



DRUG-FREE WORKPLACE GENERAL NOTICE



The Department of Administration's (DOA) drug-free workplace policy has been established for the Government of Guam employees under the direction of the Executive Branch, pursuant to Executive Orders 95-29 and 2008-18 and promulgated on December 6, 1995. As a condition of employment, all employees must refrain from using illegal drugs on or off duty, to include the abuse of prescription medication. The Department of Administration Drug-Free Workplace Program (DFWP) is designed to accomplish this goal through deterrence, identification, rehabilitation, and disciplinary action. While the DOA and the appointing authority will assist employees with substance abuse problems, it must be recognized that employees who use illegal drugs are primarily responsible for changing their own behavior and actions.

Illegal drugs use by any employee is incompatible with the maintenance of high standards of conduct and performance. Moreover, illegal drug use and the abuse of prescription medication could adversely affect employees and public safety, risk damage to government and personal property, and significantly impair day-to-day operations. The DFWP program is aimed at identifying illegal drug users and sellers in order to maintain a safe secure workplace and efficient operation.

All employees are subject to testing shall be allowed to provide at least 30 mL of urine specimens in private restroom facility acceptable by the contracting laboratory or a third party collector. However, when there is reason to believe that the specimen may be altered the urine specimen collection will be conducted under direct observation, which is gender based.

The types of testing authorized by the DOA as follows:

- a) Pre-employment testing – Initial hire into the government.
- b) Random testing – Incumbents are subjected to unannounced drug testing, for Incumbents occupying a safety sensitive position known as Testing Designated Positions “TDPs”.
- c) Post Accident testing – Employees involved in an accident or unsafe practice as determined by Drug-Free Work Place Policy.
- d) Reasonable Suspicion test – Appointing authority believes that an employee may be under the influence.
- e) Follow-Up Testing – After completing the rehabilitation program, DOA will monitor an employee's progress by conducting unannounced drug testing.
- f) Applicant Testing – An employee is moving from a Non-Test Designated Position to a Test Designated Position.
- g) Volunteer Testing – An employee whom would like to participate in the Random Pool within their respective departments to illustrate their comment to a “Drug-Free Workplace.”

The types of drugs that will be tested under the Drug-Free Workplace Program shall be consistent with the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) and Health and Human Services (HHS), should the Federal standards change at anytime, DOA will conform its testing to the new



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standards. Any dispute over what those standards required will be decided by the Department of Administration. All urine specimens undergo an initial screening to detect drugs and their metabolites. Should the initial screening detect drugs and their metabolites, a second screening shall be conducted utilizing Chromatograph-Mass Spectrometry (GC/MS) to confirm the presence of drugs and their metabolites. All initial cutoff concentration levels shall be used for the screening and confirmatory are as follows:

Initial Test Level (ng/ml)	
Marijuana	15
Cocaine	150
Opiates	2000
Phencyclidine	25
Amphetamines	500

In the event your specimen test result is positive, you will be given the opportunity to discuss your test results to the Medical Review Officer (MRO) to establish your legitimate use of the specific drug(s) that discovered during the urinalysis. However, should you feel your drug test is an error you will be give the opportunity to contest your urine specimen that yielded a positive result. The cost of the “re-test” shall be paid by you and that the “re-test” will be of the same urine sample. I shall pay the cost of \$150.00, which shall be paid in the form of a cashier’s check or cash within 10 days from the date you received notice from your respective department/agency. All drug test results will be handled in a confidential manner. Positive drug test results from the laboratory will only be disclosed to you by the Medical Review Officer, the Director of Administration and the hiring appointing authority.

The use of illegal drugs will not be tolerated and any employee who has a substance abuse problem is encouraged to seek assistance through your department/agencies Employee Assistant Program Representative (EAPR). Such assistance may be obtained by contacting the EAPR or the Department of Administration’s Drug Free Workplace Coordinator. Should you voluntarily identify yourself to your supervisor or other appropriate management official as a user of illegal drugs or prescription medication, may seek rehabilitation assistance. Should you qualify under the “Safe Harbor” provision you will not be subject to disciplinary action or dismissal, provided the terms of “Safe Harbor” conditions are being followed. Please note, under “Safe Harbor” this will be counted as a “First-Offense” and in the event you test positive for any drug test, arrested for drugs, or refused a drug test, you will be subjected to an adverse action pursuant to the Department of Administration’s Drug Free Workplace program Operating Procedures, paragraph 28(b)(1)(4) and rule 11.400 and 11.402 of the personnel Rules and Regulations, your department shall issue you an adverse action, up to and including dismissal for failure to comply with the Drug-Free Workplace Program

This is a General Notice to all employees and that the Department of Administration will administer all types of drug testing. Lastly, should you occupy a Test-Designated Position (TDP), which is subject to random drug testing and an Individual General Notice will be provided to you before a random drug test may occur. The Drug-Free Workplace Policy and Procedures can be found on our website, www.hr.doa.guam.gov.

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SHANE G.L. NGATA, Acting HR Manager
Department of Administration