

POSITIONS IDENTIFIED AS TESTING DESIGNATED POSITIONS (TDP's)

Bus Driver
Handicap Bus Driver

School Bus Driver
School Bus Driver Leader
School Bus Driver Supervisor
Field Operations Bus Supervisor

Chemical Dependency Treatment
Specialist I
Chemical Dependency Treatment
Specialist II
Chemical Dependency Treatment
Specialist III

Clinical Administrator

Communicable Disease Control
Coordinator I
Communicable Disease Control
Coordinator II
Communicable Disease Control
Coordinator Supervisor
Communicable Disease Control
Program Administrator

Communicable Disease Investigator

Community Health & Nurse Services
Assistant Administrator
Community Health & Nurse Services
Administrator

Community Health Nurse I
Community Health Nurse II
Community Health Nurse Supervisor I
Community Health Nurse Supervisor II

Conservation Officer I
Conservation Officer II
Conservation Officer III

Correction Officer I
Correction Officer II
Correction Officer III
Correction Officer Supervisor I
Correction Officer Supervisor II
Correction Facility Assistant Supervisor
Correction Facility Supervisor

Correction Social Worker Assistant
Correction Social Worker I
Correction Social Worker II
Correction Social Worker III
Correction Social Worker Supervisor
Correction Social Worker Administrator

Crime Scene Technician

Fingerprint Examiner

Crime Analyst

Criminalist I
Criminalist II
Criminalist III
Chief Criminalist

Crisis Hotline Counselor I
Crisis Hotline Counselor II
Crisis Hotline Counseling Supervisor

Crisis Hotline Social Worker I
Crisis Hotline Social Worker II
Crisis Hotline Social Worker III

TESTING DESIGNATED POSITIONS (TDP's)

Customs Officer I
 Customs Officer II
 Customs Investigation Agent
 Customs Officer Supervisor
 Assistant Chief Customs Officer
 Chief Customs Officer

Dental Assistant

Dental Health Specialist I
 Dental Health Specialist II
 Dental Health Specialist III

Firefighter Recruit
 Firefighter I
 Firefighter II
 Fire Service Specialist
 Fire Inspector
 Fire Captain

Guard
 Guard Supervisor

Detention Facility Guard
 Detention Facility Guard Leader

Equipment Operator I
 Equipment Operator II
 Equipment Operator III
 Equipment Operator IV
 Equipment Operator Leader I
 Equipment Operator Leader II
 Equipment Operator Supervisor

Infection Control Practitioner

Investigator I
 Investigator II
 Investigator III
 Investigator IV
 Chief Investigation Agent

Lifeguard Recruit
 Lifeguard
 Lifeguard Instructor
 Head Lifeguard

Medical Social Service Administrator

Mental Health & Substance Abuse
 Training Officer
 Mental Health & Substance Abuse
 Training Coordinator

Mental Health Psychologist

Mental Health Residential
 Treatment Program Manager

Mental Health Administrator

Graduate Nurse (Non-Licensed)

Nurse Aide I
 Nurse Aide II

Nurse Midwife

Nurse Practitioner

Nurse Specialist

Nurse Supervisor I
 Nurse Supervisor II

OSHA Administrator
 GOSH Administrator
 Chief of Safety & Security Operations

Assistant Parks Administrator
 Parks Administrator

TESTING DESIGNATED POSITIONS (TDP's)

Parole Officer I
 Parole Officer II
 Parole Officer III
 Chief Parole Officer

Police Dispatcher I
 Police Dispatcher II

Police Cadet
 Police Officer I
 Police Officer II
 Police Officer III
 Police Sergeant I
 Police Sergeant II
 Police Lieutenant
 Police Captain
 Police Major
 Deputy Police Chief

Psychiatric Nurse I
 Psychiatric Nurse II
 Psychiatric Nurse III
 Psychiatric Nurse Supervisor
 Psychiatric Nurse Administrator

Psychiatric Social Worker I
 Psychiatric Social Worker II
 Psychiatric Social Worker Supervisor
 Psychiatric Social Worker Administrator

Psychiatric Technician I
 Psychiatric Technician II

Psychologist

Public Health Lab Director

Recreation Leader I
 Recreation Leader II
 Recreation Leader Coordinator
 Recreation Leader Supervisor

