

## DRUGS & ALCOHOL POLICY

### Introduction

Jones Bros Ruthin (Civil Engineering) Co Ltd continually sets policy, procedures and guidelines to provide a safe environment for all employees, agency workers and where appropriate others such as sub-contractors and consultants working on sites and projects under our control. We are committed to providing a working environment and culture where everybody accepts responsibility for their own and others wellbeing.

Drug and alcohol consumption and misuse can affect a person's ability to react safely on site and at worse can seriously harm an individual physically and mentally. This can be through their own actions or as the victim of someone else's actions. We prioritise the health and safety of all our employees and any other people working at our construction and office sites. Maintaining health and safety excellence is the focus of this policy on drugs and alcohol.

This policy covers all company employees, applicants for employment, agency workers, sub-contractors, consultants and anyone working on our sites. 'Employees' refers to all persons affected by this policy. The policy is written in accordance with section 2 of the Health and Safety at Work Act, the Management of Health and Safety at Work Regulations, the Misuse of Drugs Act, the Road Traffic Act and the Transport and Works Act.

### Purpose and Position Statement

Jones Bros Ruthin (Civil Engineering) Co Ltd undertake civil engineering works on construction, landfill and quarry sites and employs staff to conduct all aspects of construction, concrete, quarrying and stabilisation including support staff. The nature of the work includes the operation of heavy plant and machinery in a changing environment. The risk to the health and safety of all employees and other personnel on site is continually assessed and this policy has been developed to reflect the different roles held within the business.

The company's position on the use of drugs and alcohol is based on the need to ensure a safe and productive working environment. This includes the consumption of alcohol, drugs and other substances (including legal highs and in some cases prescribed medication) that have intoxicating and/or behaviour altering effects or impair judgement (referred to in this policy as "other substances"). Because of the serious nature of the risks posed by the abuse of alcohol, drugs and other substances in the workplace, any breach of this policy and supporting documentation will be treated as gross misconduct which will usually result in dismissal.

An employee will be regarded as "under the influence" of alcohol, drugs or other substances if their behaviour, speech, ability to concentrate or otherwise perform their duties is in any way affected. An employee will also be regarded as under the influence if they fail a drug, other substance or alcohol test.

### Responsibilities

All managers are required to:

- Be aware of the signs of alcohol, drugs and other substances misuse and the effects on performance, attendance and health of employees
- Ensure that employees understand this policy and are aware of the rules and consequences regarding the use of alcohol, drugs and other substances

- Ensure that employees are aware of the support that is available to them should they have a problem
- Monitor the performance, behaviour and attendance of employees as part of the normal supervisory relationship
- Intervene at an early stage where changes in performance, behaviour, sickness levels, attendance patterns are identified to establish whether alcohol or drug misuse is an underlying cause
- Provide support and assistance, within the agreed company parameters, where appropriate and for a reasonable period, to staff who are dependent upon intoxicating substances to help their recovery
- Instigate disciplinary measures where appropriate to do so
- Liaise with HR and HSE teams when notified of any employee declaring prescribed medication or drugs
- Where a manager is aware, or suspects, that an employee is misusing intoxicating substances they are strongly advised to seek advice on the approach to be adopted
- Such matters will be treated confidentially as far as is legitimately and legally possible. For example, it may be necessary in order to provide effective support for information to be shared with others, for example occupational health, other agencies.

All employees are:

- Required to familiarise themselves with this policy and comply with all its provisions including testing methods
- Expected to present a professional, courteous and efficient image to those with whom they come into contact at all times. They therefore have a personal responsibility to adopt a responsible attitude towards drinking and taking prescribed and over-the-counter drugs
- Not permitted to possess, store, trade or sell controlled drugs on company premises or bring the company into disrepute by engaging in such activities outside of work. The only exception would be where an employee has a prescription
- Strongly encouraged to seek help if they have concerns regarding their alcohol or drug consumption. It is recommended that they approach either their line manager or HR in the first instance so that the company can arrange for the provision of appropriate support to help speedy rehabilitation, for example referral to the occupational health service, medical professionals, professional drug/alcohol treatment agencies etc
- Expected to co-operate with any support and assistance provided by the company to address an alcohol or drug misuse problem
- Employees should not, even with the best of motives, 'cover up' for, or collude with, a colleague with an alcohol or drug-related problem but instead should encourage the individual to seek help
- Where the individual concerned does not wish to come forward to seek help, and their colleague(s) genuinely suspect that the individual may be misusing drugs or alcohol, they have a responsibility to raise their concerns with the employee's line manager.

**Employees at Work:**

- Employees must report for work, and remain throughout the working day, in a fit and safe condition to undertake their duties and not be under the influence of alcohol, drugs or other substances
- Employees must not consume alcohol or drugs at any time while at work including during rest or meal breaks spent at or away from work premises. Exceptions apply to drugs prescribed for the individual or over-the-counter medicines used for their intended purpose (in accordance with the instructions given by the prescriber, pharmacist or manufacturer) and where the safety of the individual or others with whom they come into contact is not compromised
- Employees must notify their line manager immediately should they be prescribed medication or plan to take over-the-counter medicines that may cause side effects and impair their ability to undertake their duties safely and effectively. This is particularly important if they occupy a post where it is not only their own personal safety but those of others that could be jeopardised
- Similarly, employees who experience side effects as a result of taking prescribed or over-the-counter medicines that impair their ability to perform their duties safely and satisfactorily must notify their line manager immediately
- Employees are not obliged to disclose the actual medical condition being treated nor the medication, simply the impact/side effects.

