Employment Law: Alcohol policy

**Introduction**

Alcohol misuse can be a serious problem within the workplace. Employees who drink excessively, or inappropriately, in relation to work are more likely to endanger their colleagues, have accidents at work, be absent from work and work inefficiently.

**Aims of the policy**

The employees of the Company are its most valuable assets. However, the Company recognises that, for a number of reasons, employees could develop alcohol-related problems during the course of their employment. The aims of this policy are to:

* ***Promote a responsible attitude to drinking within the Company by:***
  + Encouraging safe and sensible drinking habits;
  + Making known to employees the harmful effects of the excessive consumption of alcohol;
  + Minimising problems and accidents at work arising from alcohol and its misuse;
  + Promoting the well-being and health of employees.
* ***Offer assistance and advice to employees who need it by:***
  + Identifying employees with possible problems relating to alcohol misuse at an early stage;
  + Offering guidance and, where required, actively encouraging employees with possible problems to seek appropriate help;
  + Offering employees known to have alcohol-related problems affecting their work referral to an appropriate agency for diagnosis.

**Advice and counselling**

It is the Company's intention to deal constructively and sympathetically with an employee's alcohol-related problems, such as alcohol dependency. When it is known that an employee has an alcohol problem, *(name)* will be able to provide advice and guidance on how to seek suitable treatment. The primary objective of any discussions of this type will be to assist the employee with the problem in as compassionate and constructive a way as possible.

Whilst certain personnel records will be necessary, any discussions of the nature of an employee’s alcohol problems and the records of any treatment will be strictly confidential unless the employee agrees otherwise.

If you have an alcohol problem, you should seek appropriate help. If you have an alcohol problem which affects your conduct or performance at work and you refuse the opportunity to receive help, the matter will be referred for action under the Company’s disciplinary procedure as appropriate. Likewise, if after accepting counselling and assistance, and following review and evaluation, your conduct or work performance reverts to the problem level, the matter may also be dealt with through the disciplinary procedure.

**Prohibition on alcohol consumption in the workplace**

Social drinking after normal working hours and away from the Company’s premises is, of course, a personal matter and does not directly concern the Company, although the Company is keen to raise the level of awareness amongst staff of the risks of alcohol abuse. The Company's concern only arises when, because of the pattern or amount of drink involved, the employee's attendance at work, work performance or conduct at work deteriorates. Even a small amount of alcohol can affect work performance and, if an employee is found under the influence of alcohol at work, there could be serious health and safety consequences (see the section below on misconduct).

No alcohol must be brought onto or consumed on Company premises at any time. Staff must never drink alcohol if they are required to drive private or Company vehicles on Company business. Staff must also not drink alcohol when they are on operational standby or on call.

Employees representing the Company at business functions or conferences, providing hospitality or attending Company organised social events outside normal working hours are expected to be moderate if drinking alcohol and to take specific action to ensure they are well within the legal limits if they are driving.

A breach of these provisions is a disciplinary offence and will be dealt with in accordance with the Company’s disciplinary procedure. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in the employee’s summary dismissal.

**Alcohol-related misconduct**

Whilst these rules are aimed at assisting employees with alcohol problems, action will nevertheless be taken under the Company’s disciplinary procedure if misconduct takes place at work as a result of drinking alcohol, or if an employee is found to be under the influence of alcohol whilst at work. Incapacity or misconduct caused by an excess of alcohol at work is a potential gross misconduct offence under the Company’s disciplinary procedure and the employee is therefore liable to be summarily dismissed.

The Company reserves the right in any of these circumstances to arrange for the employee to be escorted from the Company’s premises immediately and sent home without pay for the rest of the day or shift. The Company also reserves the right to suspend the employee on full pay while carrying out an investigation.

**Alcohol screening**

On the grounds of protecting health and safety and only where necessary to achieve a legitimate business aim, the Company reserves the right to carry out random alcohol screening tests on employees in the workplace whose activities and job duties have a significant impact on the health and safety of others. The guidelines promulgated in the Company’s equal opportunities policy are to be followed in relation to alcohol screening.

If an employee receives a positive test result, this will be viewed as a potential gross misconduct offence and renders the employee liable to summary dismissal under the Company’s disciplinary procedure. Unreasonable refusal to submit to an alcohol screening test will be dealt with through the disciplinary procedure.