

Alcohol- & Drugs Policy



bam

Royal BAM Group nv



bam

Document code		GPO-HR-02	
Document owner		Chief HR Officer	
Corporate function		HR	
Approved by	Date	Executive Committee	21/04/2020
Version and date last change		V2.0 – 21/04/2020	
Content:			
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Policy statement
<p>The Executive Committee is committed to ensuring that all employees, contractor's personnel and others working for Royal BAM Group ('BAM') and conducting business on locations of BAM, such as sites, offices and depots undertake their duties free from the effects of drugs or alcohol.</p> <p>BAM recognises its health and safety responsibilities as an employer, particularly in relation to the prevention of accidents and the maintenance of a safe working environment.</p> <p>Executive Committee of Royal BAM Group nv</p>

1. Objective

The objective of this Policy is to ensure:

- clarity on the company's position with regard to the use of alcohol and drugs (including medication) whilst at work and the procedure for testing including the consequences of failing a test;
- eliminate as far as is reasonably practical for safety reasons, the misuse/abuse of alcohol and drugs by Employees;
- ensure that BAM complies with legislation and relevant codes of practice and contractual requirements;
- support and encourage employees who might have an alcohol or drugs dependency to declare this fact timely, without fear of losing their job.

2. Scope and definitions

This Policy is applicable to all Employees, defined as all employees of BAM, contractor's personnel and others conducting business on BAM sites, in offices and depots.

The definitions used in this Policy are listed in Appendix 1.

3. Principles

- Consumption of alcohol and use of drugs is strictly forbidden whilst at work*.
- It is strictly forbidden to work under the influence of alcohol or drugs.
- Exceptions for use of alcohol at work due to special events are only possible with prior written permission from OpCo management.
- Prescription medication that may affect safety at work should be reported via the company doctor to managers and guidance will be provided on any adjustments to the role.
- Collaboration with (random or cause) testing for alcohol and/or drugs when requested to do so is mandatory. Under current privacy legislation (GDPR), an employee working in the Netherlands, Germany or Belgium is not required to participate in such tests unless the employee is working in a statutory safety function.
- OpCo policies should be in line with this Policy, any deviation is only possible with prior written approval from the Executive Committee**.
- Non-compliance with this Policy will lead to disciplinary actions up to and including dismissal.

** This could be at aforementioned BAM locations, but also at client locations or other locations, which are related to the work.*

*** This could be at BAM remote sites where people also reside.*

4. Requirements

4.1 General requirement

This Policy aims to prevent any adverse consequences of working and driving under the influence of alcohol and drugs, such as injury, death, property damage and damage to the reputation of BAM. Furthermore, BAM Employees shall always comply with local laws. It is their responsibility to ensure that they are not under the influence of alcohol or drugs whilst at work. They are made aware of their responsibilities under this Policy during the hiring process and during initial site or office induction.

There may be exceptions for use of alcohol whilst at work due to special events, for example during work related events (e.g. (management) meetings, offsite meetings), Christmas dinner & drinks, etc. This will require prior written permission from OpCo management. Relevant health and safety factors, such as the amount of alcohol to be made available, the proposed location, any requirements to return to work after the function, employee tasks such as driving/operating machinery, employee requirements to get home i.e. driving, must be taken into account in any decision that is made. Furthermore, OpCo management should have sufficient confidence that adequate measures are taken to prevent an unsecure situation.

4.2 Use of medication

If an employee of BAM is working at a construction site and he or she is taking prescribed or over the counter medication and the label indicates cautions such as: "... must not drive machinery" or the individual is experiencing any side effect of the medication: for instance, drowsiness, fatigue, impact on their co-ordination or balance, in these circumstances he or she shall report this to their company doctor (or Occupational Health officer), who shall inform and advice responsible line manager how to take into account medical restrictions when defining working activities. External contractor's personnel and others working for BAM and conducting business on locations of BAM, such as sites, offices or depots, should report any relevant condition and/or medication in advance of working for BAM in order to allow adequately action if an emergency occurs.

4.3 Testing for alcohol and drugs

Collaboration with (random or cause) testing for alcohol and/or drugs when requested to do so is mandatory. Under current privacy legislation (GDPR), an employee working in the Netherlands, Germany or Belgium is not required to participate in such tests unless the employee is working in a statutory safety function.

To ensure compliance with this Policy, BAM can put checks in place such as standardized alcohol breath tests or drugs tests in accordance with local legislation and BAM policies, either at random, on suspicion, or upon entering or exiting BAM construction sites. BAM will work together with external testing companies to ensure the right expertise and independence.

