



DRUG FREE WORKPLACE ANNUAL TRAINING



OBJECTIVES

- Mandatory Handouts
- Testing Designated Positions
- Types of Drugs Authorized for Testing
- Types of Testing
- Excuses/Deferral of Testing
- Safe Harbor and the Civilian Employment Assistance Program (CEAP)



MANDATORY NOTICES

- **General Notice**
 - Must be issued to all new hires during the employee's orientation process.
- **Individual Thirty Day Notice**
 - An individual thirty day notice will be given to employees who hold a Testing Designated Position (TDP). The employee will sign and date the Acknowledgement of Receipt form. After thirty days from the date of signature, the employee will be placed in a random drug testing pool.



MANDATORY NOTICES

- **Individual Notice (Cont.)**
 - An **ORIGINAL** signed receipt is kept on file for each (TDP).
 - Neither the General or Individual Notices should be changed in any way.
- **Managers**
 - Executive Order 12564-Drug Free Federal Workplace provides responsibilities of supervisor.



TDPs

- What is a **Test Designated Position?**
 - Automatic
 - Functional



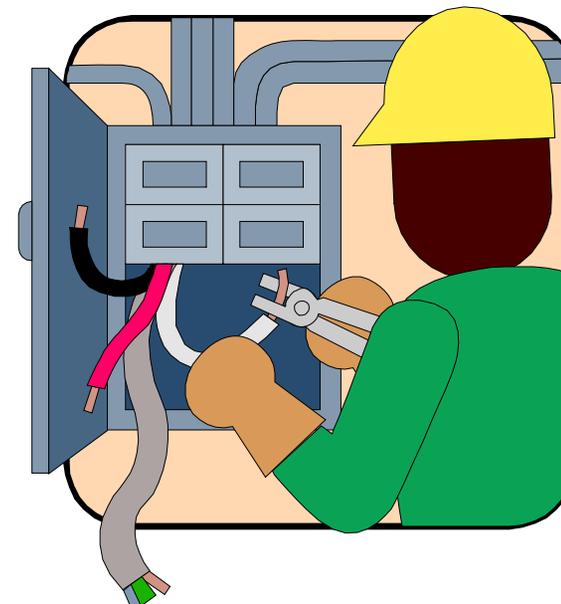
AUTOMATIC INCLUSION IN TDP POOL

- Top Secret Clearance
 - (Regardless of position title)
- Secret Clearance with Access to Special Programs
 - North Atlantic Treaty Organization
 - Presidential Support, Critical Nuclear Weapon Design Information
- Nuclear Weapons Personal Reliability Program
- Military Sealift Command Personal Reliability Program
- Military Sealift Command Civilian Mariners
- Drug Screening Lab Employees
- Presidential Appointees
- Ordnance/Munitions
- Carry a Firearm



FUNCTIONAL COVERAGE

- Health and Safety Positions
- Occupational Positions



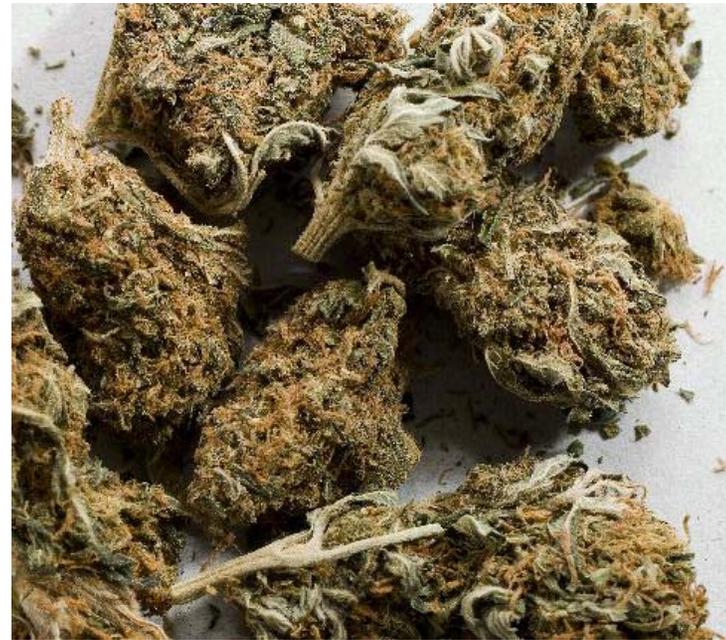


DRUGS

- **Six Types of Drugs Authorized for Testing**
 - Marijuana
 - Cocaine
 - Opiates
 - Phencyclidine (PCP)
 - Amphetamines/Methamphetamines
 - Ecstasy



