



Alcohol and Substance Abuse Policy

Company Policy No: 43a
Company: Greencastle Solutions Ltd
Issue No: 2
Revision Date: April 2026
Review Date: April 2027

Smoking Policy

1 Policy Objective

- 1.1 The objective of this policy is to ensure that all staff members are aware of the said policy with regards to the personal use of narcotics and/or alcohol and the effect it has on the workplace.
- 1.2 The company has a zero-tolerance policy regarding the use of narcotics and/or being under the influence of narcotics and/or alcohol during working hours. Being under the influence of alcohol and/or narcotics or the use of alcohol and/or narcotics during working hours will be regarded as a serious offense, which may lead to the dismissal of an employee once due process has been followed.
- 1.3 Although the Constitutional Court of South Africa has ruled that Cannabis/Dagga/Marijuana is now de-criminalised for personal usage at home, the company has the prerogative to implement workplace rules. Therefore, an employee working for the company is prohibited from using any legal/illegal substance with the effect of altering a person's state of mind and includes but is not limited to all drugs and/or similar substances that a person is prohibited by law from being in possession of and from making use of. If there is a valid reason for the use of these substances, it should be immediately communicated to the company.
- 1.4 The Labour Relations Act 66 of 1995 states that when an employee is incapacitated by ill health due to substance abuse, the employee cannot be summarily dismissed. It is the responsibility of the employer to investigate and establish the cause of the incapacity, and provide the opportunity for treatment, counselling, and rehabilitation, prior to dismissal. This is to ensure fairness to all parties and to prevent unfair labour practices.

2 Application

This policy applies to all employees employed at the company whilst on company premises, representing the company, or conducting business on behalf of the company.

3 Introduction

- 3.1 The Occupational Health and Safety Act 85 of 1993 puts an obligation on an employer not to permit an employee to continue to perform work should it be suspected that the employee is under the influence of alcohol or any other intoxicating substance:

"Any employer or a user, as the case may be, shall not permit any person who is or who appears to be under the influence of intoxicating liquor or drugs, to enter or remain at a workplace. No person at a workplace shall be under the influence of or have in his or her possession or partake of or offer to any other person intoxicating liquor or drugs."

- 3.2 According to the same Act, each employer shall provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of his/her employees.

- 3.3 The employer may require the employee to undergo a medical examination whether of general or of a specific nature at any time during his/her employment and in accordance with the sole and unfettered discretion of the employer.

4 Definitions

For the purpose of this policy, the following definitions shall apply:

- 4.1 "Alcohol" means:
- A liquor product, as defined in Section 1 of the Liquor Products Act 1989.
 - Beer or traditional African beer.
 - Any other substance or drink declared to be liquor under Section 42(2)(a) in the Liquor Act 53 of 2003.
- 4.2 "Being under the influence of narcotics" includes arriving at work under the influence of narcotics.
- 4.3 "Being under the influence of alcohol" means the consumption of alcohol or arriving at work under the influence of alcohol to the extent that the individual:
- Is unable to perform in a safe, productive manner, and/or
 - Is in a physical or mental condition that poses a risk to the safety/security and well-being of the individual, co-workers, customers, suppliers, the public and/or customer property (intellectual or physical), and/or
 - Has alcohol in his/her system that corresponds with or exceeds accepted medical/legal standards.
- 4.4 "Intoxication" refers to the acute effects of excessive amounts of alcohol in the system.
- 4.5 "Narcotic" means any dependence-forming substance that has the effect of altering a person's state of mind and includes but is not limited to all drugs and/or similar substances that a person is prohibited by law from being in possession of and from making use of. This includes Cannabis, Cat, LSD, Tik, Whoonga, Nyaope, Methamphetamines, Ecstasy, Mandrax, etc.
- 4.6 The definition of "narcotics" shall also include the abuse of over-the-counter or prescription medication, as well as ordinary substances such as glue, cleaning agents, etc.
- 4.7 "Usage" can refer to any consumption of legal/illegal narcotics.

5 Determining whether the Employee is Under the Influence of Narcotics

- 5.1 Management reserves the right to request an employee to undergo a drug test should it be suspected that the employee is under the influence of a narcotic substance.
- 5.2 Refusal by an employee to undergo a drug test may result in a negative inference being drawn from the employee's conduct.