Assistant Recreation Administrator
 Recreation Administrator

Recreation Therapy Technician I
 Recreation Therapy Technician II

Safety Officer

Safety Administrator

Safety Technician I
 Safety Technician II
 Safety Technician III

Safety Inspector I
 Safety Inspector II
 Safety Inspector III
 Safety Inspector Supervisor

Security Inspector
 Security Guard (Armed)
 Security Guard Supervisor
 Chief of Security

Social Worker I
 Social Worker II
 Social Worker III
 Social Worker Supervisor I
 Social Worker Supervisor II

Staff Nurse I
 Staff Nurse II

Substance Abuse Program Specialist
 Substance Abuse Program Supervisor

Territorial Park Patrol Recruit
 Territorial Park Patrol Officer I
 Territorial Park Patrol Officer II
 Territorial Park Patrol Supervisor
 Territorial Park Patrol Superintendent

TESTING DESIGNATED POSITIONS (TDP's)

Vehicle Safety Inspector I
Vehicle Safety Inspector II
Vehicle Safety Inspector Supervisor

Weights & Measures Inspection Technician
Weights & Measures Inspector I
Weights & Measures Inspector II
Weights & Measures Inspector Supervisor

Vocational Rehabilitation Counselor I
Vocational Rehabilitation Counselor II
Vocational Rehabilitation Counselor III
Vocational Rehabilitation Counselor
Supervisor I
Vocational Rehabilitation Counselor
Supervisor II

Youth Community Services Supervisor
Youth Correction Superintendent
Youth Development Administrator

Youth Rehabilitation Administrator
Youth Service Worker Assistant
Youth Service Worker I
Youth Service Worker II
Youth Service Worker Supervisor

- A. All positions involved in providing or have a direct impact on patient care, counseling or rehabilitation programs such as: (1) Medical Laboratory Technician I, II, III, IV; (2) Medical Technologist I, II, Supervisor; (3) Pharmacist; (4) Physician Specialist; (5) Mental Health Psychologist; and (6) Microbiologist I and II.
- B. All law enforcement and investigative positions actively involved in the interdiction of illegal drug activities, or who carry firearms.

GENERAL INFORMATION IN THE IDENTIFICATION OF TESTING DESIGNATED POSITIONS

In determining which positions to identify as Testing Designated Positions (TDPs), which will be subject to random drug testing, the Department of Administration conducted a review of the job functions commonly associated with each classification category occupied by employees in areas of health, public safety, and those dealing with counseling, psychotherapy, the handling and/or dispensing of medications, laboratory employees, and other positions as determined by the Director of Administration to have met the criteria established by the President's Executive Order 12564. Those positions were placed on the Department of Administration's TDP list.

The identification of positions as TDP's is viewed as an ongoing process for the Department with the initial list first compiled for the implementation of the Drug-Free Workplace procedures under the Department of Administration's Personnel Rules and Regulations. Attachment (6) provides the procedures for requesting additions to and deletions from the TDP list.

DEPARTMENT/AGENCY HEADS

DESCRIPTION - The Director is the head of the department/agency with overall responsibility for the security and safety of his/her employees. The Director is responsible for the policies and control of the department/agency, including its organization, administration, operation and efficiency.

JUSTIFICATION - Drug usage could impair the incumbent's ability to make crucial decisions directly impacting the safety and security of the employees and the public.

1. COMMUNITY, SOCIAL AND YOUTH SERVICES

Only those positions which provide counseling and psychotherapy to patients/clients with alcohol/drug abuse problems are TDP's.

Clinical Administrator	Psychiatric Social Worker I
	Psychiatric Social Worker II
Correction Social Worker Assistant	Psychiatric Social Worker Supervisor
Correction Social Worker I	Psychiatric Social Worker Administrator
Correction Social Worker II	
Correction Social Worker III	Social Worker I
Correction Social Worker Supervisor	Social Worker II
Correction Social Worker Administrator	Social Worker III
	Social Worker Supervisor I
	Social Worker Supervisor II
Crisis Hotline Social Worker I	
Crisis Hotline Social Worker II	Substance Abuse Program Specialist
Crisis Hotline Social Worker III	Substance Abuse Program Supervisor
Medical Social Service Administrator	
Mental Health & Substance Abuse Training Officer	Youth Community Services Supervisor
Mental Health & Substance Abuse Training Coordinator	Youth Correction Superintendent
	Youth Development Administrator
	Youth Rehabilitation Administrator
Mental Health Administrator	Youth Service Worker Assistant
	Youth Service Worker I
Parole Officer I	Youth Service Worker II
Parole Officer II	Youth Service Worker Supervisor
Parole Officer III	
Chief Parole Officer	

