



GOVERNMENT OF GUAM
AGANA, GUAM 96910
DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIREKTOT)

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Carl T.C. Gutierrez
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FEB 04 2000

DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO. 00-011

To: Non-Autonomous Department/Agency Heads
From: Director, Department of Administration
Subject: Drug-Free Workplace Program

Buenas yan Hafa Adai! In reference to DOA Organizational Circular No. 00-010, the following positions have been added to the Testing Designated Positions (TDP). Please ensure that the attached notice is distributed to all employees occupying the positions below, pursuant to DOA Circular No. 00-010.

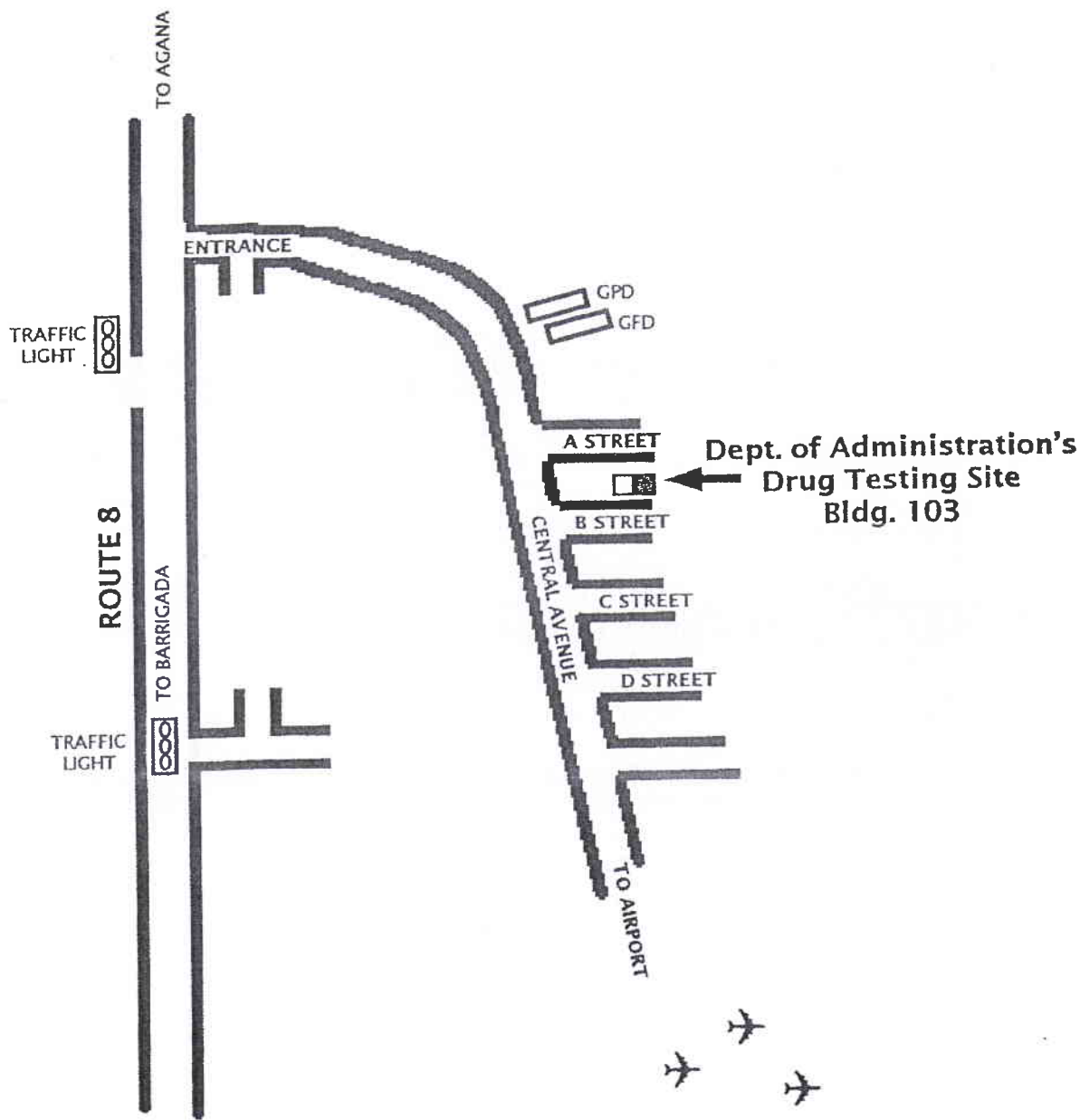
- Construction Inspector I, II, III
- Customs and Quarantine Recruit
- Engineer I, II, III
- Engineer Supervisor
- Messenger Clerk
- Process Officer
- Safety Inspector I, II, III
- Safety Inspector Supervisor
- Welder I, II
- Welder Leader
- Welder Supervisor

To include other positions not listed, please submit your request to the Department of Administration.