MARIJUANA



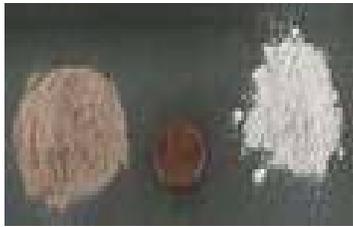


COCAINE





OPIATES





PHENCYCLIDINE (PCP)





AMPHETAMINES/ METHAMPHETAMINES





ECSTASY





SIX TYPES OF DRUG TESTING

- Random
- Pre-employment
- Accident or Unsafe Practice
- Reasonable Suspicion
- Voluntary
- Follow-up



RANDOM TESTING

- **Is Periodic Drug Testing** - of employees who work in Testing Designated Positions (TDP).
 - The Random.org website is used for selecting employees for the drug testing event. (The selections are calculated by the computer).
- **Is Unannounced Testing** - of employees working in an organizational unit or position.



PRE-EMPLOYMENT TESTING

- All tentatively selected applicants for Testing Designated Positions (TDPs) must be tested prior to a firm job offer.
- Individuals who use illegal drugs will be screened out during the initial employment process before being employed.



PRE-EMPLOYMENT TESTING

- A drug testing notice will be listed on the Job Vacancy Announcement.
- Applicant will be non-selected if drug test is verified as positive and will be excluded from employment consideration.



PRE-EMPLOYMENT TESTING

- **The Drug Test may be waived if:**
 - Applicant is coming from a Department of Defense TDP.
 - Applicant is active duty military with a break in service of less than 3 days.



PRE-EMPLOYMENT TESTING

- **The Drug Test is not applicable for the following Management Directed Actions:**
 - a. Reassignments
 - b. Detail
 - c. Demotion
 - d. Upgrade of Security Clearance
 - e. Reduction in Force
 - f. Reservist or Military personnel in a Drilling Status
 - g. Selection Involves Only a Temporary Position Change of Thirty Days or Less



ACCIDENT AND UNSAFE PRACTICE TESTING

- Is an authorized test of any employee involved in an “On the Job Accident” or, who engages in unsafe, job related activity. For example, an accident which results in the following:
 - \$10,000 in damage, hospitalization, personal injury, damage to Government or private property or death.
 - Before a drug test is conducted based on an accident or unsafe practice, it must be approved by at least a second level supervisor.



ACCIDENT AND UNSAFE PRACTICE TESTING

- Drug testing will also be conducted for Schedule I and II Drugs (drugs that have a high abuse risk)
- The Supervisor Must Document.
- Indirect Observation will be conducted.
- A test can be conducted without regard to the employee's regular work shift.
 - Overtime pay or compensatory time will be provided as needed.



REASONABLE SUSPICION TESTING

- **Testing Designated Position** – If you are holding a TDP:
 - Drug testing will occur if you are Arrested or have a Conviction for a Drug Related Offense on or off the military installation. Information must be provided by Reliable and Credible Sources.
 - Evidence must be provided in order to confirm that an employee has tampered with a Previous Drug Test.



REASONABLE SUSPICION TESTING

- Testing will be conducted when management has reason to believe that an employee may be using illegal drugs. The suspicion must be based on specific, objective facts and reasonable inferences drawn from these facts. Documentation is essential. Approval for such testing must be received from a second level supervisor or higher. Can be based on such factors as: Observed use or possession, physical evidence of an employee being under the influence of drugs, or evidence of tampering with a drug test or urine sample.
- “Hunches” or “Rumors” are not sufficient to meet this standard.



VOLUNTARY TESTING

- Why Volunteer?
 - To Demonstrate Commitment and serve as a Role Model within the command .
 - This type of testing is Subject to Random Procedures.
 - Can Withdraw at Anytime.
 - Indirect Observation.
 - A Thirty Day Notice is ***Not*** Issued to the Employee.



FOLLOW-UP TESTING

- Follow-up testing is the testing of employees who undergo a counseling or rehabilitation program for illegal drug use through the Civilian Employment Assistance Program (CEAP). These employees are subject to unannounced testing following completion of the program for a period of one year.
- Follow up testing will be conducted when an employee receives a Positive Drug Test Result. The employee will be referred to the Civilian Employment Assistance Program (CEAP) Program for Counseling and Rehabilitation.
 - CEAP is a 1 year minimum follow-up program.
 - Direct Observation will be conducted during drug testing.