5.3 Despite the fact that the company policy is to request an employee to undergo a drug test, it is not the only way to determine if an employee is under the influence of a narcotic substance. An observation test can also be done where a witness can establish the presence of indicative symptoms to determine whether an employee is under the influence. Symptoms may include the following:

- Red, swollen eyes.
- Dilated pupils.
- Unsteady gait.
- Erratic behaviour/mood swings.
- Aggressive behaviour.
- Slurred speech.
- Argumentativeness.
- Incoherence.
- Unsteady balance.
- Excessive sweating.
- Shivers and seizures.
- Hallucinations.
- Severe paranoia.

5.4 Drug testing can be done by making use of the appropriate mobile test kits at the workplace in the presence of a superior and a witness, or by sending the employee for drug testing at a medical facility. Urine, blood, saliva, or breathalyser testing may be used depending on the substance being tested for.

5.5 In the case of Cannabis, a saliva test measuring up to at least 25ng/ml may be used to determine whether an employee is still under the influence. Testing positive on such a test shall be considered sufficient proof of being under the influence. This test will reflect a positive result in cases where the substance was consumed within the previous two (2) to six (6) hours.

5.6 In the case of inconclusive testing or where both positive and negative results were obtained from the test/s, the following cut-offs in terms of blood tests will be used to determine whether an employee is under the influence:

<i>Screening Drug Class</i>	<i>Cut off (ng/ml)</i>
Cannabis metabolites	50
Opiate metabolites	2000
6-Aceylmorphine	10
Cocaine metabolites	150
Amphetamines AMP/MAMP	500
Phencyclidine	25

6 Determining whether the Employee is Under the Influence of Alcohol

6.1 Management reserves the right to request an employee to undergo a breathalyser test should it be suspected that the employee is under the influence of alcohol.

6.2 An employee refusing to take a breathalyser test will not be forced to take the test. However, a negative inference will be drawn from such refusal in any subsequent disciplinary action. The employee

may also be subjected to disciplinary action should he/she refuse to undergo a breathalyser or any medical test relating to testing for alcohol in breach of the employment contract (If there is a clause in the contract stipulating that the employee agrees to be tested).

6.3 Breathalysers are not the only method of determining if an employee is under the influence of alcohol. The following indicative symptoms can be considered when determining whether an employee is under the influence:

- Red, swollen eyes.
- Unsteady gait.
- Erratic behaviour/mood swings.
- Smelling of alcohol.
- Breath smelling of alcohol.
- Aggressive behaviour.
- Slurred speech.
- Argumentativeness.

7 Procedure to be Followed

To eliminate subjectivity, the following guidelines should be followed if it is suspected that an employee is under the influence. It is very important that the employee is not sent home before the below exercise has been completed.

- 7.1 It is the responsibility of the staff member in charge of the shift to assist with the intoxication procedure and to inform the manager of the department who should be present whenever possible.
- 7.2 Make use of one or two witnesses who would be able to motivate why they believe that the employee is under the influence to assist in judging the employee's condition.
- 7.3 Once an employee is determined to be under the influence of narcotics or alcohol, the following procedure is to be followed:
 - 7.3.1 The employee is to be sent home without pay, as the employee is unable to fulfil his/her duties in terms of the employment contract i.e. the reciprocal obligation to render service against payment.
 - 7.3.2 Instruct the employee to return to work the following day in a sober state of mind.
 - 7.3.3 On the employee's return to the premises, the company has the following two (2) options:
 - Suspend the employee on full pay pending the outcome of an inquiry and hand him/her written notice to attend the inquiry, including the details as to the charges and the date, time, etc. of the inquiry; or
 - Hand him/her written notice to attend the inquiry, including the details as to the charges and the date, time, etc. of the inquiry.

8 Assistance to Employees

- 8.1 It is recorded that despite the zero-tolerance approach the company adopts to this sort of behaviour, the company will provide reasonable assistance to an employee who approaches management prior to being "caught" breaching this policy and informs management that he/she has an addiction problem

with the use of narcotics and/or alcohol. In cases such as these, the employee will be required to attend an incapacity inquiry where a decision will be made in respect of the assistance that the employee will receive from management.

- 8.2 Management encourages an open-door policy in respect of the use of alcohol and/or narcotics or other prohibited drugs. Therefore, there is a duty on the employee to approach management and inform them of any substance abuse problems. Should the employee fail to approach management and it is subsequently discovered that the employee is using a prohibited substance during working hours and on company premises, management reserves the right to take disciplinary action against the employee concerned.

