

# DRUG AND ALCOHOL MANAGEMENT PLAN

## EXECUJET MRO SERVICES MALAYSIA SDN. BHD.

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# MANUAL



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## TABLE OF CONTENTS

<b>0.1</b>	<b>LIST OF EFFECTIVE PAGES .....</b>	<b>5</b>
<b>0.2</b>	<b>RECORD OF REVISION.....</b>	<b>6</b>
<b>0.3</b>	<b>DESCRIPTION OF REVISION.....</b>	<b>7</b>
<b>0.4</b>	<b><i>DISTRIBUTION LIST</i>.....</b>	<b>8</b>
<b>0.5</b>	<b>DEFINITIONS AND ABBREVIATIONS .....</b>	<b>9</b>
<b>0.5.1</b>	<b>DEFINITIONS.....</b>	<b>9</b>
<b>0.5.2</b>	<b>ABBREVIATIONS.....</b>	<b>14</b>
<b>1.</b>	<b>GENERAL.....</b>	<b>15</b>
<b>1.1.</b>	<b>Policy Statement .....</b>	<b>15</b>
<b>1.2.</b>	<b>Introduction .....</b>	<b>15</b>
<b>2.</b>	<b>ROLES AND RESPONSIBILITIES.....</b>	<b>16</b>
<b>2.1.</b>	<b>EJMA Responsibilities.....</b>	<b>16</b>
2.1.1.	Responsibilities of SSAA Employees of EJMA .....	17
2.1.2.	Responsibilities of EJMA DAMP Contact Officer .....	17
2.1.3.	Responsibilities of EJMA Drug and Alcohol Plan Supervisors .....	17
2.1.4.	Additional Responsibilities for all Employees, Contractors and Subcontractors .....	19
2.1.5.	Role of the Medical Review Officer .....	20
2.1.6.	Who is a Medical Review Officer?.....	20
2.1.7.	What is the role of a Medical Review Officer?.....	20
<b>3.</b>	<b>DRUG &amp; ALCOHOL MANAGEMENT PROGRAM .....</b>	<b>21</b>
<b>3.1.</b>	<b>Program.....</b>	<b>21</b>
3.1.1.	Drug and Alcohol Education Program .....	21
3.1.2.	Drug and Alcohol Testing Program .....	23
3.1.2.1.	Substances that will be included in the testing.....	23
3.1.2.2.	How Testing will be Conducted.....	23
3.1.2.3.	When Testing will be Conducted.....	24
3.1.2.4.	Drug Test Results.....	25
3.1.3.	Drug and Alcohol Response Program.....	27
3.1.3.1.	SSAA Employees Ceasing SSAA .....	27

3.1.3.2. Returning to SSAA .....28

**3.2. Self-Referral .....29**

3.2.1. Employee assistance programs .....29

3.2.2. General Practitioner .....30

3.2.3. Other Service Providers .....30

**3.3. Disciplinary Action .....31**

**3.4. Procedural Reviews .....32**

**3.5. Privacy.....32**

**3.6. Review, Audit and Compliance .....32**

**3.7. Provision of Information and Record Keeping.....33**

3.7.1. Provision of Information.....33

3.7.2. Record Keeping.....33

**3.8. Variations .....33**

**APPENDIX A – SAMPLE COLLECTION PROCEDURES FOR DRUG TESTS (URINE/BLOOD) 34**

**APPENDIX B - SAMPLE COLLECTION PROCEDURES FOR BREATH ALCOHOL TESTS .....36**

**0.1 LIST OF EFFECTIVE PAGES**

Para	Issue	Rev.	Date
0.1	1	1	01-Aug-2025
0.2	1	1	01-Aug-2025
0.3	1	1	01-Aug-2025
0.4	1	1	01-Aug-2025
0.5	1	1	01-Aug-2025
0.6	1	1	01-Aug-2025
1.1	1	1	01-Aug-2025
1.2	1	1	01-Aug-2025
2.1	1	1	01-Aug-2025
3.1	1	1	01-Aug-2025

Para	Issue	Rev.	Date
3.2	1	0	01-Aug-2025
3.3	1	0	01-Aug-2025
3.4	1	0	01-Aug-2025
3.5	1	0	01-Aug-2025
3.6	1	0	01-Aug-2025
3.7	1	0	01-Aug-2025
3.8	1	0	01-Aug-2025
APP A	1	0	01-Aug-2025
APP B	1	0	01-Aug-2025

**0.2 RECORD OF REVISION**

Upon receipt of the amendments, remove (if applicable) and insert the revised pages in the manual and enter the amendment number, amendment date, insertion date, and initials of person incorporating the revision in the appropriate block on the record of page.

<i>Issue Status</i>	<i>Revision Status</i>	<i>Revision Date</i>	<i>Insertion Date</i>	<i>Amended By</i>
1	0	01-Sep-2021	01-Sep-2021	Ivan Lim
1	1	01-Aug-2025	01-Aug-2025	Mohd Shahir Ahmad

**0.3 DESCRIPTION OF REVISION**

<i>Issue</i>	<i>Revision</i>	<i>Revision Date</i>	<i>Revision Type</i>	<i>Amendment Details</i>	
1	0	01-Sep-2021	Initial	Initial	
1	1	01-Aug-2025	Minor	Section	Amendment
				All	Insert new numbering Header revision and date
				0.1	Update LEP
				0.2	Update record revision
				0.3	Update description of revision
				2.1.2	Update Quality & safety Manager details
3	Change drug and alcohol plan to drug and alcohol program				

**0.4 Distribution List**

<b>Name</b>	<b>Copy No.</b>	<b>Format</b>
EJMA - Accountable Manager	1	Electronic
EJMA - Staff	2	Electronic

## 0.5 Definitions and Abbreviations

### 0.5.1 Definitions

- Accident** An occurrence that arises out of a person performing or being available to perform SSAA if either or both of the following applies:
- The occurrence results in the death of, or serious harm to a person;
  - The occurrence results in serious damage to an aircraft or property.
- Aerodrome testing area**
- Any surface in a certified aerodrome or registered aerodrome over which an aircraft is able to be moved while in contact with the surface of the aerodrome, including any parking areas; and
  - Any part of the surface of a certified aerodrome or registered aerodrome:
    - That is not covered by paragraph (a); and
    - That does not have a building on it; and
    - The form which accesses to a surface mentioned in paragraph (a) may be had; and
  - A building located on a certified aerodrome or registered aerodrome that is used:
    - For maintenance of an aircraft or an aeronautical product; or
    - For the manufacture of aircraft or aeronautical products; or
    - By an air traffic service provider to control air traffic; or
    - By the holder of an AOC for flying training; and
  - Any part of an aircraft, aerobridge or other moveable structure in a certified aerodrome or a registered aerodrome.
- Appropriately qualified alcohol and other drug professional** A person who:
- Materially works as a provider of clinical drug and alcohol treatment services; and
  - Holds a bachelor degree, or postgraduate degree in at least one of the following fields:
    - Health Sciences;
    - Medical science;
    - Social sciences;

- Behavioural sciences.

