
	STANDARD POLICY	Document ID	TNCL-OHS-POL-0002
	ALCOHOL AND OTHER DRUGS POLICY	Document Owner	OHS Manager
Revision		01	
Approval Date		28 th June 2024	



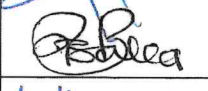
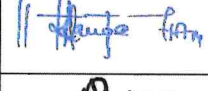




ALCOHOL AND OTHER DRUGS POLICY


TNCL-OHS-POL-0002



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APPROVALS:

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POLICY STATEMENT

Working under the influence of Alcohol or illicit drugs is a critical risk factor for the safety and health of the employee, company properties and reputation. Therefore, TNCL will ensure all employees who enter Work are free of Alcohol or illicit drugs as far as reasonably practicable by ensuring:

1. No employee will be allowed to enter Work unless they have tested negative for Alcohol.
2. It is strictly prohibited to operate any mobile equipment or machine under the influence of Alcohol.
3. Illicit drug screening will be part of the pre-employment medical examination.
4. No visitor will be allowed to access TNCL workplace premises if he/she is under the influence of Alcohol.
5. No person will be allowed to possess Alcohol in the TNCL active working areas.
6. No person will be allowed to possess illicit drugs at any TNCL premises, either in an active working area or camp.
7. No person is allowed to keep Alcohol in his/her room, and all Alcohol must be consumed at the bar according to stipulated bar rules.
8. TNCL will have a rehabilitation program for those employees who declare to have Alcohol or illicit drug use problems.
9. TNCL will ensure there will be regular training and awareness on Alcohol and illicit drug use.



Benedict Busunzu

Chief Executive Officer

Tembo Nickel Corporation Ltd.



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1. INTRODUCTION

Tembo Nickel is committed to providing a safe and healthy working environment by eliminating conditions and work practices that could potentially lead to personnel injury or illness, equipment or property damage, environmental damage, and operations disruption.

Fitness for Work may be impaired by using Alcohol or illicit drugs (such as cannabis, amphetamines, cocaine, opiates, and other narcotics). In addition, the use of prescription drugs (such as benzodiazepines, barbiturates, or methadone) or the misuse of non-prescription drugs (such as codeine) may pose a risk to individuals and to other people.

Tembo Nickel has a duty of care to ensure no one is allowed to undertake any work within its premises under the influence of illicit drugs or Alcohol.

1.1 Purpose


The aim of this Policy is to eliminate the risk of substance abuse affecting the workplace and thereby prevent persons from presenting a hazard or threat to their colleagues' safety in the workplace.

Objectives:

- a) Provide a safer working environment by minimising hazards associated with the use of Alcohol or other illicit drugs.
- b) Provide Help through a range of preventive, educational and rehabilitative measures to overcome Alcohol and other drug problems that could impair a person's fitness for Work.
- c) Ensure that people who are deemed unfit for Work because of Alcohol or other drug use are managed in a fair and constructive manner.
- d) Ensure that Tembo Nickel meets its obligations to employees, contractors, and the community to carry out its operations safely.

1.2 Scope


This Policy applies to all persons entering Tembo Nickel Operations, other workplaces or any other area for which Tembo Nickel has accountability.

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2. DEFINITION AND ACRONYMS

Table 1: Definition and Acronyms

Terms	Definition
Abuse of Alcohol and Drugs	<p>a) The use of Alcohol may result in potential impairment of an employee's performance or ability to work efficiently and safely.</p> <p>b) The use of illegal drugs such as cannabis, amphetamines, cocaine, opiates, and other narcotics has a high potential to result in impairment of any employee's performance or ability to work efficiently and safely.</p> <p>c) The use of prescription drugs (e.g., benzodiazepines, barbiturates, or methadone) without a prescription and the use of any other prescription or non-prescription drugs or other substances which may result in potential impairment of an employee's performance or ability to work efficiently and safely.</p> <p>d) The sale or supply of either illegal or prescription drugs within the workplace</p> <p>The consumption or possession of any alcohol or the consumption or possession of any illicit drugs in the workplace or during the working period</p>
BAC	Blood Alcohol Level
Confirmatory Test	The alcohol test will involve a confirmatory quantitative test once a person tests positive in a passive alcohol test. The test will be conducted by a competent person. For illicit drug use, no confirmatory test will be deployed; only one passive test will be deployed.
dl	Deciliter
g	Gram
L	Litres
mg	Milligram
mmol	Millimoles
OHS	Occupational Health and Safety
Positive Result	<p>Positive test for Alcohol: When the active quantitative test conducted by the competent person becomes positive.</p> <p>Positive illicit drug use: Any positive drug testing in the passive testing.</p>
Random Testing	<p>Random Testing means a system of Alcohol or drug testing imposed such that either:</p> <p>a) All persons occupying a specified work team or work group or operating any company vehicle at any location may be required to submit to a test on any workday.</p> <p>b) A statistically random sampling of persons entering through any access point or statistically random</p>

