

POLICY DRUGS, ALCOHOL, AND ILLEGAL SUBSTANCE ABUSE

Purpose	This policy defines and explains the company's zero-tolerance policy on usage of drugs, alcohol and illegal substance abuse. The policy intends to promote a safe and drug-free environment in full compliance to the prevailing laws of Malaysia.
Scope	Applicable to all local and foreign employees employed by the company as well as foreign workers employed by on-site vendors.
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Issued by	HR Department
Approved by	Managing Director

CONTENTS

- 1.0. The Company has a longstanding commitment to preserving the health, safety and welfare of its employees and other stakeholders. Alcohol and drug misuse possess a threat to the safety and security of its employees and its facilities.
- 2.0. Employees and any individuals entering or working at the Company's facilities must abide and conform to this policy.
- 3.0. Purchase, supply, use, concealment, transportation, manufacturing, dispensing, selling, distribution, promotion, possession, consumption or being under the influence of illicit drugs while on the company's premises are strictly prohibited.
- 4.0. Working, attending work or participating while under the influence of drugs, alcohol or illegal substances, except where such use is legally prescribed medication is strictly prohibited.
- 5.0. Should any employee or any individuals are reasonably suspected to be involved in drugs abuse or under alcohol intoxication, he or she shall be requested to undergo a drug test at a clinic selected by the Company or be requested to leave the Company's premise immediately if they refuse to do so. The Company may also notify the local authorities for further action if their act contravenes the laws of Malaysia.

- 6.0. The Company may use reasonable observations to determine if an employee or any individuals may be under the influence of illegal drugs or alcohol as below but not limited to:
 - 6.1. Odors (smell of alcohol, body or urine)
 - 6.2. Movements (unsteady, fidgety, dizzy or others)
 - 6.3. Eyes (dilated, constricted, watery eyes, involuntary eye movements or others)
 - 6.4. Face (flushed, sweating, confused, blank look or others)
 - 6.5. Speech (slurred, slow, distracted mid-thought, inability to verbalize thoughts or others)
 - 6.6. Emotions (argumentative, agitated, irritable, drowsy or others)
 - 6.7. Actions (twitching, trembling or others)
 - 6.8. Inactions (sleeping, unconscious, no reaction to questions)
- 7.0. Employees who refuse to cooperate and abide by any lawful instructions of the Company with regards to this policy shall be subjected to disciplinary actions.
- 8.0. This policy does not prohibit an employee from the lawful use and possession of prescribed medications. Should an employee or any individuals use any drugs or substances for medical reasons, they must possess a valid medical prescription from registered medical practitioners and shall notify the Human Resource Department before such material is brought into the company's premises.
- 9.0. Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided will be kept confidential to the extent required by law and maintained confidentially. Such records and information may be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee.
- 10.0. The Company reserves the right to require employees to disclose and inspect any belongings in their possession including bags, lockers, mattresses or other areas if the employee is suspected to be in possession of such materials. There shall be at least two (2) witnesses present to witness the search with at least one (1) of them being the employee's representative.
- 11.0. Should an employee be found to contravene this policy and found guilty, he/she may be summarily dismissed in accordance with the prevailing employment regulations of Malaysia.
- 12.0. Employees may also notify the Company via established grievance and reporting channels if they suspect any co-workers or individuals to contravene this policy or if they are harassed or threatened to be in complicit in any acts that is prohibited by this policy. The Company will protect the whistleblowers and shall keep their identify confidentially.



- 13.0. Employees who are feeling pressured to succumb to acts that contravene this policy is advised to speak to their superiors or the Human Resource Department or raise a grievance via the established grievance reporting channels in order for immediate help and support to be provided. The Company shall not retaliate or take disciplinary action against any employees or individuals who come forward to seek help.
- 14.0. Should an employee be found guilty by the Malaysian Courts and subsequently imprisoned or be held under remand for a period not less than three (3) months on suspicion of contravening the relevant laws of Malaysia, the company will consider the Employee to have breached the terms of employment and shall be considered to have discharged himself/herself from employment. Termination benefit shall not be payable in this case (if applicable).
- 15.0. The Company reserves the right to amend this policy from time to time and shall notify all employees when such amendment has been made and has been approved by the Management.
- 16.0. Should there be a translation of this policy into other languages, the English version of this policy shall be authoritative in the event of any dispute or confusion.

This sample policy/letter/document is merely a sample or guidance. Companies are advised to practice caution when drafting its HR documentation and shall always be in compliance with the Employment Act and Industrial Relations Act as well as past case laws so as to ensure the policy does not violate or infringe the prevailing employment regulations. Companies are encouraged to adopt best practices to be attractive employers and promote a productive and competitive operating landscape. The author shall not be held liable for any damages or claims arising from the usage of the contents of this document.

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