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Drug and Alcohol Policy Opicorp (PTY) Limited T/A Auto Carriers

Opicorp (PTY) Limited T/A Auto Carriers is committed to providing a safe and healthy work environment in which all workers are treated fairly, with dignity and respect. The use of drugs and alcohol may impact on an individual's capacity to perform work safely, efficiently and with respect, thereby posing a risk to the health and safety of the individual and others. This is more especially true for drivers of heavy vehicles as these are quite dangerous when driven under the influence.

This policy outlines the Company's commitment to safe work and is aimed at preventing, or minimising, any risk of injury or harm to the health and safety of its workers, or others at the workplace, or on the road, from the use of alcohol or drugs. It describes the standards of behaviour expected in relation to the use of drugs and alcohol, the responsibilities of the Company and its workers and the consequences of breaching the policy.

Road transport carries a huge burden of responsibility and drug and alcohol usage in this instance will not be condoned in any circumstances.

Commencement of the policy

This policy will commence with immediate effect. It replaces all other drug and alcohol policies (whether written or not).

Scope

This policy applies to:

1. All employees of the Company (whether full-time, part-time or casual) and all persons performing work at the direction of, or on behalf of the Company (for example contractors, subcontractors, agents, consultants, and temporary staff) (collectively referred to as "workers").

2. All of the Company's workplaces and to other places where workers may be working or representing the Company for example, when visiting a customer, client or supplier or in the case of a driver any time that he is on duty meaning from the time he arrives at site of loading until he returns to depot (collectively referred to as "workplace").

This Policy does not form part of any employee's contract of service, nor does it form part of any contract for service.



Definitions

The following are terms used in policy:

“Drugs” - include illegal drugs, prescription or pharmacy drugs, or synthetic drugs as defined below.

“Illegal drugs” - includes:

- Any drug prohibited law.
- Prescription or pharmacy drugs (as defined below) which are used without the necessary prescription or for non-medical purposes.
- Any synthetic drug (whether prohibited by law or not), being a psychoactive herbal and/or chemical product which, when consumed, mimics the effects of a prohibited drug, for example synthetic cannabis.

“Management” means the Company’s managers, supervisors, team leaders (whichever are relevant) and all employees with supervisory responsibilities.

“Prescription drugs” - means lawful drugs which are prescribed by a medical practitioner for a diagnosed medical purpose and issued by a pharmacist.

“Pharmacy drugs” – means drugs which are lawfully available at pharmacies (without a prescription) and are required for a legitimate medical purpose.

“under the influence” – means that a person’s faculties are impaired by the use of drugs or alcohol to the extent that the person is unfit to be entrusted with a duty they perform, or may be called on to perform, with efficiency and safety to themselves and others.

Responsibilities

Worker’s responsibilities

1. All workers must:
 - a) comply with this policy
 - b) observe all directions from the Company in regards to this policy
 - c) recognise that performance of duties could be affected by alcohol or drugs; and
 - d) Immediately notify management if they are aware of any breach of this policy by another worker. Subject to any disclosures required by law, any notifications received by management will be treated confidentially. Failure to report any breach of this policy by another worker may itself constitute a breach of this policy.
2. Except as set out in this Policy, workers must not:
 - a) attend work, commence work, continue work or return to work having consumed alcohol and/or drugs
 - b) consume drugs and/or alcohol at the workplace



- c) Must not possess, distribute, sell, use or consume illegal drugs in the workplace or while on duty. Such conduct constitutes serious misconduct. It may also constitute a criminal offence, in which case the Company may notify the police, or other appropriate government authority.
- d) work or drive while under the influence of drugs or alcohol.
- e) attend work, commence or return to work while under the influence of alcohol and/or drugs.
- f) consume alcohol and/or drugs during work, or at the workplace (note qualification for prescription and pharmacy drugs below).
- g) Must not possess, distribute, sell, use or consume illegal drugs in the workplace or while driving duties. Such conduct constitutes serious misconduct. It may also constitute a criminal offence, in which case the Company may notify the police, or other appropriate government authority.

Responsibilities of Management

- a) Management is responsible for ensuring that this policy is implemented in their area. This includes ensuring that:
- b) All workers are made aware and understand this policy.
- c) Risk assessments are undertaken on work tasks in consultation with workers and/or work health and safety representatives.
- d) The behaviour of workers is observed to ensure adherence with the policy.
- e) Any concerns or issues are addressed proactively and expediently to ensure the health and safety of all workers.
- f) Support is provided to workers where appropriate; and
- g) Any suspected breaches of this policy are acted on promptly and in accordance with this policy.

Some Specific Situations include:

Prescription and Pharmacy drugs

1. Where a worker is taking prescription or pharmacy drugs for medical purposes, the worker will not breach this policy by attending work, if the worker:
 - a) takes the prescription and pharmacy drugs in accordance with the instructions of their medical practitioner and normal directions applying to the use of those drugs.
 - b) does not misuse or abuse the use of prescription or pharmacy drugs.
 - c) ensures they are able to perform their work effectively, competently and safely.
 - d) informs themselves of the impact of consumption of alcohol with prescription and pharmacy drugs and they limit consumption accordingly.
 - e) Checks with their medical practitioner or pharmacist about the effect of the drug on their ability to drive vehicles operate machinery and safely perform their normal work duties. If a workers ability to perform work competently, efficiently and safely is affected, the worker should obtain this advice in writing from the medical practitioner, or pharmacist,



and provide it to their manager or supervisor as soon as possible and before undertaking their work.