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	sampling of persons based on any neutral criterion that does not target individuals.
Reasonable Accommodation	Reasonable cause testing is defined as testing carried out when a supervisor or Manager has reasonable grounds based on observations of behaviour, e.g., deteriorating work performance, abnormal conduct, abnormal operating, or abnormal business decisions, to suspect possible impairment or a problem which may be consistent with misuse of Alcohol or other drugs.
Reasonable Cause Testing	Antiretroviral, including medicines that are taken after exposure or possible "Reasonable exposure to HIV. The exposure may be occupational, as in a needle stick injury, or non-occupational, as in unprotected sex with a person with HIV infection. The latter is sometimes referred to as Non-Occupational-Post Exposure Prophylaxis.
Screening Test	An approved method is used to identify a drug or a class of drugs. This test is used as an initial screen to give a positive or negative result for the presence or absence of a particular drug compound.
TNCL	Tembo Nickel Corporation Limited
Voluntary testing	<p>When the employee informs the OHS team and the Supervisor that</p> <p>a) He/she suspects is not fit for Work because of Alcohol and is willing to undergo an alcohol test on his/her personal initiative before entering the workplace.</p> <p>OR</p> <p>b) The employee tested positive for Alcohol in the self-testing allocated stations and reported to the Supervisor regarding the test results.</p>
Workplace	This means all those areas where an employee or person works or is likely to be during their hours of Work or any place at which TNCL or contractor employees are likely to be while carrying out their duties. This also includes driving to and from the workplace or areas of accommodation in company vehicles.

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3. RESPONSIBILITIES

3.1 Site General Manager

The General Manager is responsible for ensuring the adoption and implementation of this Policy, including the provision of resources.

3.2 Occupational Health and Safety Manager

- a) The Occupational Health and Safety Manager will oversee the program.
- b) To support the TNCL Alcohol and Other Drugs Policy technically and administratively.

3.3 Occupational Health Lead


- a) To ensure the alcohol and other drugs policy is operational and sustainable.
- b) Conduct HIRA onsite.
- c) Develop and implement a rehabilitation program related to Alcohol and other drugs.
- d) Conduct alcohol testing and keep records of all positive alcohol tests.
- e) Be the intermediary between TNCL and the healthcare provider.
- f) Be available to answer questions or concerns about the program from the employer.
- g) Be responsible for reviewing this program.
- h) To ensure the clinic is equipped with equipment and consumables, i.e. alcohol breathalysers for both screening and confirmatory tests.
- i) Conducting training and awareness sessions

3.4 Human Resources Team

- a) Ensure communication of Alcohol and other drug use to all employees and contractors.
- b) Ensuring that H.R. disciplinary codes are aligned with this Policy.
- c) Ensure that disciplinary actions are implemented for anyone contravening the Alcohol and other drug policy.

3.5 Employees shall

- a) Ensuring that they are fit for Work by appearing for Alcohol and other drug testing whenever needed.
- b) Comply with all instructions given by the employer related to the alcohol and other drugs policy.
- c) To report/notify if they observe anyone who is at Work but he/she is under the influence of Alcohol or other drugs.

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- d) To report to the clinic if they are prescribed medications outside the onsite medical clinic to confirm if those drugs will not affect their fitness for Work.

3.6 Security personnel

- a) To test all drivers who access/leave the site.
- b) To test all non-camp residents and visitors who enter TNCL workplace premises.
- c) To report to the clinic if they test anyone positive for Alcohol or other drugs.

4. PROCEDURE

4.1 Program cost

The program cost will be covered by the TNCL. For contractors, they are encouraged to allocate the budget for Alcohol and other drug programs for their employees.