If you should have any further questions, please feel free to contact the Division of Personnel Management, Employee Management Relations Branch at 475-1131.

RODNEY C. WEBB,
Acting

attachment



DEPARTMENT OF ADMINISTRATION
HUMAN RESOURCES DIVISION

DRUG FREE WORKPLACE FEE SCHEDULE

DFWP TESTING	COST
NIDA 5 Panel, GC/MS (DOT)	\$ 31.50
SAP 5 Panel, GC/MS (Non-DOT)	\$ 27.50
Random Selection Testing	\$ 50.00 per List Issued
MEDICAL REVIEW OFFICER (MRO)	COST
Certification of Drug Test Results (NEGATIVES/POSITIVES)	\$ 10.00 per Drug Test
Testimonial Court Appearance	\$ 75.00 per Appearance
Re-evaluation of Negative Drug Test results requested by the government	\$ 37.00 per Case
SPECIMEN COLLECTION	COST
Location: DLS/Biopath Hours: Monday to Friday - 9:00 a.m. to 5:00 p.m.	No Charge
Location: On-Site (DOA Designated Location) 12 or more assembled at one time during normal business hours. Please schedule at least five (5) days in advance.	No Charge
For Less than 12 Collections	\$ 50.00/Hour for Lab. Tech - Portal to Portal @ 1 Hour Minimum
Insufficient Sample (Shy Bladder)	\$ 50.00/Hour Up to 3 Hrs., if all other collections are completed
Observed Specimen Collection	\$ 45.00/collection (In addition to other fees)
After Hours: Between the hours of 5:00 p.m. to 8:00 a.m., All day Saturday, Sunday and Holidays	\$ 75.00/Hour for Lab Tech - Portal to Portal @ 1 Hour Minimum
ADDITIONAL TESTING REQUIREMENT	COST
d, 1 Amphetamine Isomers	\$ 110.00
6-Monoacetylmorphine	\$ 172.00
Split Confirmation	\$ 125.00
Adulteration Panel	\$ 176.00
Adulterant, ID	\$ 101.00
LITIGATION ASSISTANCE	COST
Expert Witness - On Site Testimony	\$100.00/Hour up to a Max. of \$500.00/Day, plus Airfare, Hotel and Car accommodation - If Necessary
Deposition-Telephonic Testimony	\$ 75.00/Hour
Record Retrieval	\$ 50.00 per Record
ADMINISTRATIVE SERVICES	COST
Administrative Support, Supplies, and Utilities	\$ 25.00 Per Month OR \$300.00 Per Year

MEMORANDUM

To: _____
Employee's Name, Job Title and Grade

From: _____
Department/Agency Head

Subject: **Notice of Random Drug Testing Under the Drug-Free Workplace Program**

Buenas! You were advised by a General Notice dated February 23, 1996, that the Department of Administration was implementing drug testing as part of the Drug-Free Workplace Program (DFWP). It has been determined that your position meets the criteria for random drug testing under the DFWP. Performance of the duties of your position is sufficiently critical to the government of Guam 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.

No sooner than thirty (30) days from receipt of this notice, you may be subject to random drug testing on an unannounced basis for marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). 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 there is reason to believe the specimen will be altered. 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 U. S. Department of Health and Human Services Guidelines for Workplace Drug Testing Programs and described in the Department of Administration DFWP. 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 tests positive, 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.

Refusal to furnish a urine specimen or failure to report for testing as directed, is grounds for discipline. If you test positive you will be subject to the following two administrative actions:

1. You will immediately be taken out of your current assignment. You may be restored to your TDP as part of your successful participation in a rehabilitation or counseling program.
2. You will also be referred to the Employee Assistance Program (EAP) as required by the DFWP procedures.

In addition, appropriate disciplinary action up to and including removal from government service will be initiated. The removal action will be initiated if you refused to obtain counseling or rehabilitation through the EAP after being found positive on your drug test or for a second finding.

