



UNITED STATES MARINE CORPS
MARINE CORPS BASE
PSC BOX 20004
CAMP LEJEUNE, NC 28542-0004

BO 12792.5
CHRO-E
FEB 23 2009

BASE ORDER 12792.5

From: Commanding Officer
To: Distribution List

Subj: DRUG-FREE WORKPLACE PROGRAM (DFWP) FOR APPROPRIATED FUND
EMPLOYEES

Ref: (a) MCO P12792.1A
(b) Civilian Human Resources Manual (CHRM) 792-3
(c) BO 12752.1A

Encl: (1) Sample Letter Notice of Random Drug Testing under the
Department of the Navy Drug-Free Workplace Program

1. Situation. To implement the Department of the Navy (DON)
and the Marine Corps policy on DFWP as set forth in references
(a) through (c).

2. Mission. This Order applies to all appropriated fund
employees and applicants tentatively selected for employment.

3. Execution

a. Commander's Intent. The DON and Marine Corps will not
tolerate the possession, use, or distribution of illegal drugs
and are committed to the eradication of them from the work
place. A drug-free workplace is essential to mission
accomplishment.

b. Concept of Operations

(1) The Civilian Human Resources Office for appropriated
fund employees will implement the DFWP in accordance with
references (a) and (b), following the disciplinary guidelines in
reference (c).

(2) An employee found to use illegal drugs must be
referred to the Civilian Employee Assistance Program (CEAP), in
accordance with reference (b). Disciplinary action will also be

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initiated against said employee, in accordance with reference (c). However, an employee who voluntarily seeks treatment for illegal drug use, prior to being notified of a drug test and meets the "Safe Harbor" conditions as set forth in reference (b) will not be subject to discipline or removal for admitted acts of illegal drug use. "Safe Harbor" will not be granted to drug dealers or those involved in other drug-related misconduct.

4. Administration and Logistics. Questions concerning the contents of this Order may be forwarded to the Drug Program Coordinator at 451-8848.

5. Command and Signal

a. Command

(1) Applicability. This Order is applicable to all appropriated fund civilian employees at Marine Corps Base (MCB), Camp Lejeune; Naval Hospital; Marine Corps Air Station (MCAS), New River and 2d Naval Dental Battalion.

(2) Concurrence. This Order has been coordinated with and concurred in by the Commanding Officers of the Naval Hospital; MCAS New River and 2d Naval Dental Battalion. The enclosure authorizes each Commanding Officer disciplinary jurisdiction on employees assigned to their command.

b. Signal. This Order is effective the date signed.


W. A. MEIER
By direction

DISTRIBUTION: A

FEB 23 2009

UNIT HEADING

IN REPLY REFER TO:

12792

CO

Date

From: Commanding Officer,
To:

Subj: NOTICE OF RANDOM DRUG TESTING UNDER THE DEPARTMENT OF THE NAVY DRUG-FREE
WORKPLACE PROGRAM

Ref: (a) Executive Order 12564

1. You were advised by a General Notice from the Secretary of the Navy, dated December 13, 2005, that the Department of the Navy (DON) had implemented drug testing as part of the Drug-Free Workplace Program (DFWP). Your position meets the criteria for designation as a "Testing Designated Position" (TDP). This means you are subject to random drug testing under the DON DFWP. Performance of the duties of your position is sufficiently critical to this activity that screening to detect the presence of drugs is warranted as a requirement of your position. It is mandatory for your continued employment in this position that you refrain from the use of illegal drugs and, when directed, submit to drug testing.

2. No sooner than 30 days from receipt of this notice, you may be subject to random drug testing on an unannounced basis for marijuana, cocaine, opiates, amphetamines, phencyclidine (PCP) and specimen validity testing. You will receive specific instructions concerning when and where the test will be conducted immediately prior to the test. You will be allowed individual privacy while providing the urine specimen unless, as delineated in the DFWP there is reason to believe the specimen will be altered or substituted. To ensure the accuracy of the test result, the collection, handling, and testing of the urine specimen will be conducted under strict chain-of-custody procedures established by the Department of Health and Human Services Guidelines for Federal Workplace Drug Testing Programs. The procedures used to test the urine specimens are very accurate and tightly monitored to ensure reliable results. The test results will be handled with maximum respect for individual confidentiality. In the event your specimen test non-negative, you will be given an opportunity to submit medical documentation to a designated Medical Review Officer to establish your legitimate use of the specific drug(s) before any administrative action will be taken.