**Approved  
Tester**

A person who is authorised by EJMA :

- a) Take samples for drug or alcohol tests; and/or
- b) Conduct initial drug tests and alcohol tests.

**Comprehensive  
Assessment**

An examination of a person's physiological and psychosocial indicators carried out:

- a) By a psychiatrist; or
- b) By a certified medical practitioner; or
- c) Jointly by:
  - A person entitled to practice as a medical practitioner under a law of a State or Territory; and
  - An appropriately qualified drug and alcohol professional.

**DAMP Contact  
Officer**

A person nominated by EJMA and charged with overall responsibility for liaison with the relevant airworthiness authority about EJMA drug and alcohol testing responsibilities.

**DAMP medical  
review officer**

A person who meets the following criteria:

- a) Is a registered medical practitioner;
- b) Has competence in the field of interpreting drug and alcohol test results;
- c) Has knowledge of substance use disorders;
- d) Has knowledge of the contents of relevant provisions of the civil aviation safety regulations.

**DAMP  
Supervisor**

A supervisor of safety-sensitive aviation activities employees of EJMA who has received training on how to form an opinion, on reasonable grounds, as to whether a person may be adversely affected by a testable drug or under the influence of alcohol.

Examples of what is considered 'reasonable grounds' includes but is not limited to:

- a) excessive and/or unexplained absences;
- b) on-the-job absenteeism (e.g. long breaks and frequent trips to the bathroom);
- c) a decline in the quality of work (e.g. misunderstanding instructions, missed deadlines, accidents or near misses);
- d) verified reports from people who have witnessed the individual's AOD use.

It is the DAMP Supervisor to whom employees should report any concerns they may have about the potential work-related effects of any medication that they are taking or alcohol they have consumed. A DAMP Supervisor has access to the DAMP medical review officer for advice and clarification as required.

**Safety  
Sensitive  
Aviation  
Activities**

Any actions were taken by a person in an aerodrome testing area (including the person's present in the area) other than as a passenger;

Any of the following activities, wherever they occur:

- a) Calculation of the position of freight, baggage, passengers and fuel on aircraft;
- b) The maintenance, certification of maintenance or manufacture of aircraft, aeronautical products, ground-based navigation aids or radar;
- c) The fuelling and maintenance of vehicles that will be used to fuel aircraft on aerodrome testing areas;
- d) Activities are undertaken by an airport security guard or screening person in the course of their duties as a guard or person;
- e) The loading and unloading of trolleys containing baggage for loading onto aircraft or unloading from aircraft and the driving of such trolleys;

**Regular SSAA  
employee**

An SSAA employee who is reasonably likely to perform an applicable SSAA at least 2 or more times every 90 days.

**Serious  
incident**

An occurrence that arises out of a person performing or being available to perform SSAA if either or both of the following applies:

- a) The occurrence of gives rise to the danger of death or serious harm to a person, or
- b) The occurrence gives rise to the danger of serious damage to aircraft or property.

**Permitted Level**

- a) For alcohol — a concentration of fewer than 0.02 grams of alcohol in 210 litres of breath;
- b) For a testable drug — a concentration of the testable drug that is less than the confirmatory target concentration for that drug specified in the relevant regulatory guidelines.

The permitted level in urine for each testable drug:

<b>Testable Drug</b>	<b>Level – ug/L</b>
Morphine	300
Codeine	300
6-Acetyl morphine	10
Amphetamine	150
Methylamphetamine	150
Methylenedioxyamphetamine	150
Methylenedioxyamphetamine	15
A9-tetrahydrocannabinol	300
Cocaine	150
Benzoylecgonine	150
Ecgonine methyl ester	300

**Note:** *These levels ensure that the results are administratively reliable and are set at a sufficient level to detect recent alcohol or drug use by the donor.*

**Non-Negative Result**

For an initial drug test - a test result above the permitted level;

For a confirmatory drug test - a test result above the permitted level, verified by a Medical Review Officer (MRO) as a verified non-negative result;

For an initial alcohol test - a test result above the permitted level;

For a confirmatory alcohol test - a test result above the permitted level.

<b>Suspension event</b>	An event where this program requires safety-sensitive aviation activities employee to cease performing or being available to perform SSAA.
<b>Testable Drug</b>	Any of the following (but not limited to): <ul style="list-style-type: none"><li>a) Amphetamine;</li><li>b) Methylenedioxymethamphetamine (MDMA);</li><li>c) Hallucinogens (including Datura, Ketamine, LSD magic mushrooms and Mescaline);</li><li>d) Methylamphetamine;</li><li>e) Methylenedioxyamphetamine;</li><li>f) Para-methoxyamphetamine (PMA);</li><li>g) Delta 9-tetrahydrocannabinol (THC);</li><li>h) Barbiturates (including Seconal, Tuinal and Amytal);</li><li>i) Cocaine (and its metabolites such as Benzoyllecgonine and Ecgonine methyl ester);</li><li>j) Morphine (and its derivatives such as Codeine, Heroin and 6-Acetyl morphine);</li><li>k) Opium;</li><li>l) Pethidine;</li><li>m) Oxycodone;</li><li>n) Buprenorphine;</li><li>o) Methadone;</li><li>p) Diazepines (such as Rohypnol, Valium, Serepax, Mogadon, Normison and Eupynos);</li><li>q) Gamma-hydroxybutyrate (GHB and analogues such as 1, 4 butanediols and gamma-butyrolactone).</li></ul>