4.2 Legal requirement

- a) Management is required to do everything practicable to ensure that the workplace is safe and free from hazards, including, as far as possible, ensuring that all people in the workplace are both competent and in a fit state to work safely. Management is required to ensure that anyone who is not in a fit state to work does not endanger themselves or others and must direct a person to leave the work site if they are under the effect of Alcohol or drugs.
- b) The Mining (Safety, Occupational Health and Environment Protection) Regulations, 2010 (section 21 (1) to section 21 (3)).

4.3 Assessing Fitness for Work


a) Managers and Supervisors

Where appropriate and practical, managers and supervisors have the responsibility of ensuring that their employees are fit for Work; in case of any doubts, managers/supervisors must refer their employees to OHS for assessment.

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b) Individuals/Employees

1. It is the responsibility of all individuals to ensure their own safety and health at Work and avoid adversely affecting the health and safety of any other person. To fulfil this responsibility, everyone has the following obligations:
2. Individuals must present themselves at Work in a condition in which they are able to carry out their duties without risk to themselves or others. This includes ensuring that they are not in an unfit state for any reason, including the adverse effects of fatigue, stress, Alcohol, or drugs.
3. Individuals must notify their immediate manager/Supervisor of any concerns about or potential impairment of their fitness for Work.
4. Individuals must ensure that any prescription or non-prescription medication is taken safely. This requires individuals to:
 - i. Discuss the nature of their duties with the prescribing medical practitioner onsite and ascertain any possible side effects of the prescribed medication that may impact their safety or performance at Work.
 - ii. Notify their immediate Supervisor of any medication they are taking that could affect their safety or performance at Work.
 - iii. Take medication strictly in accordance with the medical practitioner or manufacturer's recommendations.
 - iv. Report any side effects to their medical practitioner and advise their immediate Supervisor.
5. Individuals must notify their immediate manager/supervisor of any situation in which this Policy may have been breached. This includes:
 - i. Any situation in which other individuals may be unfit for Work.
 - ii. The unauthorised possession or consumption of Alcohol or drugs at the workplace or during the work period by another individual.
 - iii. Any other apparent breach of this Policy.

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4.4 Testing Process

4.4.1 General

All Alcohol and other drug tests shall be conducted by a competent and authorised person, and appropriate steps will be taken to ensure that the testing procedures protect the privacy and confidentiality of the person being tested.

4.4.2 Pre-employment

- a) All successful candidates will be required to undergo Alcohol, drugs and substance abuse screening tests as part of the pre-employment medical process.
- b) Pre-employment screening for drugs, Alcohol or other substances is designed to prevent the hiring of individuals whose use of drugs, Alcohol or other substances indicates a potential for impaired or unsafe job performance.
- c) The decision to employ will be based on the individual's ability, capacity and risk to perform the job. Any applicant with a confirmed positive test result may be considered unsuitable for employment.
- d) Confidentiality – Alcohol and drug Test results are strictly confidential. Access to this information is restricted to medical staff and Human Resources Personnel only unless the subject provides informed consent for disclosure.
- e) Refusal by an individual to submit to or cooperate fully with the administration of an alcohol, drug, or substance test will result in nullifying the employment offer.


4.4.3 Random testing

The Company may conduct "random" Alcohol and/or drug tests upon any person, as defined in this Policy, from time to time without notice. The frequency and scheduling of random testing may be determined separately for Alcohol and other drug testing.

4.4.4 Reasonable cause testing

Where a supervisor or Manager has reasonable grounds to suspect that a person may be impaired by Alcohol or other drugs, then that person will be required to undergo an alcohol and/or drug test. The person being tested must be informed of the reason for the decision and shall be stood down from employment on sick leave pending the results of the testing and subsequent investigation. Testing may be carried out under one or more of, but not limited to, the following circumstances:

- a) Where an employee's erratic, unusual, at-risk, or dangerous behaviour raises concerns that they may be either impaired by Alcohol or other drugs.
- b) Where there is reason to believe that an individual is affected by Alcohol or other drugs.

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- c) Where evidence is found of possible alcohol or other drug use at Work (e.g., drug paraphernalia, alcohol containers on work sites or in vehicles), management can identify with reasonable grounds any individual or individuals who may be involved.
- d) An individual who has previously tested positive is monitored to ensure compliance with this Policy.

To accurately record all testing results and to ensure that only authorised personnel and calibrated equipment are used in accordance with documented procedures, all requests for reasonable cause testing must be forwarded through the OHS Department.

