



CHAPTER – XVII

DRUG AND ALCOHOL POLICY

HR | D & AP - 2013-14 | 017



Objective:

- Maheshwari Mining Private Limited (MMPL) is committed to the wellbeing of its employees and to enable employees to perform their work in a productive manner which does not jeopardize their own safety or the safety of others. MMPL aims to foster an attitude among employees that it is unacceptable to come to work under the influence of alcohol or drugs. MMPL is committed to providing a safe and healthy working environment for all employees and those affected by our activities. MMPL's operations will be carried out so as to ensure, so far as is reasonably practicable, that the Health, Safety or Conditions of any person or property will not be adversely affected. The use of drugs or alcohol by individuals can lead to an increased risk of accidents or incidents, the MMPL aims to reduce these risks by means of this Policy.
- To take a proactive approach to ensure that our workplace is a drug and alcohol free environment as part of our commitment to ensuring a safe and productive workplace, by ensuring that all relevant individuals are aware of this Policy and that anyone who declares (pre-testing) a drug, alcohol or substance related addiction or habit is given the necessary support.

Policy:

- MMPL is committed to ensuring that the safety and wellbeing of employees and the quality of MMPL's work, is not compromised by the presence of people under the influence of alcohol or other drugs in the workplace.
- MMPL does not and will not condone:
 - ✓ The use, sale or possession of any illegal / prohibited substance or alcohol at the workplace or a work related event.
 - ✓ The presence of employees affected by alcohol at the workplace or work related event.
 - ✓ The consumption of alcohol at the workplace or at a work related event.

Scope / Coverage:

- This Drug and Alcohol policy and the supporting procedures apply to all employees and maximum term employees. Each employee to whom the Policy applies must make themselves aware of these standards and the conduct required.
- Senior Managers should ensure that this policy and testing regimes are implemented throughout the Organization and that suitable communication of this Policy is provided to all Individuals.



Responsibility:

- Employees are responsible for:
 - ✓ Their behavior and actions at all times.
 - ✓ Understanding and complying with this policy.
 - ✓ Promptly informing their manager if there is a policy breach.

- Competent Authority and Managers are responsible for:
 - ✓ Monitoring compliance with this policy by members of their team.
 - ✓ Notifying the Health Safety and Environment team if there is an emerging concern about compliance with this policy.
 - ✓ Ensuring that each member understands the policy.

- Line Managers / Supervisors shall:
 - ✓ Understand and be familiar with this Policy and communicate it to relevant individuals under their control.
 - ✓ Monitor work performance, attendance, sickness absence and accidents / incidents and take appropriate action where necessary in line with this Policy;

Basic Requirements:

The essential requirements of the policy are that:

- Employees must always be in a fit state to carry out their duties when at work. They must not possess, consume or be under the influence of alcohol or other impairing substances.

- Employees will be prohibited to drive or operate any machinery at work if they are found under the influence of **illegal drugs or alcohol**.

- MMPL has a '**zero tolerance**' to drugs and alcohol. Employees are not permitted to work while under the influence of drugs or alcohol.

- Anyone suspected of being under the influence of alcohol or drugs, legal or illegal, must immediately be **removed** from the workplace.

- MMPL will carry out testing for alcohol and drugs.



- Provide assistance through a range of preventative, educational and rehabilitative measures to overcome drug and alcohol problems that could impair an employee's ability to work safely.
- Encourage our employees to maintain good health and wellbeing through a suitable lifestyle balance.