## Abbreviations

AOC	Air Operator Certificate	GHB	Gamma-hydroxybutyrate
AOD	Alcohol & Other Drugs	MDM	Methylenedioxy-methamphetamine A
BAC	Blood Alcohol Content	MRO	Medical Review Officer
CAD	Civil Aviation Directives	NMI	National Measurement Institute
DAMP	Drug Alcohol Management Plan	PMA	Paramethoxyamphetamine
DOSH	Department of Occupational Safety & Health	THC	Tetrahydrocannibal
EJMA	ExecuJet MRO Services Malaysia	SSAA	Safety Sensitive Aviation Activity
EJHS	ExecuJet Handling Services		

## 1. GENERAL

### 1.1. Policy Statement

1.1.1. The health, wellbeing and safety of personnel are of paramount importance to ExecuJet MRO Services Malaysia (EJMA). All individuals have a right to be safe at an EJMA workplace. Alcohol and other drugs (AOD), when present in persons in the workplace, have the potential to increase the risk of harm in the workplace and adversely impact upon fitness for work.

1.1.2. EJMA has a duty of care to minimise the risk of accident, incident and injury in the workplace arising from the consumption of alcohol or other drugs. The purpose of this policy is to outline the strategies and processes that will be used by EJMA to manage the risks associated with use, or recent use, of alcohol or other drugs by persons in the workplace.

EJMA takes a multi-strategy approach that incorporates education, support, testing and performance management. The policy is based on safety outcomes and not whether a non-negative test result is illicit or legal. This policy also recognises permissible therapeutic drug use under the guidance of a physician or pharmacist.

### 1.2. Introduction

This document is the EJMA Drug and Alcohol Management Plan (DAMP). Although not mandatorily required by any regulations, EJMA is committed to develop and implement a drug and alcohol management plan, covering persons who perform or are available to perform, a safety-sensitive aviation activity (SSAA). Where applicable, this document makes reference to CAD 6007 issued by the Civil Aviation Authority of Malaysia and Guidelines on Preventing and Responding to Drug and Alcohol Problems in the Workplace issued by Department of Occupational Safety and Health.

The requirement for various organisationsto develop and implement a program has been introduced into the civil aviation safety regulations in order to enhance safety benefits and other outcomes for the aviation sector.

In addition to meeting its statutory obligations, EJMA also seeks to minimise the risk of alcohol and other drug use that might affect the health and safety of all EJMA's employees, contractor, subcontractors and workplaces. The program is aimed at preventing employees who are adversely affected by drugs or alcohol from undertaking work, the consequences of which may result in a detrimental effect on health and safety or other significant aspects of the work environment.

This policy is an important document that all personnel should read carefully and familiarise themselves with.

## 2. ROLES AND RESPONSIBILITIES

EJMA will comply strictly with its obligations under this program, although there is no legal obligation to do so.

EJMA expects that all SSAA employees will similarly comply with their obligations under this program. SSAA employees need to be aware that failure to do so may result in:

- a) Them committing an offence against the relevant civil aviation safety regulations, for which prosecution or infringement action may be taken by the relevant authority; and/or
- b) EJMA taking disciplinary action against its employees (see 1.12 below) or contractual action against contractors or sub-contractors.

### 2.1. EJMA Responsibilities

EJMA shall:

- a) For new SSAA employees, make this program available to each person before they begin to perform, or become available to perform, an SSAA;
- b) For current SSAA employees, make this program available to each of them by the end of the working day on which the employee next performs or is available to perform an SSAA;
- c) Not permit a SSAA employee to perform or be available to perform an SSAA in the following circumstances:
  - i. If a DAMP Supervisor suspects the employee's faculties may be impaired due to the person being under the influence of a testable drug or of alcohol;
  - ii. If an accident or serious incident has occurred which involved the employee while he or she is performing or available to perform an SSAA and either:
    - For the period that suitable test conditions exist for conducting drug or alcohol tests on the employee - a test has not been conducted; or
    - If tests have been conducted - EJMA has not been notified of the test results.
  - iii. If a SSAA employee has been required to cease performing, or being available to perform, SSAA duty because of an incident related to alcohol or drugs, not permit that SSAA employee to again perform or be available to perform SSAA duty until all mandatory pre-conditions have been met.

### 2.1.1. Responsibilities of SSAA Employees of EJMA

Safety-sensitive aviation activities employees:

- a) Are encouraged to disclose to the General Manager Maintenance if he or she has consumed a level of alcohol, or is taking any drug, including prescription or over the counter drug that may affect his or her ability to carry out an SSAA;
- b) Shall not perform, or be available to perform, an SSAA if aware that he or she is adversely affected by a testable drug or by alcohol until he or she is no longer adversely affected;
- c) Are subject to drug and alcohol testing under this program while performing, or being available to perform, an SSAA for EJMA;
- d) Will be required to provide a sample if they are to be tested for drugs and alcohol by EJMA for the purposes of conducting such tests;
- e) Shall cease performing or being available to perform SSAA if they:
  - i. Return a non-negative result for a drug or alcohol test;
  - ii. Fail to comply with a request to provide a sample for EJMA drug and alcohol testing under this program;
  - iii. Interfere with a sample they provide for drug or alcohol testing by EJMA.
- f) If required to cease performing, or being available to perform, SSAA duty because of an incident related to alcohol or drugs, shall not again perform or be available to perform SSAA duty until all mandatory pre-conditions have been met.

### 2.1.2. Responsibilities of EJMA DAMP Contact Officer

EJMA has appointed the following person as its drug and alcohol management plan contact officer, and their role is to liaise with all relevant parties and authorities in relation to EJMA responsibilities in connection with this program:

Mohd Shahir Ahmad – Quality & Safety Manager  
Tel: +6012 671 2055  
Email: shahir.ahmad@execujet-mro.com

### 2.1.3. Responsibilities of EJMA Drug and Alcohol Plan Supervisors

EJMA has appointed key personnel as DAMP Supervisor(s).