DESCRIPTION

- a. Correction Social Workers recommend inmate's participation in special programs such as Work Release, Halfway House, Pre-Release, etc.; confer with families, case workers, and court officials regarding inmate progress and needs, formulate and implement treatment plans and evaluation of inmates.
- b. Parole Officers perform case handling, recording, counseling, preparation and implementation of rehabilitation plans.

- c. Social Workers perform complex professional casework involving diagnosis, intensive treatment of clients, and conduct life study consultations with agencies and institutions; conducts case conferences for treatment planning and evaluation of patients; identify psychosocial problems that would interfere with treatment plans, provide counseling to clients and their families.
- d. Youth Service Workers perform supervision, observation, security and rehabilitation of youths in a group living situation; counsel youths in problems involving interpersonal relationships and discipline, and identify service needs of youth clients.
- e. Psychiatric Social Workers conduct clinical interviews with patients to obtain information for the purpose of formulating a diagnosis of psychosocial problems; participate in the development of diagnostically based treatment plans; conduct group and individual psychotherapy, play therapy, family therapy and other forms of behavior modification.
- f. Youth Den Administrator/Youth Rehabilitation Administrator administer programs and activities for youths to include community services and outreach programs, Summer Youth Employment Programs, Youth Conservation Corps, Recreational Services and Youth Month Programs; plan and administer comprehensive treatment and custodial programs for delinquent youths including such areas as rehabilitation, treatment, vocational and academic education, recreation, discipline and support services.

Incumbents of the above positions provide counseling on an individual basis, or conduct group psychotherapy and may participate in a 6 week residential setting for alcohol/drug abuse/chronic obesity patients.

JUSTIFICATION - These positions have direct or indirect/client care responsibility. Errors in judgement would directly impact on client prognosis and progress. The provision of psychotherapy by drug-impaired employees would compromise the integrity of the mission of these correctional and rehabilitation service institutions and the DOA Drug-Free Workplace Program.

2. *COUNSELING, PSYCHOLOGY AND RELATED*

Only those positions which provide counseling and psychotherapy to patients/clients with alcohol/drug abuse problems are TDP's.

Chemical Dependency Treatment Specialist I	Psychologist
Chemical Dependency Treatment Specialist I	Mental Health Psychologist
Chemical Dependency Treatment Specialist I	Mental Health Residential Treatment Program Manager
Crisis Hotline Counselor I	
Crisis Hotline Counselor II	
Crisis Hotline Counseling Supervisor	

DESCRIPTION - These positions provide educational, vocational and rehabilitation counseling of the physically or mentally disabled persons or others in need of or seeking vocational guidance. Incumbents of positions listed above conduct group and/or individual psychotherapy for patients, selecting and implementing appropriate psychotherapeutic techniques and interpret results obtained. Incumbents provide comprehensive documentation of patient clinical progress, determine a plan and course of patient treatment, determine when the patient has maximally benefited from treatment, draft a final summary of patient progress attained, and develop an individualized aftercare plan. Some of these positions participate in treatment teams at alcohol/drug rehabilitation institutions which provide psychotherapy in a 6-week residential setting (New Beginnings, etc..) for alcohol and drug abuse, and chronic obesity patients.

JUSTIFICATION - These positions have direct or indirect patient care responsibility. Errors in judgement would directly impact on patient prognosis and progress. The provision of psychotherapy by drug-impaired staff would compromise the integrity of the mission of these treatment and rehabilitation services and the DOA Drug-Free Workplace Program.