Alcohol and Drug Testing and Disciplinary Process:

- An employee has a responsibility to take prescription and pharmacy drugs in accordance with the instructions of their medical practitioner and normal directions relating to use of the drugs. In the instance that prescription medication could potentially affect the ability of the employee to perform their normal work duties safely; the employee must notify their immediate supervisor and MMPL so that corrective control strategies can be implemented. Failure to advise may constitute misconduct.
- In the event that drugs or alcohol are found on company premises, actions may include an investigation of the matter to attempt to determine who is responsible for the drugs or alcohol, or requiring workplace participants to undergo a drug or alcohol test. Persons found in possession of or under the influence of these substances will be removed immediately from site and will be subject to **disciplinary action and Police notification**.
- The company will carry out screening for alcohol and drugs. Testing may be carried out on reasonable suspicion or following an accident or incident. The company also reserves the right to carry out random testing where it is considered appropriate. The disciplinary process will be invoked, and may lead to summary dismissal, in the case of any direct employee who:
 - ✓ is removed from a workplace due to impairment or suspicion of impairment caused by substance abuse, drugs or alcohol consumption;
 - ✓ tests positive for illegal drugs;
 - ✓ is found to have a blood alcohol level of 0.00 or more, or the equivalent in breath samples;
 - ✓ refuses to undertake a screening test for alcohol or drugs, or
 - ✓ is found supplying illegal drugs in any company workplace.
- Persons found to be exhibiting the effects of drugs or alcohol may be required to have an appropriate test conducted. If a positive drug and alcohol reading is recorded at any time, the employee will be subject to disciplinary action, possibly including **suspension and / or termination**.



- An employee found to be exhibiting the effects of drugs or alcohol, or returning a positive drug or alcohol reading, or refusing to participate in testing, will be required to cease work immediately and leave the workplace.
- As part of our commitment to maintaining safe work practices, MMPL is unable to allow employees to resume work until such time as they undertake testing and a negative result is obtained.
- Employees sent home or to a medical examination must report to the Organization and the following working day or when they are no longer under the influence of drugs or alcohol to discuss the incident.
- Employees who return a positive result or refuse testing will not be paid for this time off work until a negative drug test is returned.
- If a relevant individual declares that he has been taking medication prior to testing that may cause the positive result, the Relevant Individual will not be suspended from site. If the medication is declared after a positive result, the Relevant Individual will be suspended from site.

Testing and screening regime and classifications:

- On site testing will generally be by Calibrated Alcometer and urine sample, but this may vary depending on the circumstances. An outside agency will be employed to conduct tests, which will be carried out in controlled conditions.
- Preliminary drug detection results for tests will be confirmed after further laboratory and specialist interpretation. The collection officer will brief those being tested and a representative from Organization will be present at the testing session wherever possible.
- A Relevant Individual will be deemed to have tested positive and therefore failed a drugs test where the detectable level exceeds the internationally recognized pass / fail levels for a banned substance.
- A Relevant Individual who refuses to undertake a test when requested, attempts to tamper with, or avoids any part of the drug and alcohol test procedure will be treated as having received a positive result.
- When drug and alcohol testing is required as part of a third party's requirements, the appropriate standard and process will be complied with and the more stringent testing



limits and regimes will apply.

Assistance Provided:

- The Company will treat any requests for assistance from any employee who volunteers the information that they have a drink or drug related problem sympathetically. A request of this nature will not be accepted subsequent to or immediately prior to testing for alcohol and drugs. During any regime of treatment the individual would remain subject to the requirements of this policy whilst at work.
- To assist in compliance with this policy and the associated procedures, MMPL will be undertaking the following broad activities:
 - ✓ Ongoing employee consultation. MMPL will consult with employees via the Health and Safety Committees and employee representatives.
 - ✓ Ongoing training and education is available to all employees through information sessions, workshops and inductions in the office.
 - ✓ Counseling, assistance and rehabilitation. MMPL firmly believes people should come to work safely and go home safely. Self disclosure of any drug and alcohol issue is encouraged. Employees will not be penalized for self disclosure and will be encouraged to attend rehabilitation programs.

Confidentiality:

- When addressing issues relating to alcohol and drug misuse, all parties should be sensitive to the individual's right to confidentiality, privacy and dignity.
- In the event of any of their employees being found in breach of any of the requirements of this policy they will be permanently excluded from all company workplaces.

Interpretation

Should any dispute or doubt arise as to the interpretation of these rules, the decision of the Board of Directors will be final.

Changes and Modifications

The Company reserves the Right to add / delete / modify any of the above detailed terms and clauses and subsequently the related modifications shall be intimated to the employees.