DEFERRAL OF TESTING

- A deferral of an employees' random drug test may be authorized by the Regional Drug Program Coordinator, when requested by the employee's first level supervisor with higher level concurrence. The request must be in writing and be based on a compelling need which necessitates the deferral on the basis that the employee is:
 - In a non-duty status (previously approved) such as annual or sick leave, suspension, absent without leave, continuation of pay, etc.



DEFERRAL OF TESTING

- In an official travel status away from the work site or is about to embark on official travel which was scheduled prior to testing notification.
- Working a different shift.
- Performing a task or project that requires the employee's presence at the work site during the time testing is scheduled.

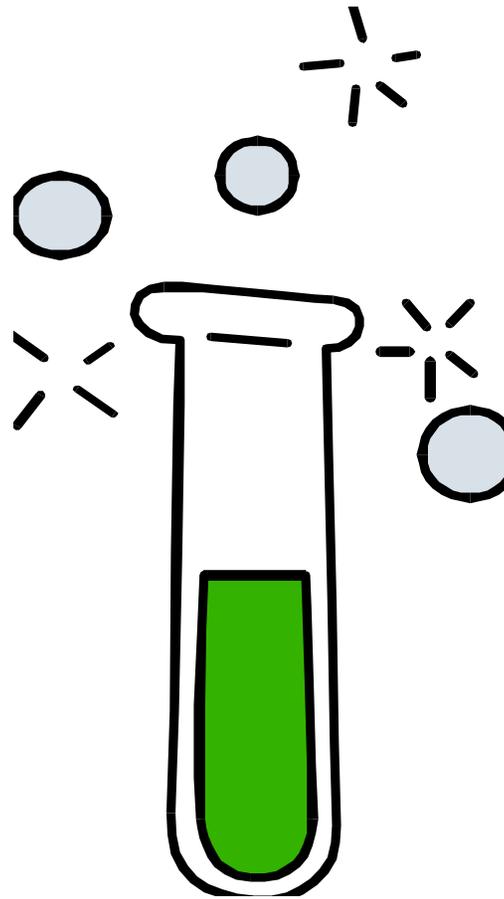


DEFERRAL OF TESTING

- Exemption: during treatment and rehabilitation (Safe Harbor, CEAP, etc.)
- The DPC will reschedule the employee for unannounced testing within the next sixty days.



SPECIMEN COLLECTION





PRIVACY

■ Unobserved

- Random
- Applicant
- Accident
- Voluntary
- Post Accident

■ Observed

- Reasonable Suspicion
- Follow-up
- Post-Accident
 - Only if there is reason to believe that the donor may adulterate or substitute sample



TYPE OF TEST RESULTS

- Negative
 - No drugs are found.
- Negative Dilute
 - No RE-TEST REQUIRED (Unless directed to recollect by the Medical Review Officer).
- Positive
 - Drugs are found
 - Positive Dilute – a trace of drugs are found.



ADULTERANTS

- The use of adulterants is prohibited.
- Check the Globe for off-limit establishments.



GOALS OF THE DFWP PROGRAM

- Education of Employees and Supervisors
- Drug Testing as Deterrence
- Rehabilitation of Drug Users



EXCUSES

- Why would someone not show up for testing?



I broke my leg going to the test site



I had better things to do.



SPECIAL SITUATIONS

- Failure to Report for Testing
 - Regional Drug Program Coordinator (RDPC) documents
 - Supervisor Notified
 - Discipline issued
 - Civilian Employment Assistance Program Referral not Required (CEAP)
 - Cancellation of Job Offer if applicant
- Refusal to be Tested
 - RDPC documents
 - Supervisor Notified
 - Discipline issued
 - CEAP not Required
 - Cancellation of Job Offer of applicant



SPECIAL SITUATIONS

- Failure to Provide a Sample
 - Insufficient Amount of Sample.
 - Will Dispose of Partial Sample.
 - Take a Second Sample – Contractor will Note on Custody and Control Form each attempt with the time.



SPECIAL SITUATIONS

- Failure to provide a Sample
- Unable to Void
 - Additional Fluids will be given the employee by the Contractor.
- Remain at Site in view of the Regional Drug Program Coordinator and the Contractor.



SPECIAL SITUATIONS

- What happens if the Collection Goes Beyond Regular Shift?
 - The RDPC, Contractor and the Donor will Remain at the Testing Site for Up to (3 hours).
 - Employee will be compensated as appropriate: comp time etc...