DAMP Supervisors have been trained about how to form an opinion as to whether a person may be adversely affected by a testable drug or under the influence of alcohol and are authorised by EJMA to form such an opinion in appropriate cases. Where a

DAMP Supervisor forms that opinion, they shall require SSAS activities employee to cease performing or being available to perform SSAA. Where required to do so by a DAMP Supervisor, SSAA employees of EJMA shall cease performing or be available to perform SSAA.

The DAMP supervisors within the organisation are as follows:

- a) General Manager Maintenance
- b) General Manager Technical Services
- c) Safety Officer(s)

The management of EJMA will ensure personnel can access the drug and alcohol management plan and any information provided, including the provision of referrals to these services where appropriate.

The management of EJMA will ensure that the consumption of alcohol will not take place in an area where SSAA's are conducted and will provide advice in which areas and in what circumstances if any, alcohol may be consumed on EJMA premises.

It is incumbent on the DAMP Contact Officer and DAMP Supervisors at EJMA to ensure that the procedures of natural justice for all employees are observed. This will include the following:

- a) Ensuring review procedures are undertaken for every adverse test event in consultation with the human resources policy;
- b) Ensuring appropriate utilisation of counselling and disciplinary procedure in cases where the testing program is breached;
- c) Ensuring the counselling of employees, who have had non-negative test results or who have referred themselves, is undertaken. Agree to rehabilitation plans for employees, as advised by a suitably qualified health professional.

DAMP Supervisors, or an appropriate manager shall ensure that any employee who is not permitted to work or who have reported to work and been required to leave the workplace due to any breach, or suspected breach, of this drug and alcohol management plan, shall not drive or operate any vehicle on or from the site. DAMP Supervisor or manager/supervisor will use his or her best endeavours to arrange for the employee alternative means of leaving the site.

Ensure that the workplace risks associated with AOD are eliminated or minimised to as low as reasonable by leading by example in observing the drug and alcohol management plan. Additionally, foster an organisational culture that supports a workplace free from harm associated with the use of AOD.

#### 2.1.4. Additional Responsibilities for all Employees, Contractors and Subcontractors

Set out below are EJMA's specific rules and requirements in relation to drugs and alcohol. All employees are required to comply with these requirements:

- a) Present as fit for work prior to the commencement of duty;
- b) Not have recently consumed alcohol or other drugs (except when the consumption of drugs is legal and medically required):
  - i. Prior to signing on for duty;
  - ii. While in the workplace;
  - iii. While on duty;
  - iv. While rostered on call.
- c) Each employee should immediately report to their DAMP Supervisor or other appropriate manager/supervisor any side effects experienced by employee in connection with the use of prescription drugs or other drugs, where those side effects may adversely affect the employee's ability to perform his/her duties safely and efficiently (including, but not limited to, dizziness, fatigue, impaired vision, impaired hearing, or unsteadiness). The employee shall comply with any reasonable directions given to him or her by the managers/supervisors to ensure their health and safety.
- d) Any employee who is in any way concerned about his or her degree of fitness for work shall consult with their DAMP Supervisor or appropriate managers/supervisors before starting work. In particular, any employee who suspects that his or her breath alcohol content could be more than the permitted BAC level may ask to be tested on approved testing instruments before starting work.
- e) Where an employee requests such a test and records a blood alcohol level in excess of the permitted levels, the employee will not be able to perform or be available to perform SSAA. The employee shall remain on site until they can safely be seen to their place of residence.
- f) An employee who records a BAC level in excess of the permitted level will be counselled as to the requirements of EJMA. In the case of voluntary tests, the employee will not be subject to disciplinary action, except when employees are considered to be abusing this mechanism. These employees will be subject to counselling and disciplinary action.
- g) Any employee who is required to undertake an intervention plan shall participate fully as agreed with by EJMA or face the potential of further disciplinary action.
- h) Alert DAMP Supervisors if they have knowledge of any person who may be involved in the use, sale, possession, solicitation, manufacture or cultivation of any alcohol or drugs on any EJMA premises.

2.1.5. Role of the Medical Review Officer

EJMA will appoint and consult a DAMP medical review officer as part of its responsibilities under this program.

2.1.6. Who is a Medical Review Officer?

A DAMP medical review officer is a medical practitioner that has:

- a) Competence in the field of interpreting drug and alcohol test results; and
- b) Knowledge of substance use disorders; and
- c) Knowledge of the contents of relevant standards and regulations.

2.1.7. What is the role of a Medical Review Officer?

EJMA will consult a DAMP medical review officer in the following circumstances:

- a) If a drug test conducted under the program returns a confirmatory drug test result for a safety-sensitive aviation activities employee of EJMA that is a non-negative result — to determine if the presence and level of a testable drug detected by the test could be the result of legitimate therapeutic treatment or some other innocuous source; and
- b) To review medical information concerning a person's failure to give a sample for drug or alcohol testing because of a claimed medical condition;
- c) To determine, in consultation with the employee's treating clinician (if any) if the employee is fit to resume performing or being available to perform an SSAA after being required to cease performing or being available to perform SSAA for a drug or alcohol testing-related incident.

EJMA will provide access to advise on the safety effects of already prescribed medication or over the counter medication through its own DAMP medical review officer as required by employees, contractors and subcontractors.

The MRO and associated administration will be sourced through liaison with the Human Resources and Quality & Safety departments.

EJMA will consult with its own DAMP medical review officer to gain an opinion about the suitability of a drug or alcohol intervention program for a person who has undergone a comprehensive assessment.

### 3. DRUG & ALCOHOL MANAGEMENT PROGRAM

This drug and alcohol management program applies to all EJMA personnel that perform, or are available to perform SSAA.

This personnel are:

- a) Persons employed directly by EJMA;
- b) Contractors engaged by EJMA;
- c) Subcontractors engaged by contractors of EJMA; and
- d) Persons employed by those contractors and subcontractors.

In this program, personnel are all referred to as “safety-sensitive aviation activities employees” even though they may not be directly employed by EJMA.

EJMA personnel to whom this program applies will generally be engaged in the following employment categories:

- a) Aircraft dispatcher and ground handling activities;
- b) Activities involving aircraft maintenance and repair;
- c) Activities involving cleaning and grooming of aircraft;
- d) Aviation security activities including activities involving screening; and
- e) General activities carried out in EJMA's premises.