4.4.5 Post-Incident testing


Where a supervisor or Manager is of the considered opinion following an incident or near miss, in which the involved person's actions or actions may have directly or indirectly contributed to the Incident, that person will be required to undergo an alcohol and/or drug test. This will occur as soon as practicable after the Incident. Testing may be carried out under one or more of, but not limited to, the following circumstances:

- a) Vehicle incidents
- b) Failure to adhere to written, verbal or posted rules or regulations.
- c) Inappropriate operation of any fixed, mobile plant or powered equipment.
- d) Incident involving personal injury to the person or a third party.
- e) Damage to any fixed, mobile plant or powered equipment.
- f) Where an individual is involved in a near-miss incident.

To accurately record all testing results and to ensure that only authorised personnel and calibrated equipment are used in accordance with documented procedures, all requests for post-incident testing must be forwarded through the OHS Department.

4.4.6 Voluntary testing

- a) Provision for employees to self-test for Alcohol shall be made available. Test units shall be made available at the main access point and at appropriate site locations within the camp.
- b) Where an employee undergoes voluntary alcohol testing and proves positive, unpaid leave provisions will apply. The tolerance level is the maximum of three positive voluntary alcohol testing results per annum. Then, the H.R. disciplinary procedure shall apply.
- c) An employee is deemed to have reported for duty when he or she reports to the appropriate access point or workplace area.

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- d) An employee who refuses assistance and/or continually tests positive for voluntary testing may be subjected to the Tembo Nickel HR Disciplinary Procedure.

4.4.7 Site-wide testing

- a) Tembo Nickel may at any time conduct site-wide testing of the workforce to ascertain risks associated with substance abuse. This testing will be conducted as a screening test only, and individual names and results will remain confidential. Business-wide statistics will be collected to identify potential substance abuse-related issues.
- b) Individuals who test positive for illicit drugs will be expected to modify their lifestyle and shall be retested after two months. Further positive tests will be subject to the Disciplinary Procedure.

4.5 Action arising from Alcohol and other drug testing.

4.5.1 Positive Alcohol Test

A person who produces a test result in the confirmatory test will be subjected to a disciplinary hearing as indicated in the TNCL Disciplinary procedure.

Units' conversion


mg/l	g/dl	BAC	Percentage (%)
1	0.0001	0.0001	0.0001

First offence:

The employee will be subjected to a disciplinary hearing with the minimum penalty of a Final written warning.

Second offence:

The employee will be subjected to a disciplinary hearing, with the termination of employment being a possible penalty.

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4.5.2 Other Drugs

In the event of a drug compound being detected in a person's urine during initial screening, the following will be applied:

- a) In the case of prescription drugs, the employee will be asked to provide evidence of the prescription as far as reasonably practicable. i.e., history of reporting to the onsite clinic regarding the use of medications
- b) In case of drug abuse, the Company has a ZERO tolerance policy for illicit drug use; therefore, no further testing will be conducted to prove if the employee is under the influence or not. The employee will then be subjected to a TNCL disciplinary action.
- c) The employee will be escorted back to his/her accommodation if he/she stays on camp or back home for non-campers as for the alcohol test above.

4.6 Other Disciplinary Consequences

4.6.1 Refusal to participate or cooperate in Alcohol and other drug testing.


- a) If a person refuses to participate in or cooperate fully with an alcohol or drug test, the person shall be removed from the testing area and placed in an appropriate place for discussion. That person may be accompanied by a person of their choice (witness) if they so request. Further refusal of the test, the employee will be subjected to a disciplinary hearing.
- b) The person should be encouraged to participate in the test, and the consequences should be explained (particularly that they will be subject to the Tembo Nickel Disciplinary Policy. The person should be asked to state the reason for their refusal. This discussion should be confidential and documented.

4.6.2 Consumption or Possession of Alcohol or Illicit Drugs in the Workplace.

The consumption or possession of any alcohol or illicit drugs whilst in the workplace or during the working period will result in disciplinary action.

4.6.3 Tampering, Substitution or Adulteration of Test Samples

Any attempt to tamper with, substitute or adulterate any alcohol and/or drug test shall result in disciplinary action as per TNCL disciplinary procedure.

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4.7 Managing individuals who are unfit for Work due to Alcohol or other drug use.

