

**ALCOHOL AND SUBSTANCE ABUSE POLICY
2025/2026 FY**



APPROVED BY:

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DATE: 19/06/2025**

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1. POLICY BACKGROUND

It is necessary to have a uniform approach or procedure in dealing with intoxicating liquor, drug, substance abuse or dependency to avoid arbitrary and haphazard approach in dealing with this very important matter.

2. POLICY PURPOSE

To make every effort to prevent the abuse of any habit-forming substance amongst its employees, not to tolerate the use of illegal drugs and to maintain a safe working environment at all times. To assist in the rehabilitation of those of the steps taken to address the alcohol and / or drug dependency problem.

3. DEFINITIONS

Abuse: The persistent or sporadic excessive alcohol or drug use by an individual inconsistent with or unrelated to acceptable social/medical practices.

Assistance: Programs and actions aimed at the furtherance of an employee's efforts to be rehabilitated.

Dependency: A state of finding it very difficult or even impossible to refrain from taking an intoxicating substance after having taken it regularly for a period of time.

Drug: Any chemical agent that alters the biochemical or physiological processes of tissues or organisms.

Employee: Any person in the service of Mbhashe Local Municipality whether permanent or on contract capacity.

Intoxication: A state of stupefaction, stimulation or excitement.

Intoxicating substance: Any substance that causes stupefaction, stimulation or excitement.

Illicit (illegal) drug: A Psychoactive substance, the production, sale or use, of which is prohibited.

Licit (Legal) drug: A drug that is legally available by medical prescription in the jurisdiction in question, or sometimes a drug legally available without medical prescription.

Misuse: Increase use of an intoxicating substance to bring about a change in mood.

Substance: The term "substance" includes both legal and illegal substance.

Illegal substances: Controlled substances like narcotics, barbiturates, amphetamines, cocaine, cannabis, hallucinogens and synthetic drugs

Legal substances: Alcohol beverages, tobacco products, Controlled substances as listed in the Medicine and Related Substance Control Act (Act 101 of 65) as amended in 2003

4. APPLICATION AND SCOPE

To all municipal employees, contract employees and Councillors

5. LEGISLATIVE FRAMEWORK

- ❖ Occupational Health and Safety Act (Act 85 of 1993 as amended)
- ❖ Labour Relations Act (Act 66 of 1996 as amended)
- ❖ Employment Equity Act (Act 55 of 1998 as amended)
- ❖ National Road Traffic Act (Act 93 of 1996 as amended)

6. POLICY PROCEDURE

MANAGEMENT AND MONITORING OF ALCOHOL AND DRUG ABUSE IN THE MUNICIPALITY

6.1 SEARCHING FOR ILLEGAL DRUGS AND UNAUTHORISED ALCOHOL

- a) The employer reserves the right to search the belongings and its contents of an employee if it has reasonable grounds to believe that the employee has illegal drugs or unauthorised alcohol in his/her possession.
- b) The search may only be conducted by the appropriate and trained personnel.

6.2 PERMISSION FOR THE CONSUMPTION OR POSSESSION OF ALCOHOL BEVERAGES

Special permission for the consumption and/or possession of alcohol beverages at the workplace, relating to a specific event may be allowed as approved by the Municipal Manager.

6.3 IDENTIFICATION OF AN EMPLOYEE WHO IS UNDER THE INFLUENCE OF INTOXICATING SUBSTANCE.

An employer is entitled to take reasonable measures to ensure that intoxicated employees are identified and prevented from entering or remaining at the workplace. Identification is to be done by observations of signs and symptoms of intoxicating or by performing alcohol or drug identification test.

6.4 OBSERVATIONS

- a) If an employee smells of alcohol or cannabis or seems to be unable to perform his/her duties, an observation of signs and symptoms of intoxication must be performed using standardized observation document. (Annexure A)
- b) Other causes of inability to perform work like fatigue or an underlying medical condition must be considered as possible causes. Should the employee lay claim to an underlying medical condition the onus of proof of the presence of such condition lies with the employee.
- c) Employees will be tested for drugs and / or alcohol in the following circumstances:
 - i. Employees of the Municipality entering the premises may be subject to an alcohol and / or drugs screening test.
 - ii. Employees being suspected of the possibility of being under the influence of illegal drugs in the workplace.
 - iii. Any individual involved in an accident involving mobile equipment / vehicles (crane, forklift, digger loader, etc.).
 - iv. A trained personnel/employee shall be used to conduct the testing of alcohol to suspicious employees.
 - v. Employees will sign a consent form for the drug / alcohol test to be done.

- vi. Refusal to be tested could be considered as serious breach of this policy and may lead to disciplinary hearing.