Visitors, volunteers and students/trainees will also be expected to comply with relevant aspects of the program and will receive information on their rights and responsibilities under when attending site and conduct SSAA. As a general guide, anybody holding an airport pass and carrying out any activity on the hangar floor is considered to be carrying out SSAA tasks.

#### 3.1. Program

This program comprises three key elements:

- a) A drug and alcohol education program (see 3.1.1);
- b) A drug and alcohol testing program (see 3.1.2); and
- c) A drug and alcohol response program (see 3.1.3).

##### 3.1.1. Drug and Alcohol Education Program

All SSAA employees and DAMP Supervisors of EJMA are required to complete a drug and alcohol education program.

EJMA will ensure that all SSAA employees and DAMP Supervisors have access to a drug and alcohol education program.

For personnel who are to become SSAA employees (and DAMP Supervisors) at induction and/or prior to the employee performing or being available to perform SSAA.

Additionally, EJMA may schedule a DAMP refresher education program every 24 months (but no longer than 30 months) for all SSAA employees to line up with existing training requirements.

The EJMA drug and alcohol education program contains the following components:

- a) For SSAA employees — awareness of:
  - i. EJMA policy on drug and alcohol use; and
  - ii. Drug and alcohol testing in the workplace; and
  - iii. Support and assistance services for people who engage in the problematic use of drugs and alcohol; and
  - iv. Information about the potential risks to aviation safety from the problematic use of drugs and alcohol.
- b) Additionally, for DAMP Supervisors — education and training to manage people who engage in the problematic use of drugs or alcohol.

The aim of the education and training activity is to inform personnel about:

- a) Their rights and responsibilities under the EJMA drug and alcohol management plan;
- b) The Malaysian Department of Occupational Safety and Health AOD policy and program;
- c) Potential work-related problems that result from the consumption of AOD;
- d) Their roles and responsibilities in relation to safety, conduct and performance;
- e) The role of the Medical Review Officer;
- f) Support services available to personnel to address problems associated with alcohol or other drugs;
- g) How and for what reason substance/s are being testing;
- h) AOD testing procedures, including management of a non-negative test result.

In addition to the content of the employee education sessions or material, EJMA DAMP Supervisors training sessions may include:

- a) Discussion of the rationale for the policy and program, and the implementation of the policy and program;

- b) Practical skills development in the identification of AOD related problems in the workplace, and how to appropriately address them;
- c) Communication, interviewing and supervision skills training; and
- d) Or the use of any on-line training programme.

Ongoing access to education and training activities shall be made available to all personnel, including:

- a) The procedure documentation is available to all EJMA personnel. This material will be made available for induction, on display in libraries, and on file at all EJMA locations;
- b) Face to face education sessions delivered regularly, or on request, at each work location by the employee assistance provider or another suitably qualified trainer;
- c) Counselling, assistance and rehabilitation programs identified and promoted by EJMA during education sessions and induction programs for employees.

EJMA is committed to ensuring that all individuals who visit EJMA premises where SSAA are undertaken are aware of their responsibilities under this program.

Compliance with the Drug and Alcohol Education program is managed by the Compliance Department.

### 3.1.2. Drug and Alcohol Testing Program

**Note:** *In addition to the drug and alcohol testing conducted by or on behalf of ExecuJet MRO Services Malaysia under this program, safety-sensitive aviation activities employees (including all persons who perform duties in an aerodrome testing area) may also be subject to random drug and alcohol testing by any relevant regulatory authorities.*

#### 3.1.2.1. Substances that will be included in the testing

EJMA will test for the following substances (but not limited to):

- a) Alcohol;
- b) Opiates;
- c) Cannabinoids;
- d) Cocaine;
- e) Amphetamines;
- f) Methamphetamine;
- g) Benzodiazepines.

#### 3.1.2.2. How Testing will be Conducted

Any drug and alcohol testing done under this program will be conducted as follows:

- a) For breath testing for alcohol — using a device that meets general industry standards or NMI R 126 - Pattern Approval Specifications for Evidential Breath Analysers.
- b) For urine testing for drugs — in accordance with Appendix A.

Any devices used in drug or alcohol testing under this drug and alcohol management plan shall be used in a way that is consistent with the instructions of the manufacturer of those devices.

Initial Urine testing for drugs shall be completed by EJMA approved tester. Follow up test will be performed by approved medical practitioner for further details.

#### 3.1.2.3. When Testing will be Conducted

Drug and alcohol testing of all SSAA employees under this program will be conducted in the following circumstances:

- a) Prior to commencement of employment in a role performing SSAA
  - i. A person will be tested for alcohol and testable drugs when they first join EJMA, if the person will be working as a regular SSAA employee, or when the role of an existing employee is to change to that of a regular safety-sensitive aviation activities employee, unless:
    - The person has been drug and alcohol tested less than 90 days before the person is required to begin performing or being available to perform SSAA, and the test results were not positive results.
- b) Post accident or serious incident
  - i. A person will be tested for alcohol and testable drugs after an accident or serious incident involving a safety-sensitive aviation activities employee that occurs whilst he or she is performing, or available to perform, an SSAA, provided that suitable test conditions exist. If a test is not to be carried out the reason must be recorded in the investigation.
  - ii. Suitable test conditions exist where, after an accident or serious incident, testing can be conducted:
    - Within 32 hours of the accident or incident for drug testing;
    - Within 8 hours of the accident or incident for alcohol testing; and
    - It is practicable to conduct a test.

- c) On reasonable suspicion
  - i. A person will be tested if a DAMP Supervisor has reasonable grounds to believe that a SSAA employee may be adversely affected by alcohol or testable drugs while performing, or available to perform, an SSAA.
- d) On return to SSAA work
  - i. A person will be tested for alcohol and testable drugs if a SSAA employee is returning to work after a period during which the employee was not permitted to perform or be available to perform an SSAA because of alcohol or testable drug use or a related incident.

#### 3.1.2.4. Drug Test Results

If a confirmatory drug test conducted under this program returns a non-negative result, EJMA will consult a DAMP medical review officer to determine if the presence and level of a testable drug detected by the test could be the result of legitimate therapeutic treatment or some other innocuous source.

The purpose of the EJMA AOD testing program is to encourage an organisational culture that supports a workplace free from harm associated with the use of AOD. EJMA aims to deter personnel from having AOD present in their body system when signing on for work, in the workplace, rostered on duty, on call, or when acting on behalf of EJMA at any event or another workplace.