3. If you refuse to furnish a urine specimen, fail to report for testing as directed, substitute or adulterate your specimen, you will be subject to discipline for failure to meet a condition of employment. The range of disciplinary action will be the same as for a verified positive test result for illegal drug use or for failure to meet a condition of employment. If, by any means, illegal drug use is detected, you will be subject to the following two administrative actions mandated by reference (a).

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Subj: NOTICE OF RANDOM DRUG TESTING UNDER THE DEPARTMENT OF THE NAVY DRUG-FREE
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a. You will immediately be taken out of your Testing Designated Position (TDP) through reassignment, detail, or other personnel action to ensure that you do not occupy a TDP. I may restore you to your TDP as part of your successful participation in a rehabilitation or counseling program.

b. You will also be referred to the Civilian Employee Assistance Program (CEAP) as required by reference (a).

4. In addition, disciplinary action up to and including removal from the Federal Service will be initiated. As required in the Executive Order, a removal action will be initiated if you refuse to obtain counseling or rehabilitation through the CEAP after being found to use illegal drugs or for a second finding of illegal drug use.

5. If you believe you have a drug problem, you are encouraged to seek counseling and/or referral services by contacting the CEAP Coordinator, Civilian Human Resources Office-East, 33 Holcomb Blvd, Camp Lejeune, NC 28547-2508, (910) 451-1458. If you voluntarily identify yourself to your supervisor or other higher level management official as a user of illegal drugs prior to being so identified through other means such as drug testing, seek counseling and/or rehabilitation assistance, and thereafter refrain from using illegal drugs, you will not be subject to discipline for your prior drug use. This immunity from discipline under these circumstances is referred to as safe harbor. It is important to note that once you are informed of an impending drug test, you are no longer eligible for safe harbor. Further, if you are convicted of a drug-related offense, you will not be eligible for safe harbor from discipline for those actions.

6. If you believe your position has been wrongly designated as a TDP, you may request a review of the determination. Such a request must be submitted, in writing, to me, Commanding Officer, Marine Corps Base, PSC Box 20004, Camp Lejeune, NC 28542-0004, within 15 days of receipt of this notice. It should state the reasons why you believe that your position should not be a TDP and include all other relevant information. My decision is not subject to further review nor is it grievable under the administrative grievance procedure. If you are a member of a bargaining unit, you must seek review of your position designation through your negotiated grievance procedure, unless the agreement specifically excludes such decisions from the negotiated procedure.

7. As stated in the General Notice announcing the Program, you, as well as all DON employees, may also be subject to testing due to reasonable suspicion, involvement in an accident or safety mishap, and as part of or follow-up to a rehabilitation and/or counseling program for illegal drug use. When conducting reasonable suspicion, accident, or mishap testing, the DON may test for any drug listed in Schedule I or II of the Controlled Substances Act, 21 U.S.C. 812, not just the five previously identified in paragraph 2 of this notice.

8. If you have questions concerning this program that your immediate supervisor has not answered to your satisfaction, you may contact the Drug Program Coordinator, at 451-8848. The Drug Program Coordinator will set up an appointment to answer your questions.

X. X. XXXXXX

ENCLOSURE (1)

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ACKNOWLEDGEMENT OF RECEIPT

I acknowledge receipt of this letter and have read its contents. I understand that I may be selected for random drug testing and also tested when there is reasonable suspicion to believe that I may be using drugs, or as the result of a safety mishap, or as part of or follow-up to rehabilitation. I also understand that refusal to submit to testing will result in initiation of disciplinary action, up to and including removal.

DATE

SIGNATURE

Please sign/date this acknowledgement receipt and return it to the Drug Program Coordinator, via your supervisor.

ENCLOSURE (1)