
ESS Rules for alcohol and drugs at the work place

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1. ESS RULES FOR ALCOHOL AND DRUGS AT THE WORK PLACE

The purpose of this rule is to ensure that the workplace is free of any kind of use of alcohol, drugs or substance abuse i.e. zero tolerance. This means that the European Spallation Source ERIC does not allow use of alcohol or drugs on any of its premises and does not permit anyone to arrive or remain at the workplace (ESS premises) under the influence of alcohol or drugs*.

**The term “drug” refers to all non-medical use of pharmaceuticals and use of narcotics and anabolic-androgenic steroids. Substances which may be a risk to the life and health of the user, and which are used, or may be assumed to be used in order to become intoxicated, or for any related purpose, are also prohibited.*

1.1. ESS objectives and employer responsibility

- To ensure a safe workplace by removing the risk associated with use of alcohol or drugs;
- To prevent accidents and incidents caused by alcohol and / or drug use;
- To provide support, in a timely manner, to employees with substance abuse issues to enable them to participate in a rehabilitation plan;
- To ensure that all staff are familiar with this rule and have the knowledge as to who to contact if substance abuse is presumed;
- To provide training to line managers as to how to act where substance abuse is found and their responsibilities regarding rehabilitation.

All staff are responsible to follow this rule and to react and take actions if someone is showing signs of being under the influence of alcohol, drugs or presumed substance abuse. ESS thrives for a safe and healthy work environment and a person under the influence of alcohol, drugs or other substances is a risk to themselves to their co-workers and the workplace and should immediately be escorted from the workplace. The line manager has the ultimate responsibility to ensure compliance with this rule and make sure that the staff involved receives the correct support.

2. CONTROLLING MEASURES; ALCOHOL AND DRUG TESTS

Everyone at ESS workplace must be prepared to take an alcohol and drug test. Unannounced and announced tests are carried out on a continuous basis to ensure compliance with this rule and to minimize the risk for accidents and incidents related to alcohol and drugs.

The tests will be performed by the Occupational health care provider and will be done by medically trained professionals from an independent supplier. The test is carried out anonymously but if the test result confirms influence of alcohol and/or drugs the result will be reported to the HR division and to the affected employee’s Line Manager for further actions. All parties who are handling information relating to test result from alcohol and drug tests are subject to an obligation of confidentiality.

If an employee or staff member refuses to take an alcohol and drug test or refuses to share his/her test results, fails to attend a test or in any other way refrains from complying with the testing procedure, the employee must be made aware of the consequences. Refusal to undergo a test is considered equivalent to refusal to work. Ultimately, refusal to take part in an alcohol and drug test may lead ESS to take actions to consider further actions regarding the employee's future employment.

In cases where non-ESS employees, such as consultants, contractors, in-kind staff, etc., refuse to participate in a test, the responsible manager at the workplace must be notified immediately and the relevant non-employee shall be dismissed from the workplace in a safe manner. The manager at ESS must immediately then contact the non-employees' employer and further consequences may be long term suspension from the ESS workplace.

2.1. Other situations in which alcohol and drug test may be carried out:

- If an employee voluntary asks for help
- If an employee or staff member appears to be under the influence of alcohol and/or drugs at the workplace
- If there are concerns or suspicion of substance abuse
- As part of a rehabilitation plan
- In relation to a serious incidents or occupational injuries
- An alcohol and drug test can also be requested in relation to incidents involving a vehicle
- Random alcohol and drug test as part of ESS preventative work environment approach to minimize risk of accidents related to substance abuse.

3. RESPONSIBILITY

ESS has the responsibility to act if someone is showing signs of any kind of substance abuse. Signs of substance abuse can be any changed behaviour, misbehaviour or absence. Example of other signs may be if a person:

- Arrives hung-over to work
- Is involved in offensive behaviour related to drinking
- Smells of alcohol
- Is restless, nervous, mindless, low
- Tends to isolate him/herself from other
- Lowered performance
- Makes more errors/mistakes than before
- Arrives late to work on a frequent basis, especially on Mondays
- Leaves work earlier
- Has frequent sick leave absence
- Asks for vacation on the same day or in hindsight
- Becomes drunk at staff parties
- Reports sick leave next to weekends or when salary payment is made

3.1. Line managers responsibility

- Make sure that this rule is well-known and complied with.
- Immediately act if you find out that a person is under the influence of alcohol or drugs.
- Take action if you suspect or learn that an employee has or is developing a substance abuse by following the steps in this rule (see action list for line manager).
- Take part in the rehabilitation of the employee and support the employee throughout the rehabilitation process.