The judgement as to whether with-cause testing needs to be applied can be based on a number of factors including but not limited to the following: aggression, apparent disorientation, unsteadiness, slurring of words, smell of alcohol, admitted or observed taking of illegal or non-prescribed drugs or volumes of alcohol, unusual or abnormal behaviour.

An Employee should always act in accordance with national and industry drink-driving limits which vary per country and per industry specific requirements (such as the rail industry or oil and gas industry). An Employee shall not use non-prescribed drugs that might cause risks while executing ones work related activities.

An Employee, who exceeds the alcohol limit or tests positive for drugs will be prevented from continuing work and:

- in the case of an employee of BAM, will be subject to company disciplinary procedures in accordance with their contract of employment;
- in the case of personnel of a contractor or others working for BAM and conducting business on locations of BAM, such as sites, offices or depots, will be subject to similar action as if directly employed, with notification to their employer.

An Employee, who refuses to be tested for drugs or alcohol or avoids such tests, will be deemed to have tested positive and will be treated accordingly.

4.4 BAM employees seeking help for drug and alcohol problems

Employees of BAM who have difficulty in meeting BAM's required work performance standards due to alcohol and/or drugs consumption, misuse or dependency will be asked and supported by BAM to follow treatment or rehabilitation. Any disciplinary measures related to

alcohol and/or drugs misuse may be suspended pending the outcome of the treatment. If rehabilitation is unsuccessful, or if an employee of BAM refuses or neglects to accept or comply with advice and/or treatment, disciplinary measures will be applied which may include dismissal.

4.5 Records and monitoring

Alcohol and drugs testing information is personal information protected under the relevant privacy legislation. External testing companies will be contracted to maintain the results of all alcohol and drugs testing carried out and will not retain this data longer than required. Access to the information will be limited to those who need to know it for the implementation and execution of this Policy (being HR).

4.6 Disciplinary process

If it is clear that this Policy has been violated, a disciplinary measure will be imposed. All relevant observations, statements, research and/or (positive) test results are reviewed and decided by OpCo HR with OpCo management on whether disciplinary action is appropriate. Each case is treated on its merits but can generally, depending on the applicable national labor legislation or applicable BAM policies result in a (final) written warning, removal from his or her position or dismissal. In case of disagreement between OpCo management and OpCo HR, it shall be escalated to the COO of the respective business line.

4.7 Monitoring and review

OpCo HR will ensure that the results of testing are regularly monitored to identify any trends that indicate changes in the level of drug and/or alcohol abuse in the organisation or in the contractor community.

Annually an overview of test results in a particular year, including program, trends and recommendations will be generated by OpCo HR and distributed to the Group HR function.

5. Roles and responsibilities

- The Executive Committee is responsible for providing direction on and commitment to this Policy. This includes approving and endorsing this Policy, and actively promote the adherence to the Policy.
- Royal BAM Group, OpCo and line management are responsible for the implementation of and adherence to this Policy by ensuring that all employees, contractor's personnel and other working for BAM are aware of this Policy and relevant measures for adherence are in place.
- BAM Employees are individually responsible for ensuring that they adhere to this Policy.
- The HR Function supports different levels of management with the implementation and providing oversight of the execution.
- The company doctor provides appropriate mechanism for addressing medical issues (addiction).
- The Safety Function will provide advice on this policy to HR based on the results of their audits, sites visits and other observations.

6. Reference to supporting documents

- *Alcohol and drugs testing procedure (per country and in line with local legislation)*
- *Safety Policy*

Appendix 1 Definitions

“**BAM**” means Royal BAM Group nv

“**Royal BAM Group**” means Head Office, the OpCo’s and other subsidiaries of BAM, including joint ventures and group companies whereby BAM (directly or indirectly) holds more than 50 percent of the share capital of the company, or has decisive management control

“**Employees**” means employees of BAM, contractor’s personnel and others working for Bam

“**COO**” means chief operational officer who is responsible for a business line of Royal BAM Group as member of the Executive Committee

“**Executive Committee**” means the executive committee of Royal BAM Group

“**Function**” means a support function of Royal BAM Group

“**Head Office**” means the head office of Royal BAM Group

“**HR**” or “**HR Function**” means the human resource Function of Royal BAM Group

“**OpCo**” means an operating company of BAM

“**Safety Function**” means the Safety Function defined by national law or regulation.