONSISTENT with codeine consumption and will EXCLUDE poppy seed consumption as a legitimate explanation for the test result.

### 6.3. Alcohol Failure Levels/ Limits

Unless testing is subject to specific sector or client requirements, the failure level for an alcohol test will be at or above the relevant national drink driving limit applicable at the time of testing. Current limits are shown in the table below.

For access to the current limits in the UK see <https://www.gov.uk/drink-drive-limit>

Level of alcohol	England, Wales and Northern Ireland	Scotland and ROI	Professional, learner and novice drivers in ROI*
Micrograms per 100 milliliters of breath	35	22	9

\* Under the ROI's Road Traffic Act 2010, professional drivers are defined as drivers of buses, lorries, trailers, work vehicles, taxis and other public service vehicles. Novice drivers are defined as those who hold a driving license for 2 years or less.

### 6.4. Selection Of Personnel

For For-Cause and Post-Incident testing, the relevant personnel selected for testing will be dependent on the event or suspicion raised.

For Scheduled testing, personnel will be selected at random from those on site or in the office on the day of testing, with an aim to test at least 10% of those present (dependent on numbers).

In addition to the above, GRAHAM define a number of roles as Operationally Critical. Those in an Operationally Critical role will be automatically tested at each occasion.

Arrangements will be discussed with affected employees/ site personnel at the start of each testing programme.

Operationally critical roles are listed in Appendix A, which will be reviewed and updated on a regular basis.

## 6.5. Results

If the results of any screening test show a 'non-negative' result for alcohol or drugs the matter will be investigated and may be dealt with under the GRAHAM disciplinary procedure. 'Non negative' means that an individual's test result is over the cut off/ failure levels set out at either TABLE A in section 6.2 or the TABLE at 6.3 above.

Supply Chain employees who provide a non-negative screening result will be prohibited from being on site until the confirmation results have been obtained. Appropriate action will be taken dependent on the outcome of the confirmation results.

Employees declining to provide a sample for testing without reasonable cause may be viewed as refusing a reasonable management request and may lead to disciplinary action up to and including dismissal. Others declining to provide a sample for testing without reasonable cause may be excluded from site.

## 7. Disciplinary Action

Any contravention of this policy will be dealt with under the company disciplinary procedure and may result in dismissal. A thorough investigation will be conducted for any suspected contravention of this policy.

An employee providing a 'non-negative' screening test result (a value above those shown at either TABLE A in section 6.2 or the TABLE at 6.3 above) may be suspended with full pay during any investigation.

An employee who provides a sample at above the confirmation limits (a value above those shown in TABLE B in part 6.2 or the TABLE at 6.3 above) may be deemed to be guilty of gross misconduct and could be summary dismissed.

An appeal against a disciplinary decision will be managed by an independent panel of Senior Management.

Careful consideration will be given if an employee has acknowledged the existence of a problem and/or has agreed to obtain medical help for the condition. The disciplinary procedure may be suspended for a reasonable period of time, pending investigation as to whether an employee has a medical problem which is amenable to treatment and, if so, for that treatment to be undertaken. Whether the disciplinary procedure is suspended will depend on:

- the nature of the alleged offence
- evidence of a health-related problem
- an employee's willingness to be treated and to participate in any required medical assessment

If an employee does not follow an agreed/recommended course of treatment or if it is ineffective, lapses in performance, conduct or attendance will be dealt with in accordance with the company's normal disciplinary procedure and/or sickness absence procedure (as appropriate). This includes any matters which may have arisen before any suspension of the disciplinary procedure.

## 8. GRAHAM Support

GRAHAM will treat any absence due to alcohol, drug or substance abuse in the same way as sickness absence on condition that employees obtain professional treatment and



maintain regular contact with the HR Department.

We will try to ensure that advice and specialist help are made available to employees if we are aware that they have a problem with alcohol or drug/ substance abuse.

All discussions will be dealt with confidentially. If an employee feels they have a problem, they should in the first instance contact either their line manager or HR who will arrange a counselling meeting, at which the available options will be explained and a course of treatment or rehabilitation will be agreed.

## **9. Railway Projects/Other Specific Industries Procedure**

The company will comply with the Transport and Works Act 1992, and Network Rail/ Other Rail Provider Requirements in respect to Alcohol and Drug arrangements.

The company will only utilise the services of Network Rail ( RISQS) approved suppliers for all Alcohol and Drug testing on Network Rail Projects in accordance with NR/L2/OHS/0 0120 and Railway Group Standard RIS-8070-TOM Issue 2. These suppliers will be continually monitored for their suitability in line with our supplier approval processes.

The Alcohol Failure limits set by the Railway Group Standard RIS-8070-TOM Issue 2 is lower than the government limits for driving. This is set at 13 micrograms of alcohol per 100ml of breath.

In all other respects the full GRAHAM policy will apply.