Notice of Random Drug Testing Under the Drug-Free Workplace Program
PAGE TWO

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 the Director, Department of Administration within fifteen (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. The DOA Director's decision is not subject to further review nor is it grievable under the administrative grievance procedures. If you are a member of a bargaining unit, you must seek review of your position designation through your union contract, unless the agreement specifically excludes such decisions from the negotiated procedure.

As stated in the General Notice announcing the Drug-Free Workplace Program, you, as well as all 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 test may be for any drug listed in Chapter 67 of Title 9 Guam Code Annotated (Uniform Controlled Dangerous Substance Act) or any drug listed in Schedules I or II of the Controlled Substance Act.

Signature of Department/Agency Head

ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of a memorandum from my department/agency head giving me notice of random drug testing under the Drug-Free Workplace Program. I have read and understood the contents of that memorandum. I understand that I may be selected for random drug testing. I also understand that refusal to submit to testing will result in initiation of disciplinary action, up to and including dismissal.

SIGNATURE OF EMPLOYEE

DATE OF RECEIPT

DEPARTMENT OF ADMINISTRATION
DRUG-FREE
WORKPLACE
PROGRAM (DFWP)

***EMPLOYEE
ASSISTANCE
PROGRAM***

EMPLOYEE ASSISTANCE PROGRAM

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EMPLOYEE ASSISTANCE PROGRAM

PURPOSE

To establish the Director of Administration policy and procedures on the conduct of the Employee Assistance Program (EAP), and to provide guidance for implementing the policy and assign responsibility for the administration of the program.

COVERAGE

This procedure applies to classified employees in the line and non-autonomous agencies and departments. Appointing authorities shall appoint collateral duty EAP counselors and ensure that the counselors are given adequate training and sufficient time to perform their duties. Agency heads shall make sure that the provisions of the EAP are made available to all employees through services provided by EAP counselors and the EAP Administrator designated by the Director of Administration.

POLICY

It is the policy of the Director of Administration to assist employees in overcoming performance or conduct deficiencies caused by misuse of drugs or alcohol or by other personal problems.

1. The program will provide problem identification and preventive counseling and referral to local community agencies for treatment, rehabilitation or other assistance. The EAP shall not include treatment or rehabilitation. Employees are responsible for all costs of treatment and rehabilitation.
2. Alcoholism and drug abuse or dependency are health problems in which the employee's job performance is impaired as a direct consequence. Employees having these illnesses will receive the same consideration and offer of assistance that is extended to employees having other illnesses or health problems.
3. Employees will refrain from the abuse of all drugs and will report for duty not under the influence of alcohol or drugs. Employees are responsible for seeking assistance through EAP to overcome alcohol, drug, or other personal problems which are adversely impacting on their performance and will cooperate with supervisors and EAP counselors in matters relating to the program. Employment or promotion opportunities will not be jeopardized because of prior alcohol or drug misuse/abuse or by a request for counseling or referral assistance, except as limited by law.

4. The confidential nature of client records will be safeguarded and information therein shall not be disclosed except as provided by the confidentiality of medical records and examinations provisions of the American with Disabilities Act of 1990.
5. To the extent feasible, EAP assistance will be provided to the employee with a family member with who has personal problems. Sick leave, annual leave or leave without pay shall be granted for alcohol or drug abuse treatment or rehabilitation as with any other illness or health problem. When an employee participates in treatment of a condition personal to the employee, including alcoholism or drug misuse/abuse by a member of the employee's immediate household where family therapy is an element of the treatment regimen, sick leave is appropriate.
6. Employee referral to or participation in EAP will be based on job or performance related factors. It will not be based on any prohibited personnel practice or action that would constitute a finding of overt or presumptive discrimination on the grounds of race, color, sex, age, physical or mental disability, religion or national origin.

PROCEDURE

Appointing authorities and all levels of management shall support the program as necessary to ensure program effectiveness. Agencies may contract individually or collectively for the provision of EAP services. Contracts may provide counseling services (including problem identification), referral for treatment or rehabilitation and follow-up to aid in effective readjustment to the job. Employees are responsible for any costs of treatment and rehabilitation.

DEFINITIONS

The following definitions are only for the administration of the Employee Assistance Program. They are not intended to modify or influence definitions applicable to statutory provisions and regulations which relate to disability benefits or criminal or civil responsibility for an individual's actions or omissions.

1. **Agency.** Department of Administration and all line and non-autonomous agencies and departments.
2. **Alcohol Abuse.** Use of alcohol or an extent that it has an adverse effect on performance, conduct, discipline, or mission effectiveness and/or the user's health, behavior, family, or community.