PIXLEY ka SEME DISTRICT MUNICIPALITY

SUBSTANCE ABUSE POLICY
(Alcohol and Drugs)

1. PURPOSE OF POLICY

1.1 As the use of alcohol and drugs in the workplace cannot be allowed or condoned, the aim of this policy is to promote a substance abuse programme within the Municipality with the primary focus on the following:

1.2 To minimize/eliminate the abuse and dependence on alcohol and/or drugs amongst employees and to assist, where possible, with the rehabilitation of those who have an alcohol/drugs problem.

1.3 To enhance employee well being, safety, health and productivity in the workplace (and at home).

1.4 To comply with the applicable legislation.

2. APPLICATION OF THE POLICY

2.1 This policy shall apply to all the employees of the Pixley ka Seme District Municipality as defined in the Labour Relations Act 66 of 1995 as amended.

3. DEFINITIONS

3.1 **Abuse** – Use to bad effect or for a bad purpose.

3.2 **Alcohol** – a substance taken/drank/consumed to infuse drunkenness.

3.3 **Drugs** – Medicinal or natural substance causing addiction.

3.4 **Dependence** – unable to do without (in this case alcohol or drugs).

3.5 **Drunkenness** – when rendered incapable by alcohol/drug substance.

3.6 **Employee** – Any person, excluding any independent contractor, who works for the Pixley ka Seme District Municipality.

3.7 **Education** and Awareness programme – A programme undertaken by Pixley ka Seme District Municipality to educate and make employees aware of the consequences of substance abuse.

3.8 **Influence** – Affected by alcoholic drink.

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3.9 **Machinery** – means any article or combination of articles assembled, arranged or connected and which is used or intended to be used for converting any form of energy to perform work, or which is used, whether incidental thereto or not, for developing, receiving, storing, containing, confining, transforming, transmitting, transferring, or controlling any form of energy.

3.10 **Premises** – include any building, and vehicle.

3.11 **Rehabilitation** – restore to normal life by training after dependency.

3.12 **Workplace** – means any premises or place where a person performs work in the course of his/her employment.

4. POLICY ON ALCOHOL AND DRUGS

4.1 The consumption of and the possession without permit of any intoxicating substance, excluding prescription medication and then only when certified by a medical practitioner, is prohibited by the provision of this policy.

4.2 No employee with a blood alcohol concentration above 0,00% shall be allowed to commence or continue with her/his work.

4.3 No employee shall be allowed to drive a District Municipality vehicle, operate any machinery, maintain/repair vehicles and/or machinery or perform any duty after consumption of any intoxicating substance.

4.4 No drugs shall be allowed on the premises of the Pixley ka Seme District Municipality. The only exception is where the medicines where supplied to the employee on prescription by a registered medical practitioner and are taken in accordance with the prescription.

4.5 The Pixley ka Seme District Municipality will only allow employees taking such medicines to perform duties at the workplace if the side effects of such medicine do not constitute a threat to the safety or health of the concerned employee or other persons at such workplace.

4.6 Any employee found to be under the influence of drugs may not enter or remain on the premises of the District Municipality and shall be liable for disciplinary action.

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5. TESTING FOR ALCOHOL AND DRUGS/INTOXICATION AND SEARCHES

5.1 Only Management or senior District Municipality Officials who have been duly authorized/delegated by their MUNICIPAL MANAGER/HOD shall carry out testing.

5.2 Where there is reasonable suspicion that an employee is under the influence of an intoxicating substance a test shall be carried out. Should an employee be found to be intoxicated such employee shall be instructed to leave the workplace/premises and the disciplinary process shall be invoked.

5.3 Where an employee unreasonably refuses to consent to any form of testing it could lead to the conclusion that he /she is under the influence of an intoxicating substance and suspension and disciplinary action shall follow.

5.4 Where there is suspicion that an employee is dependent on the use drugs, testing shall be undertaken by a registered medical practitioner. The cost of such testing shall be borne by the employee and the District Municipality equally.

5.5 Before an employee is tested, an explanation shall be given as to why the testing needs to be done and also the consequences of a positive test shall be explained

5.6 Testing shall take place under specific circumstances and when certain behavior is displayed. In such instances it shall be required that two employees, of whom one is a supervisor, have to agree on the condition of the suspected employee.

5.7 A behavioral and physical characteristic checklist shall be provided to assist supervisors to identify employees who are suspected to be under the influence of an intoxicating substance.

5.8 Testing for the abuse of substance may be done immediately following an incident e.g. accident.

5.9 Failure to comply with, or respond to rehabilitation shall result in either dismissal on incapacity due to ill-health or disciplinary action.

5.10 An employee identified to be intoxicated shall be immediately suspended for the remainder of his/her shifts on full pay with the instruction that he/she should report for duty the following day and the disciplinary procedure shall apply accordingly.

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5.11 SEARCHES

5.11.1 Searches may be conducted when there is a suspicion and/or a situation of disputed possession of a substance of abuse. No consent is necessary for a specific search. Any substance of abuse found on the employee shall be confiscated and be submitted as proof of possession.

6. REHABILITATION AND EDUCATION

6.1 The Pixley ka Seme District Municipality recognizes substance abuse, involving alcohol and/or drugs as a treatable condition.

6.2 Rehabilitation covers a wide range of treatment options, depending on the nature and severity of the problem and it may range from counseling sessions to hospitalization and in/out patient treatment.

6.3 Workplace confidentiality plays a key role in the rehabilitation process.

6.4 All medical information shall be protected and treated as confidential.

6.5 Release of information shall be in accordance with signed authorization by the employee.

6.6 Those employees identified as possibly dependent on alcohol and/or drugs shall be referred by their line managers to HR for assessment and possible referral for a rehabilitation programme in consultation with their Trade Unions (where applicable)

6.7 Employees who have been placed on a rehabilitation programme shall not be victimized, but should they abuse the scheme, the rehabilitation shall be terminated.

6.8 Where an employee is treated in a rehabilitation process the matter shall be treated confidentially between management and the employee.

7. HELPING EMPLOYEES TO HELP THEMSELVES

7.1 The Pixley ka Seme District Municipality is committed to help those who seek help.

7.2 All employees who believe they may have a substance abuse problem are encouraged to come forward and seek help and assistance.

7.3 Employees should request assistance through their line manager, HR department or Family doctor.

EXECUTIVE MAYOR:

DATE POLICY APPROVED: **16 MAY 2024**

COUNCIL RESOLUTION: **R 2024-05-16 (9.8)**