



A Better Place for All

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SUBSTANCE ABUSE POLICY

Date Approved:	30 th MAY 2023
Date Implemented:	2023/2024

1. PURPOSE

The objective of this policy is to ensure that the Municipality is a drug and alcohol free environment. It is the policy of Municipality to make every effort to prevent the abuse of any habit forming substance amongst its employees and to assist in the rehabilitation of those employees who have developed a dependency on any drug or alcohol. Municipality further acknowledges that dependency on drugs or alcohol is an illness which requires special treatment.

2. SCOPE OF APPLICABILITY

The policy is applicable to all Councils and officials of the Dr Nkosazana Dlamini-Zuma Municipality who are appointed in terms of the Municipal Systems Act and who fall within the scope of Local Government Bargaining Council and including Section 54 and 56 employees.

3. DEFINITIONS

For the purpose of this policy unless the context otherwise indicates –

- 3.1 **"abuse"** means use to bad effect or for a bad purpose,
- 3.2 **"alcohol"** means a substance taken/drunk to infuse drunkenness,
- 3.3 **"drugs"** means medicinal or natural substance causing addiction,
- 3.4 **"dependency"** means unable to do without (in this instance alcohol or drugs)
- 3.5 **"influence"** means affected by alcohol drink,
- 3.6 **"premises"** means any building, vehicle, vessel, train or aircraft,
- 3.7 **"rehabilitation"** means restoring to normal life by training after dependency,

3.8 **"workplace"** means any premises or place where a person performs work in the course of his or her employment.

4. RULES

The use and misuse of drugs, both legal and illegal, while on duty, on Municipality premises and while running or attending to Municipality affairs is prohibited. The Municipality specifically prohibits the use, possession, distribution or sale of drugs and alcohol on its premises and while conducting Municipality affairs. Furthermore, no employee may conduct Municipality affairs while under the influence of drugs or alcohol

4.1.1 The MUNICIPALITY cannot be prescriptive regarding private drinking or drug-use on condition that:

- [i] An employee's job performance, attendance, or interpersonal relationships at work are not affected;
- [ii] An employee's conduct does not cause a safety risk to themselves, fellow workers, Municipal property, clients or members of the public;
- [iii] An employee's conduct within an official capacity does not cause an injury to the Municipality's reputation and good standing;
- [iv] An employee does not commit an alcohol or drug related offence in terms of the MUNICIPALITY Disciplinary Code.

4.1.2 If any of the above are contravened the MUNICIPALITY reserves the right to evoke disciplinary measures which may include mandatory referral for rehabilitation. The employee may follow the voluntary referral route.

4.1.3 Any offer of assistance does not exempt the employee from standard disciplinary measures.

4.1.4 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.

4.1.5 The employer will undertake to fund the first period of rehabilitation for alcohol abuse and to share the cost for the second rehabilitation period. Any subsequent rehabilitation thereafter will be for the employee's own account.

4.1.6 Should an employee refuse assessment or fail to co-operate with treatment/ counseling, a report shall be submitted to the Head of Department. The employer reserves the right to implement the disciplinary code in this instance.

4.17 The Council reserves the right to obtain an independent assessment on the employee's dependency prior to agreeing to assist the employee in terms of the abovementioned.

Such assessment must be conducted by a registered recognized body/authority on the treatment of substance abuse.

4.18 Treatment

The principles of treatment are:

- * Referral – voluntary/mandatory;
- * Assessment on premises and with outside bodies of the Municipality's choice;
- * Counseling on and off Municipal premises;
- * Education;
- * Rehabilitation back into normal work duties.

4.19 Ongoing monitoring which should last for a period mutually agreed upon by the Municipality and the employee concerned and professional advise.

5. 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. Such employee will have the right to decide on whether the representative Trade Union will be involved and until what stage such Trade Union's involvement will continue.

6. COUNCIL APPROVAL AND EFFECTIVE DATE

Approval of Policy by Council and Effective date: -----

MUNICIPAL MANAGER

DATE


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30/05/2023
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