EJMA has engaged an independent company to assist it in carrying out AOD testing. EJMA personnel shall comply with any request made by either:

- a) A representative of the independent company;
- b) A DAMP Supervisor of EJMA.

To provide a sample that is in accordance with the specified method of AOD testing under the relevant standard. EJMA personnel shall provide the representative of the independent company with their name on request.

AOD testing may be carried out in the following additional circumstance: Follow up testing - Any employee who returns a non-negative test result in respect of testing under may be required to undergo subsequent tests over the period as required by the MRO in order to monitor the employee's ongoing compliance with this program. After that period or such lesser period determined by the supervisors/managers, the employee will revert to normal testing arrangements consistent with other employees.

The EJMA DAMP Supervisor or DAMP Contact Officer shall authorise any AOD test required, in writing.

The procedures for taking of an oral fluid/urine sample from an employee and the subsequent testing of that sample which will be followed are described in the attached

Appendix A and B. The procedures for taking a breath sample from an employee and the subsequent testing of that sample which will be followed are described in the attached Appendix B.

Where an employee has been referred for an AOD test in accordance with the above, EJMA may – at its discretion and if a DAMP Supervisor considers any employee to be at risk for the health and safety of himself or herself or to other employees – cease that employee from SSAA until such time as the result of any analysis of the known to EJMA. This only applies if the DAMP is conducting full laboratory-based testing.

Any employee selected for such a drug test may nominate another person to attend and witness the procedure. Provided that the witness undertakes to comply, and does comply, with all directions given EJMA will allow any such witness to attend long as they are able to attend within a reasonable timeframe

Any complaint or objection by an employee in relation to the procedural steps taken by the collector should be put in writing to the employee's supervisors/managers before the end of the shift on which the test was conducted. The complaint or objection will be immediately referred to the DAMP Contact Officer who will consult with the Testing Agency and respond in writing to the employee within 2 days or, if the test was non-negative, at the time of the review hearing conducted, in accordance with the policy.

Any employee who has a drug prescribed to them by a medical practitioner will not be in contravention of this policy as a result of taking that drug in accordance with the prescription, provided that:

- a) The consumed level of the prescription drug does not exceed the level which the employee has been prescribed to take;
- b) The employee has obtained medical advice to confirm that the nature of the prescription drug and/or the quantity consumed does not have the potential of having a detrimental effect on the employee's safety while performing his or her duties;
- c) In all cases, the employee is able to produce the original prescription to their managers/supervisors at an agreed time.

If testing confirms that the employee has contravened this policy, then the employee will be subject to review, disciplinary procedure and/or counselling as set out in Section 3.3.

**Note:** *Personnel from the Testing Agency shall:*

- a) *Behave in a manner that is professional, courteous, polite, impartial, objective and in accordance with EJMA Code of Conduct;*
- b) *Respect the privacy of test subjects;*
- c) *Not divulge the results of any test, or the response or behaviour of any person being tested, to any person other than the employee, the DAMP Supervisor, or DAMP Contact Officer;*
- d) *Not offer personal comments about the lifestyle choices of personnel being tested or involved in the testing.*

### 3.1.3. Drug and Alcohol Response Program

#### 3.1.3.1. SSAA Employees Ceasing SSAA

EJMA will not permit SSAA employees to perform, or be available to perform, SSAA in any of the following circumstances:

- a) Where EJMA is aware that a non-negative result for an initial drug test has been recorded and the employee has not, in respect of that test result, recorded a test result for a confirmatory drug test that is not a non-negative result;
- b) Where EJMA is aware that a non-negative result for an initial alcohol test has been recorded and the employee has not, in respect of that test result, recorded a test result for a confirmatory alcohol test that is not a not negative result;
- c) Where EJMA is aware that:
  - i. A non-negative result for a confirmatory drug test has been recorded for the employee; and
  - ii. A DAMP medical review officer has not determined that the result recorded could be as because of legitimate therapeutic treatment or some other innocuous source; and
  - iii. Mandatory preconditions for a return to work have not been met (see below).
- d) Where EJMA is aware that:
  - i. A non-negative result for a confirmatory alcohol test has been recorded for the employee; and
  - ii. A medical review officer has not determined that the result recorded could be as a result of legitimate therapeutic treatment or some other innocuous source; and
  - iii. Mandatory preconditions for a return to work have not been met (see below);
- e) Where EJMA is aware that a SSAA employee who has been required to take a drug or alcohol test has:
  - i. Refused to take the test; or
  - ii. Interfered with the integrity of the test.
- f) If a DAMP Supervisor suspects the employee's faculties may be impaired due to the person being under the influence of a testable drug or of alcohol;

- g) If an accident or serious incident has occurred involving the employee while he or she is performing or available to perform an SSAA and either:
  - i. For the period that suitable test conditions exist for conducting drug or alcohol tests on the employee — a test has not been conducted; or
  - ii. If tests have been conducted under suitable test conditions — EJMA has not been notified of the test results.

#### 3.1.3.2. Returning to SSAA

Where EJMA has not permitted a SSAA employee to perform or be available to perform SSAA as a result of a drug or alcohol testing-related suspension event, EJMA will only permit the employee to again begin performing or being available to perform SSAA in the following circumstances:

- a) The employee has undergone a comprehensive assessment for drug or alcohol use;

If the comprehensive assessment recommended the employee commence a drug or alcohol intervention program — the employee has begun participating in a nominated drug or alcohol intervention program;

The employee is considered fit to resume performing or being available to perform, an SSAA by:

- a) A DAMP medical review officer; and
- b) The employee's treating clinician if any.

If the suspension event related to a drug test — at the time the employee was considered fit to resume performing, the employee receives a confirmatory drug test and records, for the test, a result that:

- a) Was not a non-negative result; and
- b) A DAMP medical review officer is satisfied the test result indicates the absence of testable drug use.

EJMA will permit a SSAA employee time to attend a nominated drug or alcohol intervention program, if:

- a) A DAMP medical review officer has advised EJMA that the employee should attend the program; and
- b) The employee is returning to work after a period during which the employee was not permitted to perform or be available to perform SSAA because of a non-negative test result for testable drug use or alcohol use.