2. If the Company suspects that the workers ability to safely perform work is affected, the Company may take steps to address the issue in accordance with this policy.

Driving Company vehicles and machinery

Alcohol and illegal drugs:

1. The Company has a legal obligation to provide a safe and healthy working environment for its workers and others in the workplace. To ensure a safe environment, no vehicle, whether it belongs to the Company or client is to be operated or used by anyone who is under the influence of alcohol or used or consumed illegal drugs. The Alcohol percentage allowed to a worker is to be 0.00%.
2. The Company will not accept liability for any damage to a Company vehicle, an injury to another person, or damage to other property caused by a worker's use of a Company vehicle while intoxicated from alcohol or illegal drugs. The worker will be personally liable in such circumstances.

Prescription and pharmacy drugs

Where a worker is taking prescription or pharmacy drugs that contain a warning that the person should not drive a vehicle or operate machinery, then that worker must not drive a Company vehicle or any vehicle or operate machinery unless contrary specific medical advice is obtained and confirmed in writing, from the workers medical practitioner.

If a worker is taking prescription or pharmacy drugs and feels that their ability to safely drive a vehicle or operate machinery is affected, the worker must not drive a Company vehicle, or any vehicle, or operate machinery and must notify their manager or supervisor immediately.

Smoking

Smoking is not permitted at any of the Company's workplaces, except in specifically designated areas. These areas are: **Prohibited**

What will the Company do if it suspects a worker is affected by drugs or alcohol?

If the Company suspects, on reasonable grounds, that a worker is under the influence of drugs or alcohol in breach of this policy, the Company will take steps to address the issue. Reasonable grounds may include (but are not limited to) where the worker:

- Is unable to co-ordinate their actions.
- Has red or bloodshot eyes, or dilated pupils.
- Smells of alcohol.
- Acts contrary to their normal behaviour.



- Exceeds alcohol concentration limits applicable to the task they perform or may be called on to perform.
- Is not behaving in a professional and competent manner and in accordance with the Company standards.
- Otherwise appears to be impaired or affected by drugs or alcohol.

In these circumstances, the company may take the following actions (however they are not limited to these actions):

- Direct the worker to go home. Suitable arrangements for safe transport will be made by the relevant manager.
- Direct the worker to attend a medical examination to determine whether the worker is fit to perform their duties effectively and safely. The medical examination may include a drug and/or alcohol test, such as a breath test, blood test, urine test or oral swab. In relation to prescription or pharmacy drugs, the Company may require evidence as part of the medical examination about the effects and proper use of the drug. The worker may be directed to go home following the medical examination.
- If the worker refuses to attend a medical examination, they will be directed to go home. Refusal to attend a medical examination, refusal to go home, or providing false information constitutes a breach of this policy and may result in action being taken against the worker, including action as set out below under 'Breach of policy'.
- Where a worker is sent home, or required to attend a medical examination, the worker must report to Management (or as directed) on the next working day, or as soon as possible once the worker is no longer under the influence of drugs or alcohol. The Company will deal with the issue as set out below under 'Breach of policy'. Failure to report constitutes a breach of this policy.

What will the Company do if it finds drug or alcohol at the Company's workplace or in a vehicle?

If the Company finds drugs or alcohol at the workplace in breach of this policy, the Company may take the following action, which includes but is not limited to:

- Investigate the matter to attempt to determine who is responsible, including by conducting searches, as set out in this policy.
- Require some or all workers, to undergo a medical examination to test for the presence of drugs or alcohol.

Workers are required to co-operate in any investigation. Failure to co-operate, or providing false information in an investigation, constitutes a breach of this policy and may result in action as set out below under 'Breach of this policy'.



What will the Company do if it suspects a worker has drugs or alcohol in their possession at work?

If the Company suspects that a worker has drugs or alcohol in their possession at work the Company may take the following action, which includes but is not limited to:

- Investigate the matter to attempt to determine whether the worker does have such drugs or alcohol in their possession.
- Request the worker to open their locker, bag, or vehicle or to empty their pockets or jacket for the purpose of locating any drugs or alcohol.

Workers are expected to permit such inspection and co-operate with the Company's investigation. Failure to co-operate, or providing false information in an investigation, may result in action being taken against the worker, as set out below under 'Breach of this policy'.

When an employee is caught by an Officer of the Law under the influence of alcohol or illegal substance, or in possession, or conveying or distributing same:

The employee will be subjected to the full weight of the law as well as applicable disciplinary action separately. The legal and disciplinary processes are separate and mutually exclusive in influence, although evidence from one may be used in the other. The findings and remedial/punitive actions may differ materially.

When will the Company conduct drug and alcohol testing?