3.2. Employees and staff members responsibility

- Comply with this rule.
- As an employee participate actively in the rehabilitation plan with line manager and HR division.
- Take action to immediately intervene if anyone shows sign of being under influence of alcohol or drugs.
- If a staff member is taking medicines that may have effect on the work he or she must inform immediate line manager. The line manager, supported by HR Division, will then assess and decide if the staff member will need to change tasks for a period of time.

4. TAKING ACTION

The overall aim of taking action regarding substance abuse is to take all measures needed to uphold a healthy and satisfactory work environment. The objective with a rehabilitation plan is to support the employee to eliminate the dependency of substance abuse and not the employee's employment.

4.1. Action lists for line manager

4.1.1. Action if employee arrives at work under influence of substances use

How to act on a specific occasion when an employee uses alcohol/drugs at work or arrives at work under the influence of alcohol and/or drugs;

1. The employee shall be sent home immediately to sober up from the substance influence. The employees immediate line manager shall intervene in descretion and make sure that he/she arrives home safely. If immediate line manager is not available, line manager's, manger shall intervene and make sure the employee arrives home safely and inform the employee's immediate line manager about the incident.
2. As soon as possible, or latest the day after the incident, the line manager will report the incident to the HR division and the line manager will start an investigation supported by HR.
3. As soon as the employee returns to work a meeting is set up with the employee, line manager and HR representative.

4. The Occupational health care provider will be informed and the employee will perform an examination and testing.
5. The appointment is to be followed by a meeting between the employee, line manager and HR represent and if possible the occupational health care provider. If substance abuse is acknowledged and confirmed appropriate action will be taken and a rehabilitation process depending on the abuse, will be initiated and an individual treatment agreement will be signed (see example in Annex 1).
6. All action shall be performed in discretion.

4.1.2. Action if abuse of alcohol and/or drugs is confirmed

How to act when abuse of alcohol and/or drugs is confirmed or an employee voluntarily asks for help regarding substance abuse.

1. A rehabilitation plan depending on the abuse will be outlined between the employee, line manager, supported by the HR division. An individual treatment agreement (see example in Annex 1) will be signed between the employee and employer.
2. If applicable HR represent will support the employee to send in application regarding preventive sickness benefit to the Swedish Social Insurance Agency.
3. The rehabilitation plan will be individual, the occupational health care provider will be involved and, if applicable, a detox program as the 12-step program can be initiated.
4. The rehabilitation plan will include participation in both announced and unannounced drug and alcohol testing performed by the occupational health care provider or similar.
5. Once rehabilitation has been completed, the employee will continue to have meetings with the line manager on an ongoing basis up to two years or until it is finalized.
6. If the treatment agreement is violated this may ultimately lead to termination of employment.
7. All action shall be performed in discretion.

4.1.3. Action to take for non-ESS employees

How to act when a non-ESS employee (contractor, consultant, in-kind etc.) is under the influence of alcohol or drugs at the workplace.

- If a non-ESS employee is under the influence, he/she must be immediately relieved of his/her duties. The persons responsible manager at ESS shall intervene in discretion and will immediately notify his/her manager at the company or organization where he/she is employed. If the concerned persons' employer is unable to arrange for safe transport home, the responsible manager at ESS, with support of the HR division, will arrange so the person will arrive home safely.
- In the event of suspicion regarding substance abuse, the responsible manager within ESS must be notified. If not possible contact can also be made to HR division regarding suspicion.
- The responsible manager for the non-ESS employee at ESS will immediately notify the person's manager at the company or organization where he/she is employed for further actions.

- The responsible manager at ESS and the HR Division will also decide whether the person is to be suspended from working at ESS workplace.
- The responsible manager at ESS will immediately organize a follow-up meeting with the non-ESS employee's manager. This meeting is intended to ensure the person receives the help and support necessary from his/her employer in order to resolve the issue. Before the non-ESS employee is allowed to return to work at a ESS workplace, this must be sanctioned by ESS. ESS will notify the company in question.
- If abuse is not confirmed, other appropriate follow up actions will be taken for example continuous follow-up meetings with Line manager.
- All action shall be performed in discretion.