Any failure of the obligations as described in this DAMP will be considered to be serious misconduct on the part of the employee and will be treated as such in terms of the range of disciplinary measures.

Any EJMA contractor, consultant or volunteer who refuses to be tested in accordance with this policy shall be refused entry to EJMA workplaces or requested to leave an EJMA workplace. They may be denied future access to EJMA workplace until they produce a negative test result.

### **3.2. Self-Referral**

An aim of this policy and the educational material available is to encourage EJMA personnel to recognise the problematic use of substances and to obtain the assistance they need.

Any employee who seeks assistance from their managers/supervisors or from the EJMA employee assistance program (EAP) will be afforded all necessary assistance. The matter will be treated in the strictest confidence.

Personnel seeking assistance from EJMA management will be offered assistance, by way of counselling or other treatment / rehabilitation program. They may be provided with flexible leave arrangements in order to complete any treatment / rehabilitation program. Any employee who wishes to seek professional counselling assistance in relation to an alcohol or drug related problem is directed to the appropriate services providers. The nominated counsellors should be accredited members of a relevant national regulatory body, such as the National Anti-Drugs Agency.

EJMA has engaged service providers to provide therapeutic interventions to EJMA employees and contractors who require professional assistance to manage problematic AOD use. In determining the appropriate provider, EJMA considered matters of accreditation and qualification of the agency/practitioners, organisational procedures and protocols, and sought assurances of client confidentiality and security of information.

EJMA employees or contractors may wish to seek assistance from an AOD professional, independent of the employment arrangement established by EJMA.

#### **3.2.1. Employee assistance programs**

EJMA has established an employee assistance program (EAP) in-house, however, will use external service providers where professional services are required. These programs will be provided by external professional workplace counselling agencies engaged by EJMA to detect and resolve workplace or personal problems that negatively impact on work performance. They provide services such as employee education sessions, supervisor training, assessment and referral, diagnosis and treatment, and monitoring and follow-up. Employee assistance programs are not exclusively focused on AOD issues.

### 3.2.2. General Practitioner

The General Practitioner can be a very valuable source of support and information on AOD issues and may also become involved in treatment services. GPs are well placed to address AOD problems, as they have often known their patient for some time and may also know their family members and social circumstances.

### 3.2.3. Other Service Providers

In addition to the services provided by employee assistance programs and GPs, EJMA will recommend only appropriate organisations to the employee assistance programs for the accuracy and currency of information and/or support services provided.

EJMA will consider asking the service provider some of the following questions in order to help the employee to determine whether their service is the right one for them. There are no right or wrong answers, but the responses that the questions elicit should provide the employee with some information they need to make the decision about commencing a treatment:

- a) Is this agency accredited with an authoritative accrediting body? Is this accreditation current?
- b) What professional qualification does my counsellor hold? Is my counsellor registered with a recognised registration board? Are they a member of a professional body within the Malaysian AOD sector? How much experience does my counsellor have in providing AOD treatment?
- c) Does the agency/counsellor follow particular clinical or other evidence-based guidelines?
- d) What is the philosophy of the agency with regard to AOD treatment (for example, does the agency work within an abstinence-only framework or does it recognise controlled use approaches)? Is this consistent with my own philosophy and goals?
- e) Are staff trained to use formal assessment and outcome measurement instruments? Are systematic protocols in place to ensure assessments are standardised, formal, written and relevant?
- f) What systems exist to remedy client complaints about inappropriate, poor or unacceptable service?
- g) How does the organisation/counsellor keep up to date with current trends and evidence in the AOD field? How is this used to improve outcomes for clients?
- h) How and where will my records be stored? Who will have access to my client file? What safeguards exist to maintain privacy, confidentiality and security of my personal information?

- i) How will concurrent conditions (such as mental health problems) be addressed by the agency/counsellor? Does the agency/counsellor provide multi-disciplinary services or work collaboratively with other organisations?
- j) Will practical and achievable goals be negotiated with me? Will progress be measured against a treatment plan?
- k) Are there protocols for concluding treatment plans and to assist exit from treatment?

### **3.3. *Disciplinary Action***

Below are some of the issues EJMA had considered with its policy and procedure for disciplinary action:

- a) The consequences of a breach of the organisation's policies, including repeated breaches.
  - i. Ongoing requirement for follow up testing;
  - ii. Requirements for written undertakings.
- b) The company policy on absences for AOD related issues such as treatment, counselling and the implications on leave.
  - i. Paid or unpaid time.
  - ii. Annual and sick leave able to be accessed.
- c) The consequences for non-compliance with treatment;
- d) The consequences of breaching undertakings or treatment plans.

Any breach of this policy as described above will be considered to be serious misconduct on the part of the employee and will be treated as such in terms of the range of disciplinary measures.

EJMA employees who breach this policy will be subject to disciplinary action which may include termination of employment. The disciplinary penalties and sanctions which may be imposed by EJMA in respect of any employee who breaches this policy on a first occasion may include a combination of the following:

- a) An initial written warning;
- b) Undergoing further tests for alcohol or for other drugs, as determined by a substance abuse professional in consultation with a supervisors/managers, including on a periodic basis over any period of time;

The requirement to provide written undertakings, in relation to compliance in the future with the requirements of this procedure.

During this period, and while undergoing any agreed therapeutic intervention as provided in the above, the employee shall take sick leave, annual leave or other accrued paid leave entitlements, such as rostered days off.

Any employees who required to attend ongoing counselling, or is counselled to seek medical treatment, will be required to attend such counselling or obtain such medical treatment, and provide EJMA with written confirmation or evidence that they have done so.

Any EJMA contractor, consultant or volunteer who refuses to be tested in accordance with this policy shall be refused entry to EJMA workplaces or requested to leave an EJMA workplace. They may be denied future access to EJMA workplace until they produce a negative test result.

Where the employee's paid leave entitlements are insufficient to cover the period of the absence, or where the employee prefers to maintain all or some of those paid entitlements, he/she may apply to the organisation for unpaid leave and, the organisation may agree to such application.

Any refusal or failure to attend counselling or medical treatment sessions may itself give rise to circumstances that may warrant further disciplinary measures.