6.5 TESTING METHODS

The most non-invasive and cost-effective method of testing for Alcohol and drugs will be utilized.

6.6 REFUSAL TO TAKE A TEST

If an employee refuses to take a test, the employee will be dealt with in terms of this policy as if a positive test result has been obtained.

6.7 POSITIVE TEST

It will be accepted that the presence of alcohol or an illegal substance in the blood, urine or any other body tissue or breath of an employee regardless of the level of the substance constitutes being under the influence of alcohol or illegal substance.

6.8 EMPLOYER RESPONSE TO POSITIVE TEST RESULTS

- a) The employer has a responsibility to prohibit entry to or presence at the workplace of any person that is or appears to be under the influence of intoxicating liquor or drugs.
- b) Any employee found to be or suspected to be under the influence of intoxicating liquor or drugs by either observation of signs or symptoms of intoxication or testing will not be allowed entrance into the workplace, or will be immediately removed from the workplace.
- c) If the level of intoxication is such that the employee would be imminent danger whilst travelling home or it would be illegal to drive, he/she must be kept in a safe place until sober or arrangements made to ensure safe travelling to his/her residence.
- d) The employee will be absent from work without pay for the rest of the day or shift.

6.9 EDUCATON AND AWARENESS PROGRAMS

- a) Education and awareness program will be conducted through Employee induction or Employee Wellness activities.
- b) Employees will be encouraged to voluntary seek assistance for alcohol or substance abuse and addiction problems.

6.10 DISCIPLINARY ACTION

Disciplinary action will be initiated in all cases where:

- a) An employee was found to be under the influence of intoxicating liquor, drugs or related substance whilst on duty.
- b) An employee was to have been consuming intoxicating liquor, drugs or related substance whilst on duty.

6.11 COUNSELLING PROVISION

- a) All employees who receive a written warning or more serious penalty at the disciplinary hearing related to the offences listed under disciplinary section above shall be referred to the Employee Wellness program.
- b) Referred employees will be subjected to psycho-social assessment and counselling by registered counsellors.
- c) All personal details of the employee will be handled in a strictly confidential manner.
- d) Employees experiencing behavioural problems will be assisted in dealing with these problems within the scope of services provided by the Employee Wellness section.
- e) The identification of behavioural problems or substance dependency will not absolve the employee from the normal disciplinary procedure when breach of the disciplinary code occurs.

6.12 OBSERVATION

- a) Employees will sign a consent form for the drug / alcohol test to be done;
- b) Refusal to be tested could be considered as serious breach of this policy and may lead to disciplinary hearing.

6.13 RULES

- a) Any offer of assistance does not exempt the employee from standard disciplinary measures.
- b) If an offer of assistance is accepted by the employee, he / she must:
 - i. Render full support towards assessment.
 - ii. Co-operate with recommendations of assessment.
 - iii. Take full responsibility for the following up of appointments and treatment as prescribed or deemed necessary.

6.14 TRADE UNION MEMBER DEPENDENCY PROBLEM

Where the employee concerned is a member of a Trade Union such Trade Union will be kept informed of the steps taken to address the alcohol and / or drug dependency problem.

7 IMPLEMENTATION

The policy shall be effective from 01 July 2025.

8 REVIEWAL

The policy will be reviewed on annual basis.



Annexure A

OBSERVATION REPORT

EMPLOYEE WHO SEEMS UNDER THE INFLUENCE OF ALCOHOL/DRUGS

Name: _____ Employee Code: _____ of employee observed.

Date: _____ Time: _____ Place: _____

Please mark appropriate answer with x

OBSERVATIONS	YES	NO
Breath smells of alcohol		
Breath smells of dagga		
Bloodshot eyes		
Unsteady feet		
Aggressive and, or refuse co-operation		
Employee cannot stand with one leg and eyes closed(Decreased motor control)		
Slurred speech		
Inappropriate emotional response		
Is/was employee in possession of alcohol/drugs		

NAME OF PERSON WHO MADE OBSERVATIONS:

Name: _____ Designation: _____

Signature: _____ Date: _____

WITNESSES:

1. I, _____ Designation: _____
Confirms above-mentioned observations

Signature: _____ Date: _____

2. I, _____ Designation: _____
Confirms above-mentioned observations

Signature: _____ Date: _____

TESTING REPORT

EMPLOYEE WHO SEEMS UNDER THE INFLUENCE OF ALCOHOL/DRUGS

Name: _____ Designation: _____ of
employee to be tested.

Date: _____ Time: _____ Place: _____

Comments of employee(voluntary)

Confirmation of test results by:

Employee tested:

Signature: _____

Witness/Tester:

Signature: _____