Definitions:

The following definitions will apply to this part:

"Alcohol Screen Test" - means any analytical procedure or test which is carried out on a worker to determine the presence and/or the concentration alcohol (including but not limited to a breath test, urine sample, oral swab and blood test). These procedures are not limited to those which presently exist. As new technology is developed these may also be used for alcohol testing purposes.

"Authorised Officer" - means a suitably trained, qualified and authorised person from an Independent Testing Agency or a suitably trained, qualified and authorised person appointed by the Company or client for the purposes of undertaking or arranging an Alcohol Screen Test and/or Drug Screen Test.



"Confirmatory Test": means any analytical procedure or test which is undertaken after a first Alcohol Screen Test or Drug Screen Test, which is used to verify the presence of drugs or alcohol. This may include, but is not limited to the following:

- a test applied to a second Sample of a worker's urine
- a test applied to any oral swab taken from a worker
- a second Breath Test
- Analysis of a worker's blood.

"Drug Screen Test": means any analytical procedure or test which is carried out on a worker to determine the presence and/or the concentration of any drug (including but not limited to a breath test, urine sample, oral swab and blood test). These procedures are not limited to those which presently exist. As new technology is developed this may also be used for drug testing purposes.

"Sample" – in relation to urine, includes, if the sample is divided into portions, a portion of the sample.

Drug and alcohol testing

- 1) The Company may require workers to undergo testing for the presence of drugs or alcohol at random, with or without, prior notice or
 - a) Causal based.
 - i. If the Company suspects, on reasonable grounds, that a worker is under the influence of drugs or alcohol in breach of this policy.
 - ii. Upon finding evidence that a worker has used, possessed, sold, solicited or transferred drugs whilst in the workplace or while on Company property.
 - iii. Where the Company finds drugs or alcohol in the workplace in breach of this Policy.
 - iv. Upon receipt of a report of drug or alcohol use, provided by a reliable and credible source and confirmed by investigation, in breach of this policy.
 - v. Upon obtaining evidence that a worker has interfered with, tampered with, falsified or destroyed an Alcohol Screen Test or Drug Screen Test.
 - vi. Where a worker has previously received a positive Alcohol Screen Test or Drug Screen Test and has refused to undergo a Confirmatory Test, he/she shall be required to undergo subsequent testing.
 - vii. Where a worker has previously received a Confirmatory Test result confirming the use of illegal drugs or alcohol in breach of this policy, he/she shall be required to undergo subsequent testing.
 - viii. Where a worker notifies the Company that he/she has a drug or alcohol problem.



- ix. Where a worker is taking prescription or pharmacy drugs which may affect their ability to perform the duties and responsibilities of their position in an efficient, competent and safe manner, without risk to the health, welfare or safety of the worker, or others in the workplace.

Welfare or safety of the worker, or others in the workplace.

b) Targeted testing:

Where the worker holds a position in the Company in which the use of drugs or alcohol by that worker in carrying out the duties and responsibilities of that position would pose a risk to the health, welfare or safety of that worker, others in the workplace.

c) Post Incident or Near miss:

Where the investigation of an incident or near-miss determines that the worker's actions may have been impaired due to the use of drugs or alcohol, or the worker was under the influence of drugs or alcohol.

d) Random Testing:

When a worker, or group of worker's are randomly selected by the Company or an Authorised Officer, or a person nominated to do so by a client, to undergo a Drug Screen test and/or Alcohol Screen test.

2. A worker, who is required to undertake a Drug Screen Test and/or Alcohol Screen Test, may be requested to sign a consent form before taking a Drug Screen test and/or Alcohol Screen test. The conditions of employment at KDG Logistics stipulate that the employee consents to random testing, hence specific consent has been obtained at the commencing of employment.
3. The Company will not use this information other than for the purposes for which it is collected. The purposes of such monitoring and examination are to ensure the productivity, health and safety of personnel, to apply this policy, and for disciplinary purposes.
4. A refusal to undergo a Drug Screen test and/or Alcohol Screen test or providing false information, constitutes a breach of this policy and may result in action being taken against the worker, including action as set out below under 'Breach of this policy'.



Breach of this policy

Workers must always comply with this policy.

If an employee is found to have breached this policy, they may be subjected to disciplinary action. The type and severity of the disciplinary action will depend upon the circumstances of the case and the seriousness of the breach. In serious cases, this may include termination of employment.

Examples of disciplinary action that may be taken include (but are not limited to):

- Performance counselling
- A formal warning
- Suspension
- Demotion
- Termination of employment.
- Referral to an Employee Assistance Program ("EAP") and/or some other referral source, for counselling, treatment or rehabilitation for drug or alcohol dependency.

Access to support services

If an employee notifies the Company that they have a drug or alcohol problem, they will be encouraged to complete a rehabilitation program or undergo counselling.

Education and training

The Company will inform and conduct training or information sessions for all employees, relating to:

- a) This policy, including but not limited to the consequences of breaching this policy.
- b) The effects of alcohol and drug use (including prescription and pharmacy drugs).
- c) The risks to the health and safety of workers and others using alcohol and drugs in the workplace.

A handwritten signature in black ink.

David Roberts
Chief Operating Officer