CIVILIAN EMPLOYEE ASSISTANCE PROGRAM (CEAP)

- The CEAP plays an important role in preventing and resolving drug abuse problems. Employees are encouraged to seek assistance from CEAP. The CEAP/CHRO staff makes referrals to appropriate treatment and rehabilitation facilities. The CEAP also provides follow-up counseling to individuals during rehabilitation to track progress and encourage recovery. The responsibility of the cost lies with the employee and the health benefits carrier under the terms of coverage in the contract. The CEAP is administered separately from the drug testing program. CEAP is available to all employees without regard to a finding of illegal drug use.



SAFE HARBOR

- Executive Order 12564 allows agencies to provide assistance to employees who voluntarily seek treatment for drug use. Safe Harbor insulates the employee from discipline for admitted acts of using illegal drugs where the agency is unaware of such use. Under Safe Harbor, the Department of the Navy will not initiate disciplinary action against an employee who meets the following conditions:





SAFE HARBOR

- Voluntarily identifies him/herself as a user before other information is presented.
- The employee obtains counseling and rehabilitation services through the Civilian Employee Assistance Program.
- The employee refrains from using illegal drugs.
- Agrees to participate in follow-up testing.





SAFE HARBOR

- Who is not eligible for Safe Harbor:
 - An employee who admits to illegal drug use after being notified they are have been scheduled for a drug test or just after a sample has been collected or who is found to use illegal drugs on the basis of other appropriate evidence obtained from a criminal conviction or arrest.
 - The employee must be willing to admit to having a problem and seek assistance.





CONSEQUENCES OF A POSITIVE DRUG TEST

- If the employee takes drugs illegally:
 - They will be removed from the Testing Designated Position
 - They will be referred to **Civilian Employment Assistance Program (CEAP) – MANDATORY**
 - **They may lose their security clearance or their job**
- Activity Head may permit the return to duty after completion of the rehabilitation program.



CONSEQUENCES OF A POSITIVE DRUG TEST

Administer Disciplinary Action to include:

1st offense: 14 day suspension to removal

2nd offense: Mandatory removal

Refusal of Counseling: Mandatory removal

Failure to show or refusal to be tested will be considered as testing positive.



SUPERVISOR'S ROLE AND RESPONSIBILITIES

- Supervisors must attend the Mandatory Drug Free Workplace Training every three years.
- Must have knowledge of the Random and Voluntary Drug Testing procedures:
 - The day before the scheduled drug testing event, the DPC Assistant will electronically transmit the official employee notification letter with the Supervisor's Checklist.
 - Approximately 15 to 30 minutes prior to collection, privately provide the "Checklist for Employees Notification of date, time and location the employee is to report for testing. Instruct employee to take appropriate photo identification. If more time is required for travel to the collection site, make notification no more than 60 minutes in advance.



SUPERVISOR'S ROLE AND RESPONSIBILITIES

- Explain to employee that he/she is not under any suspicion of taking drugs and that their name was randomly selected.
- Respond to the employee's questions.
- Discuss any problems which may arise regarding an employee reporting for the test with a higher level supervisor.
- If a deferral is required, the supervisor will furnish the RDPC with the mandatory paperwork.



EMPLOYEE'S ROLE AND RESPONSIBILITIES

- Employees must refrain from illegal use of drugs on or off-duty at all times.

Attend Drug Testing Event

- Be on time for the test and bring appropriate photo identification to the test site.
- Provide urine sample when required.
- Cooperate with the Medical Review Officer and provide additional information regarding a drug test.



EMPLOYEE'S ROLE AND RESPONSIBILITIES

Employees who have Positive Test Results

- The Employee will have the opportunity to justify to MRO. (If you are taking another person's prescription -- it is illegal and will be considered a "Positive" Drug Test result).
- Follow up testing will be required.



CONFIDENTIALITY

- Records Must be Kept Confidential
- Privacy Act Laws
- Release Limited by P.L. 100-71
- Health Insurance Portability and Accountability Act of 1996 (HIPAA)



REFERENCES

- DON Civilian Human Resources Manual 792.3 Drug Free Workplace Program-Set forth DoN policies, procedures, applicability and responsibilities
- Substance Abuse and Mental Health Services Administration (SAMHSA)
- Executive Order 12564-Drug Free Federal Workplace (guidelines for supervisors)



CONCLUSION

Digitally sign the certificate on the next page and provide to your command training representative.

NOTE: If you experience difficulties signing the digital certificate, please save the certificate on your desktop, from there you should be able to digitally sign and send it to your training supervisor. Be sure to open the PDF file in Adobe Professional which allows you to digitally sign the certificate.