ADS Chapter 410

Drug-Free Workplace Program

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ADS Chapter 410 – Drug-Free Workplace Program

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ADS Chapter 410 – Drug-Free Workplace Program

410.1 OVERVIEW

Effective Date: 04/15/2010

This chapter provides the United States Agency for International Development (USAID) policy directives and required procedures for promoting a drug-free work environment. USAID will promote its drug-free policy through the implementation of its **USAID Drug-Free Workplace Plan**. For the purposes of this chapter, the term "employee" includes all personnel located in USAID/Washington Headquarters (USAID/W) in the Ronald Reagan Building. Also for the purposes of this chapter, illegal drugs are specifically marijuana and cocaine.

All USAID/W employees must adhere to the required policies and procedures set forth in the **USAID Drug-Free Workplace Plan**. The USAID Drug-Free Workplace Program Plan is in conformance with the requirements of **Executive Order 12564**; **Section 503 of Public Law 100-71**; the **Privacy Act of 1974**; **Health and Human Services (HHS) Mandatory Guidelines for Federal Drug-Free Programs**; and the **HHS/Substance Abuse and Mental Health Services Administration's Model Plan for a Comprehensive Drug-Free Workplace Program**.

410.2 PRIMARY RESPONSIBILITIES

Effective Date: 07/01/1994

a. **USAID supervisors** are responsible for maintaining a safe, secure, and productive environment for employees. They are also responsible for

(1) Training to address illegal drug use by employees;

(2) Documenting job performance and behavior that is below standard; and

(3) Referring employees to the Employee Assistance Program (EAP) to obtain counseling for rehabilitation.

b. The **Drug Program Coordinator (DPC)** is responsible for the implementation, direction, administration, and management of USAID's Drug-Free Workplace Plan; making the final decision regarding disciplinary procedures; and appointing a Drug Program Manager (DPM).

c. The **Drug Program Manager (DPM)** is responsible for

(1) Managing, coordinating, and implementing the day-to-day Drug-Free Workplace Plan;

(2) Assuring the effective operation of the testing portion of the program;

(3) Insuring that all employees subject to random testing receive individual notice on the implementation of random testing;

(4) Transmitting verified positive test results from the Medical Review Official to the appropriate management official;

(5) Documenting all results of laboratory inspections;

(6) Reporting laboratory results to the Drug Program Coordinator;

(7) Disseminating drug program educational materials and overseeing training and education sessions regarding drug use and rehabilitation; and

(8) Coordinating all drug testing.

d. The **Employee Assistance Program Coordinator (EAPC)** is responsible for

(1) Assuming the lead role in the development, implementation, and evaluation of the EAP;

(2) Coordinating the Alcohol and Drug Abuse and Employee Consultation Service Administrators at the Department of State and assisting them in establishing and maintaining EAP services; and

(3) Preparing consolidated reports on the Employee Assistance Program on behalf of USAID.

e. Alcohol and Drug Abuse (ADAP) and Employee Consultation Service (ECS) Program Administrators are responsible for

(1) Implementing and directing the EAP;

(2) Providing counseling and treatment services to all USAID employees;

(3) Providing educational materials and training to managers, supervisors, and employees on illegal drugs in the workplace;

(4) Assisting supervisors with performance and/or personnel problems that are related to illegal drug use;

(5) Monitoring the progress of referred employees during and after rehabilitation;

(6) Maintaining a list of rehabilitation or treatment organizations that provides counseling and rehabilitative programs; and

(7) Visiting rehabilitative or treatment organizations to meet administrative and staff members.

f. The **Medical Review Official (MRO)** is responsible for

(1) Receiving all laboratory test results;

(2) Assuring that an employee who has tested positive has been afforded an opportunity to justify the test result; and

(3) Referring written determinations regarding all verified positive test results to the Drug Program Manager.

g. All **USAID/W employees** are responsible for complying with the provisions and procedures contained within this chapter.

*410.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

Effective Date: 05/12/2011

To protect our national security, eliminate risk to the health, welfare, and safety of the public and USAID/W employees, and to increase productivity in the workplace, it is the policy of USAID that the use of illegal drugs, on or off duty, will not be tolerated. Every USAID/W employee is responsible for complying with this policy.

USAID will promote its drug-free workplace program policy through implementation of its **Drug-Free Workplace Plan**. USAID/W employees must adhere to the required policies and procedures set forth in this Plan. The Plan includes, but is not limited to, policies and procedures, objectives, and guidelines concerning

- The nature, frequency, and type of drug testing to be instituted, including random testing, applicant testing, accident or unsafe practice testing, voluntary testing, and testing as part of or as follow-up to counseling or rehabilitation;
- The drugs for which employees are tested—marijuana and cocaine;
- Employee assistance programs, which provide counseling and assistance to employees who self-refer for treatment and whose drug tests have been confirmed positive;
- Supervisory training, which assists supervisors and managers in recognizing and addressing illegal drug use by Agency employees;
- Employee education, which uses written materials, videotapes, lunchtime employee forums, and employee drug awareness days to educate USAID employees on such topics as the symptoms and effects on performance of drug use;

*An asterisk indicates that the adjacent material is new or substantively revised.

- Reasonable suspicion testing, which may be based on direct observation of drug use or possession; a pattern of abnormal conduct or erratic behavior; information provided by reliable sources; or new evidence that an employee has tampered with a previous drug test;

- *Finding of drug use and disciplinary consequences, including written reprimand, short-term and long-term suspension, and removal from service; and

- Test results and records disclosure, which are protected under the provisions under the **Privacy Act, 5, USC 552a, et seq**. and **Section 503(e) of Public Law 100-71**.

Accomplishing the goal of an Agency-wide drug-free workplace rests primarily with senior officials and supervisors of USAID, in keeping with their responsibility for the performance and well being of employees.

410.4 MANDATORY REFERENCES
Effective Date: 04/15/2010

410.4.1 External Mandatory References
Effective Date: 04/15/2010

a. **Executive Order 12564**

b. **Section 503 of Public Law 100-71, 101 Stat. 391, 468-471, codified at 5 U.S.C. Section 7301.**

c. **Privacy Act of 1974**

d. **Health and Human Services (HHS) Mandatory Guidelines for Federal Drug Free Programs**

e. **HHS/Substance Abuse and Mental Health Services Administration's Model Plan for a Comprehensive Drug-Free Workplace Program**

410.4. 2 Internal Mandatory References
Effective Date: 04/15/2010

a. **USAID Drug-Free Workplace Plan**

410.5 ADDITIONAL HELP
Effective Date: 04/15/2010

There are no additional help items for this chapter.

*An asterisk indicates that the adjacent material is new or substantively revised.

410.6 DEFINITIONS

Effective Date: 04/15/2010

The terms and definitions listed below have been included into the ADS Glossary. See the ADS Glossary for all ADS terms and definitions. (See **ADS Glossary** and the **USAID Drug-Free Workplace Plan** for additional program-related definitions.)

employee
All personnel of USAID/W. (Chapter 410)

illegal drugs
A controlled substance, specifically marijuana and cocaine, included in Schedule I or II, as defined by 21 USC 802(6), the possession of which is unlawful under chapter 13 of that Title. The term "illegal drugs" does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law. (Chapter 410)

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