4.7.1 General Actions


In all circumstances, when an individual is deemed UNFIT for duty due to Alcohol or drugs, the following action shall be taken:

- a) The individual will be immediately removed from the workplace and under no circumstances SHALL be permitted to drive a vehicle or operate any machinery. If the employee tests positive whilst operating mobile equipment or machinery, this will result in immediate termination.
- b) The Manager or Supervisor will ensure the individual is transported back to their place of accommodation or offsite as far as reasonably practicable.
- c) The individual will not be permitted to return to Work until such time as they have undergone appropriate counselling and/or are able to demonstrate that they are FIT for Work. Counselling should be provided by professional counsellors.
- d) Subject to any accrued leave available, reasonable absence from Work necessary for the employee to receive approved assistance to address problems can be approved. In circumstances where accrued leave is not available, 'leave without pay' may be considered.

4.8 Counselling & Rehabilitation

All personnel shall be offered the opportunity to seek the appropriate counselling services where the need arises. Employees who know they have alcohol or drug problems are encouraged to disclose it to the clinic, which will arrange the Rehabilitation procedure.

- a) The following will be the procedure:
- b) The employee will disclose the alcohol use disorder to the clinic.
- c) The employee will sign a consent form of disclosure of the alcohol use disorder to the H.R.
- d) The employee will be linked to wellness services, which might include psychologist/psychiatrist services.
- e) The employee shall comply with the Rehabilitation programs and timelines.
- f) Failure to comply with the Rehabilitation program will activate a formal disciplinary process similar to the person who tested positive for Alcohol/drugs.
- g) All of the employee information and treatment plans will be handled with confidentiality.

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4.9 Education and Training

- a) All employees will have access to the Alcohol and Other Drugs Policy and Procedures and will attend an information session on the Policy. These sessions are designed to familiarise employees with the Policy and its requirements and to address any questions and concerns that may arise.
- b) The introduction of the Policy will be supported by education programmes to raise employee awareness of significant fitness for duty issues (especially fatigue, stress and the inappropriate use of Alcohol and other drugs) and ways of reducing their impact.
- c) Managers and Supervisors will receive the appropriate training in the recognition, management, and referral for assistance of any concerns relating to Alcohol and other drugs.

4.10 Confidentiality and privacy

All confirmatory tests for alcohol and screening tests or other drugs will be conducted at the clinic, where patient privacy and confidentiality will be observed as far as reasonably practicable.

5. SYSTEM EVALUATION


This Policy shall be reviewed at least two years by members of the OHS department and presented to the Standard Committee for approval or when organisational changes take place or are required as part of internal and external audits. The TNCL Document Controller will monitor compliance with the document control system on an ongoing basis.

6. DISTRIBUTION

List physical locations which require a controlled copy of this document.

Table 2: Distribution

Copy	Controlled Document Folder Location
Master	Controlled Documents Central Filing System

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7. CONTRAVENTION

Any breach of this policy shall be regarded as refusal/failure to carry out a lawful instruction and will be dealt with as per the disciplinary procedure.

8. DOCUMENT CHANGE PROCESS


The process of document change starts when the document custodian identifies there is a need to make changes within the document. The document custodian/ owner shall complete the document change request form, sign it off and submit it to the Document Controller.

The Document controller shall issue the controlled word copy of the document to the respective document custodian/owner so that changes may be made. The document custodian/owner shall resubmit the updated document to the document controller so that the document can be controlled and updated within the filing system and ready for use by the end users.

8.1 Reason for Change

Table 3: Reason for Change

A	As a result of incidents	F	Change in training requirements
B	As a result of the audit findings	G	Results of risk assessments
C	New / changes in governance documents	H	Change due to spelling or grammatical error
D	Changes in legislation	I	New document format
E	Changes in technology	J	To integrate special instruction into the document control system

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8.2 History of Change


Table 4: History of Change

Date of Change	Revision No	Revised Item (paragraph Number reference if required)	Reason Code	Name of Reviewer
28.06.2024	01	All pages	D&C	Dr.Weinand

9. RECORD CONTROL

Table 5: Record Control

Document Title:	Document ID:	Responsible for Maintenance:	Responsible for Filing:	Location of Storage:	Retention Period:	Method of Disposal:
Alcohol and Other Drugs Policy	TNCL-OHS-POL-0002	Document Controller	Document Controller	OHS Department	Hard Copy two Years	Hard copy shared file electronic

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10. DECLARATION

I, at this moment, declare that I have taken part in the discussion of this policy, and I understand its contents and do commit that I shall ensure compliance hereto:

	Name and Surname	Company Number	Designation / Role	Signature	Date Signed
1.					
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