#### **3.4. Procedural Reviews**

In the event that an employee is in dispute, or has a grievance, either with the procedures that have been undertaken or from any disciplinary action arising from the drug and alcohol program, a review will ordinarily be undertaken. This review will follow the EJMA internal grievance process or any agreed dispute resolutions. Refer to the EJMA policy and procedure for reviewing decisions in the event of grievance or dispute.

#### **3.5. Privacy**

Information gathered under this program and information held in relation to the outcomes of drug and alcohol testing of an employee conducted by EJMA shall be kept confidential. EJMA is committed to a supportive environment in which issues regarding fitness for duty can be discussed and resolved with dignity, sensitivity and the requisite confidentiality. An employee may request access to a medical review officer or to the employee assistance program where this may help to protect his or her privacy. An employee is only required to divulge personal information to EJMA where this is a reasonable necessity to ensure the effective operation of this program.

#### **3.6. Review, Audit and Compliance**

EJMA will review this program at regular intervals of at least every 5 years, or as directed by any relevant regulatory body, in order to ensure its continued compliance with the requirements of the civil aviation safety regulations.

### **3.7. Provision of Information and Record Keeping**

#### **3.7.1. Provision of Information**

EJMA will ensure it records and supplies information in respect of:

- a) Drug and alcohol testing;
- b) Drug and alcohol education; and
- c) Drug and alcohol response;
- d) The number of SSAA employees engaged; and
- e) Details of current DAMP Contact Officer.

The information reported to any regulatory body will not contain any additional detail, beyond that required by the relevant regulations, which might identify individuals employed by EJMA, its contractors or subcontractors.

#### **3.7.2. Record Keeping**

EJMA will keep all records pertaining to this drug and alcohol management plan that is used to provide information to any regulatory body upon request for a period of 3 years. This information will be kept in a secure location.

Within 6 months of the expiry of the 3 year record keeping period, EJMA will ensure such records are destroyed or deleted.

### **3.8. Variations**

EJMA may at any time be required to make specific changes to this program, or to prepare a new program, to ensure ongoing compliance with the civil aviation safety regulations.

EJMA may implement variations or amendments to this program from time to time and, where relevant, will provide written notice to its employees setting out these changes. Unless otherwise determined, such variations or amendments shall have the same force and effects as if included in this program, from the time at which the 3 months' notice expires. Variations will be communicated via electronic media in the form of a memorandum or read and sign document.

## **APPENDIX A – SAMPLE COLLECTION PROCEDURES FOR DRUG TESTS (URINE/BLOOD)**

The following procedures are to be used for the collection of samples to be analysed. Any departure from the specified sample collection procedures will not invalidate a drug test result provided that the procedures followed do not cast doubt on the accuracy and reliability of the collection process with due regard to sample security and chain of custody requirements.

- a. Upon arrival at the testing area the employee selected for a drug test will be required to show identification or else the identity of the employee will be verified by the supervisors/managers. If the individual's identity cannot be established unequivocally, then the Collector will not proceed with the collection.
- b. The employee will be asked to wash their hands. After this step, the individual being tested will remain in the presence of the Collector and will not have any access to water, soap or other materials that might be used to adulterate the sample, including the addition of a blue colouring agent in the toilet water.
- c. The employee being tested will provide the sample into a collection beaker in a stall, toilet cubicle or otherwise partitioned area that allows for individual privacy. The employee will then hand the beaker to the Collector.
- d. Upon receiving the sample, the Collector shall determine that there is sufficient sample to enable all required testing to be performed. In the event that there is insufficient urine for testing an additional sample will be collected.
- e. The Collector, at this time, will also check the validity of the sample by ensuring that the temperature of the sample is between 33°C and 38°C (90°F and 100°F) when measured within 4 minutes of the sample is passed into the beaker. The temperature will be measured using a device separate or part of the collection beaker.
- f. After the sample has been provided to the Collector an initial test will be conducted; the employee is then permitted to wash their hands.
- g. If the validity of the sample cannot be established, or if it is suspected that the sample may have been adulterated or substituted, then another specimen shall be collected as soon as possible using the above procedures. Both samples will be forwarded to an accredited laboratory for testing in accordance with the analysis requirements set.
- h. Both the Collector and the employee shall keep the sample in view at all times prior to it being sealed and labelled.
- i. If the initial test is non-negative, the sample shall be transferred from the collection beaker into two bottles in approximately equal proportions. 'Sample A' and 'Sample B and' Sample C' ;
- j. The Collector shall request that the donor observe the transfer of the sample into the bottles, the placement of the tamper-proof seals or equivalent devices over both bottle caps and down the sides of the bottles as well as the placement of both bottles into a container that

will also be sealed in front of the employee whose sample is being collected for drug testing.

- k. Prior to the samples being sealed in a container, the donor shall initial the identification seals on each bottle to certify that it is the sample collected from him or her. The identification seals will also list two unique identifiers and the date of the collection.
- l. All the information contained on the identification seals will be entered onto the Drug Test Form and will be signed by both the Collector and the employee, whose sample is being tested, certifying ownership of the sample provided as well as giving consent for the sample to be tested. The employee will be given a copy of the Drug Test Form at the end of the sample collection and sealing procedures for his/her records.
- m. The samples collected will be tested on side by EJMA approved tester.

## **APPENDIX B - SAMPLE COLLECTION PROCEDURES FOR BREATH ALCOHOL TESTS**

- 1) The procedures for conducting the breath analysis will be explained by the Collector and will be in accordance with the operating manual for the breath analysis machine.
- 2) The employee will be asked to blow into a mouthpiece attached to the breath analysis machine.
- 3) If the result of the initial test is non-negative the results from the machine will be recorded on the Breath Alcohol Test Form and if the test is non-negative, a second confirmatory test will be required.
- 4) After waiting for a minimum of 15 minutes in the presence of the collector or supervisors/managers the employee will be required to supply the second sample for confirmatory testing.
- 5) If the second test is non-negative both the Collector and the employee will sign the Breath Alcohol Test Form and the employee will also sign a statement that he/she will cease performing SSAA if the reading for BAC is 0.02% or above.
- 6) Where an employee has registered a BAC reading of 0.02% or above EJMA will ensure that arrangements are made to see the employee home safely.