**Employees Outside Working Hours:**

- Employees must not consume intoxicating substances before coming on duty or when they may be required to attend work at short notice, for example when they are on call
- Intoxicating substances such as alcohol may remain in the system for some time and even small amounts can impair performance and jeopardise safety. Employees are personally responsible for allowing sufficient time for the intoxicating substance to leave their system before reporting for work.

**Medication and Prescription Drugs**

All persons under Jones Bros control must inform their foreman or line manager if they are taking any prescribed drugs or medication at the earliest opportunity. They must not consume or be in possession of alcohol, illegal drugs or any other drug that may affect their ability to undertake their duties in the workplace. This includes all Jones Bros Ruthin (Civil Engineering) Co Ltd sites and locations where we are working on behalf of client/customers. Any persons taking prescription drugs or any other medicine that may affect their performance at work or their ability to carry out any of their duties must inform their line manager so that steps can be taken to ensure that the work can be done safely. It is the responsibility of all individuals when beginning any course of medication to check whether it may adversely affect their ability to work.

**Testing**

Jones Bros will apply this policy in conjunction with our Drugs and Alcohol procedure which will set out the testing and confirmation methods used within Jones Bros for drugs and alcohol and the standard testing cut off levels. Testing can include as a condition of employment for new joiners, 'for cause', high-risk activities and random testing. Jones Bros reserves the right to require employees (and other persons as defined within this policy) to undergo alcohol and drug screening tests in line with this policy. Failure or refusal to take any such test will render an employee subject to disciplinary action.

## **Drug and Alcohol Dependency**

The company commits to raising the awareness of its employees to drugs and alcohol misuse, particularly when working in the dynamic construction environment, and to raise the awareness of all employees on the subject. Employees who voluntarily seek help, at the earliest opportunity, for a dependency on alcohol, drugs or other substances may be offered support and encouraged to seek appropriate counselling or medical help.

Jones Bros aims to actively encourage employees affected by drugs & alcohol addiction problems to come forward of their own accord. In such cases, assistance may be offered such as counselling or leave of absence from work if required for treatment. This may not be appropriate in all cases and managers must assess each case individually. However, if an individual conceals an addiction / misuse problem that should have previously been declared, this will be treated as a disciplinary matter and may result in the summary dismissal of the employee.

Wherever an employee informs the company that they have a drug, alcohol or other substance problem this will, as far as possible, be treated in the utmost confidence. However, the company may need to disclose particular circumstances to managers, third party occupational health providers, regulatory authorities or others should this be necessary to ensure safety or compliance with legal requirements.

While the company will always try to be supportive toward employees with a drug, alcohol or other substance problem, this will not prevent disciplinary action being taken when employees act in breach of the rules laid out in this policy.

## **Breaches of Policy**

The company will, where appropriate to do so, adopt a constructive and supportive approach when dealing with employees who may be experiencing drug, alcohol or other substances dependency/addiction. This means that employees seeking assistance for a substance misuse problem will not have their employment terminated simply because of their dependence/addiction.

However, if performance, attendance or behaviour is unacceptable, despite any support and assistance that can be offered, ultimately dismissal may be unavoidable. Notwithstanding the above, there will be circumstances where breaches of the policy, whether dependency-related or not, will be treated as a disciplinary matter and may result in the summary dismissal of the employee. Examples of issues that will be subject to disciplinary action, including the possibility of dismissal:

- Providing failed drug and alcohol test or refusing a drug and alcohol test
- Deliberate disregard for personal safety and that of others associated with the use of intoxicating substances
- Unacceptable behaviour in the workplace associated with the use of intoxicating substances
- Being found incapable of performing normal duties satisfactorily and safely as a result of consuming alcohol or taking drugs
- Consuming intoxicating substances during the working day including rest and lunch breaks or when rostered on call and liable to be called upon to work at short notice
- Possession, consumption, dealing/trafficking, selling, storage of controlled drugs either on work premises or engaging in such activities outside of work
- Being disqualified from driving as a result of alcohol- or drug-related offences (employees required as part of their role to drive a vehicle)
- Making malicious or vexatious allegations that a colleague is misusing intoxicating substances.

Document: **JB-POLICY-022**

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This list is illustrative only and should not be regarded as exclusive or exhaustive. Disciplinary action will be in all cases proportionate to the circumstances of the breach of the policy. Where evidence warrants, the company will inform the police of illegal drug use or any activity or behaviour over which there are concerns as to its legality. For example, it would be necessary to report criminal behaviour associated with alcohol abuse such as having a drink-driving accident in a work vehicle.

### **Review**

This policy will be reviewed annually and any changes made communicated to all Jones Bros Ruthin (Civil Engineering) Co Ltd employees.



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