4.2. Action list for co-workers

Action to take when you suspect that a co-worker is abusing alcohol or drugs;

1. Tell your co-worker's immediate line manager and/or the HR Division about your suspicions.
2. The line manager is responsible for talking to the employee with support of HR Division.
3. The employee is to be told of the suspicion and offered support.
4. The employee will be offered the opportunity to be tested right before or after the meeting. If substance abuse is suspected, unannounced testing will be a part of the rehabilitation treatment agreement.

5. STAFF ACTIVITIES AND GIFTS

Alcohol may be served at staff activities outside the ESS workplace and premises, as for example staff parties. Alcohol consumption should on these occasions be handled carefully and alcohol-free options shall always be offered. For those who represent ESS at conferences, events, seminars etc., alcohol consumption shall also be handled carefully. No employee shall ever feel obliged to drink alcohol at representation or at other gatherings within their role as ESS representative.

Gifts to employees payed by ESS should not include alcohol.

***ESS considers that all use and/or possession of narcotics and medication classified as narcotics without a medical prescription, anabolic steroids included, is contrary to Swedish and Danish Law. If this is identified at the workplace this may be reported to the police authority.*

6. REFERENCES

- [1] ESS Process for Systematic Work Environment Management (ESS-0048474)
- [2] ESS Code of Conduct (ESSS-0002208)

DOCUMENT REVISION HISTORY

Revision	Reason for and description of change	Author	Date
1	First issue	Sven Havelius	2016-11-16
2	Second issue, review and update rule are to ensure that the workplace is free of any kind of use of alcohol, drugs or substance abuse i.e. zero tolerance. This means that the European Spallation Source ERIC does not allow use of alcohol or drugs on any of its premises and does not permit anyone to arrive or remain at the workplace (ESS premises) under the influence of alcohol or drugs.	Kristina Bacos	2018-04-20

7. ANNEX 1. EXAMPLE OF TREATMENT AGREEMENT

Employer

European Spallation Source ERIC
Organizational no: 788200-0018
Address: P.O Box 176, SE 221 00 Lund, Sweden

Employee

Name:
National social security (ID) number:
Agreement between European spallation source and NN (employee) the following agreement has been reached:

Treatment institution/Occupational health care providers:	Rehabilitation treatment agreement applies from: XXXX-XX-XX	Rehabilitation treatment agreement applies to: XXXX-XX-XX
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- δ The employee must participate in and follow the treatment institution/occupational health care providers treatment during the period to which the rehabilitation treatment agreement applies.
- δ The employee must participate in the treatment institution/occupational health care providers care for X months after the primary treatment is finalized.
- δ The employee must participate in Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) at least X times per week throughout the rehabilitation period.
- δ The employee is obliged to attend drug* and alcohol tests during the treatment, which will be carried out by the treatment institute/occupational health care provider, both announced and unannounced test will be performed.
- δ In case of illness or absence, the employee shall immediately contact the line manager or the treatment institution. As of the first day of sick leave absence, NN shall submit a valid first day certificate. The first day certificate is issued by the occupational health care provider. No salary will be paid in events of unlawful absence.
- δ Vacation and parental leave shall be well planned and approved in advance and will not be approved retrospectively.
- δ NN agrees to be completely sober and free of alcohol and drug influence.
- δ Continuous follow-up meetings will be performed between the employer, employee and the treatment institution/occupational health care provider.
- δ NN agrees that tasks and authority will be fully or partly adapted during the rehabilitation treatment period.
- δ NN accepts by this agreement that occupational health care provider and treatment institution may breach privacy and inform the Company of results and outcome. All questions related to abuse or related medical issues are discussed between the line manager/HR and the treatment institute/occupational health care provider.
- δ The company will cover for the cost of the treatment from both the treatment institute and the occupational health care provider.

§ If NN breach this agreement this may cause the employment to be terminated pursuant to personal reasons in accordance with the Swedish Employment Protection Act (1982:80).

**The term drugs refer not only to alcohol and narcotics but also to prescription drugs without a doctor's prescription and anabolic steroids.*

This agreement is made in two copies and each party holds one.

Place and date

Place and date

Signature, authorized representative of the employer

Signature, employee

Name in block capitals

Name in block capitals