9 Health and Safety Liability

- 9.1 When an employee has sustained an injury on duty and intoxication is suspected, the company may be unable to claim for Injury on Duty as the employee was at fault when the injury was sustained. In such cases, the employee will not be entitled to payment other than sick leave entitlement during any absence caused by such injury.
- 9.2 Compulsory testing for alcohol and/or intoxicating drugs will be done in the following instances:
 - 9.2.1 When an observation test supports the suspicion of alcohol and/or drug intoxication.
 - 9.2.2 As part of a medical surveillance programme for high-risk categories (chronic drug abuse) e.g. drivers, employees working with heavy or hazardous machinery, clients, and/or patients.
 - 9.2.3 When a vehicle driver is involved in an accident whilst driving a company vehicle.
- 9.3 Regardless of the outcome of the test, if there is enough evidence to confirm the suspicion of intoxication, the person SHALL NOT continue his/her shift but be instructed to leave the premises.
- 9.4 All evidence must be documented and presented to the Human Resources manager for preparation of disciplinary action.

10 Financial Liability

- 10.1 The company will be liable for all costs involved with sending the employee for drug testing.
- 10.2 The company will not be liable for any costs relating to the employee's rehabilitation.

11 Discipline

- 11.1 The company requires its employees to abide by the terms of this substance abuse policy as substance abuse has a disruptive influence in the workplace in terms of safety, morale, discipline, and productivity. Employees violating this policy will be dealt with in terms of the company disciplinary code and procedures.
- 11.2 Employees with substance abuse problems are encouraged to seek assistance voluntarily before their work performance is affected. If, however, an employee disregards this policy, the consequences could be serious.

- 11.3 Substance abuse may be regarded as an illness and any form of disciplinary action in this respect should be accompanied by a referral to the Employee Assistance Programme (if one is available) or accompanied by reasonable assistance.
- 11.4 Should the employee accept assistance, the employee should take cognisance that the acceptance of assistance does not exempt the employee from standard disciplinary measures including dismissal. Neither does it indemnify an employee from standard disciplinary measures whilst under treatment.

12 Policy Guidelines

The company acknowledges that substance abuse can lead to addiction. It also recognises that addiction is a primary, chronic, progressive, and relapsing health condition and not a question of weak morals or willpower. The company therefore sees addiction as a health and safety issue.

This policy is based on the following principles:

- 12.1 Non-discrimination:
 - 12.1.1 The company will take steps to actively promote non-discrimination. It will make sure that no employee or prospective employee living with an alcohol and/drug abuse problem is unfairly discriminated against in any employment policy or practice.
 - 12.1.2 Employees will not be victimised with regard to their benefits and prospects of promotion.
 - 12.1.3 An employee who relapses after treatment will have their case carefully considered by an expert. In this situation, the employee has the right to be represented by a shop steward or colleague if they choose.
- 12.2 Safety in the workplace:
 - 12.2.1 The company will aim to create an alcohol- and drug-free environment and will take responsibility for managing the negative impact of alcohol and other drugs in the workplace.
 - 12.2.2 The company will create a safe workplace by preventing any person who is under the influence of alcohol and/or other drugs from entering the workplace. It will also deal with continued unacceptable behaviour and standards of work with the appropriate disciplinary action.
- 12.3 Voluntary drug testing:
 - 12.3.1 The company shall ensure that where necessary, employees will be asked to give consent for drug testing. The company will medically test an employee in the case of certain job responsibilities.
 - 12.3.2 The company will medically test an employee in the case of being under the influence of any substance and therefore may collect bodily fluid (blood, urine, saliva, etc.) samples from any employee and may test such specimens for alcohol, controlled substances, drugs, narcotics, or any intoxicant, or their metabolites. Refusal to consent to testing may lead to termination of employment (if a clause in the contract of employment specifies so).
- 12.4 Confidentiality:
 - 12.4.1 The company shall ensure that any information about drug abuse will be kept confidential.
 - 12.4.2 Employees will be encouraged to get help voluntarily before their work performance is affected.
- 12.4.3 Employees who are referred by the company for an assessment or treatment will be granted time off if possible.

12.4.4 Those who choose to go for treatment will be granted sick/annual/unpaid leave where appropriate.

12.4.5 The company will not be liable for the cost incurred for assessment and/or treatment.

12.4.6 Assistance from the company will be offered only to those employees who demonstrate that there is a reasonable chance that rehabilitation will be successful, that the employee genuinely realises that he/she has a problem, and that he/she needs help.

13 Monitoring and Evaluation

The company shall ensure that a monitoring and evaluation strategy is developed to assess the impact and efficacy of the workplace substance abuse policy and programmes.

14 Agreement and Compliance

It is the employee's responsibility to contact management should he/she have any queries.