3. VOCATIONAL REHABILITATION

Vocational Rehabilitation Counselor I
Vocational Rehabilitation Counselor II
Vocational Rehabilitation Counselor III
Vocational Rehabilitation Counselor
Supervisor I
Vocational Rehabilitation Counselor
Supervisor II

DESCRIPTION - Incumbents evaluate and assess clients' work capabilities and make vocational placements of clients in jobs; outline training programs regarding tasking assignments, behavioral observation and techniques; and, counsel clients in their rehabilitation efforts, determine clients' attitudes and aptitudes, work experience, education, social and economic situations, and arrange for medical diagnosis to determine extent of rehabilitation. Counselors administer and interpret a battery of psychological tests and counseling, confer with physicians and rehabilitation clinics to determine feasibility for clients' rehabilitation, and carry out rehabilitation plans. Incumbents conduct individual or group psychotherapy for alcohol/drug abuse/chronic obesity patients.

JUSTIFICATION - These positions have direct or indirect/client care responsibility. Errors in judgement would directly impact on client prognosis and progress. The provision of psychotherapy by drug-impaired employees would compromise the integrity of the mission of these correctional and rehabilitation service institutions and the DOA Drug-Free Workplace Program.

4. RECREATION AND RELATED

Only those positions which provide direct safety and security of persons in public recreation facilities are TDP's.

Lifeguard Recruit
Lifeguard
Lifeguard Instructor
Head Lifeguard

Assistant Recreation Administrator
Recreation Administrator

Recreation Therapy Technician I
Recreation Therapy Technician I

Assistant Parks Administrator
Parks Administrator

Recreation Leader I
Recreation Leader II
Recreation Leader Coordinator
Recreation Leader Supervisor

DESCRIPTION - Incumbents of the above positions administer and direct public recreational programs, coordinate and develop sports and community organizations, initiate and recommend the development, acquisition, maintenance, expansion, continual or discontinuance of programs, facilities and equipment. Incumbents also plan and carry out recreational and sports activities, demonstrate techniques, explain or teach the rules of games or contests. They plan with therapists individual and group physical therapeutic programs for patients, carry out approved therapy programs, maintain patient charts documenting daily performance and progress, and provide for water and ground safety and security at all Parks and Recreation facilities.

JUSTIFICATION - These positions have direct public care for security and safety at water and ground sports and recreational facilities. Errors in judgement would directly jeopardize the safety and security of the public in those facilities to the extent of causing a fatality. Drug-impaired staff would severely compromise the safety and security of the public, and the integrity of the mission of the recreational organizations and the DOA Drug-Free Workplace Program.

5. ***SAFETY INSPECTION AND ADMINISTRATION***

Safety Officer	Weights & Measures Inspection Technician
Safety Administrator	Weights & Measures Inspector I Weights & Measures Inspector II
Safety Technician I	Weights & Measures Inspector Supervisor
Safety Technician II	
Safety Technician III	
Vehicle Safety Inspector I	
Vehicle Safety Inspector II	
Vehicle Safety Inspector Supervisor	

DESCRIPTION - Employees occupying safety positions are responsible for the administration of occupational safety programs and activities, formulate and implement safety policies, rules and regulations and other program guidelines. They evaluate operational effectiveness and initiate/recommend appropriate changes to enhance occupational safety measures and practices. They conduct inspections of work areas for the detection and elimination of unsafe conditions and practices, insure compliance with safety requirements, investigate occupational accidents and incidents and prepare findings and recommendations to effect accident preventive measures and minimize safety hazards. They conduct safety training.

Vehicle Safety Inspectors and Weights & Measures Inspectors perform vehicle and equipment safety inspections to ensure safe operating conditions and compliance with provisions of the Vehicle Code of Guam. Weights & Measures Inspectors plan, develop, direct and implement inspections of devices and equipment and enforce the weights and measures laws and regulations. They determine maintenance tolerance and acceptance for weighing and measuring devices and calibration requirements.

JUSTIFICATION - Drug usage by employees in this category of positions could impair their judgement and result in loss of life or injury, and damage to or destruction of property. Errors in judgement would directly jeopardize the safety of the general public and compromise the integrity of the organizational goals and the DOA Drug-Free Workplace Program.

6. **COMPLIANCE INSPECTION/ENFORCEMENT**

Conservation Officer I
Conservation Officer II
Conservation Officer III

Customs Officer I
Customs Officer II
Customs Investigation Agent
Customs Officer Supervisor
Assistant Chief Customs Officer
Chief Customs Officer

DESCRIPTION - Conservation Officers are involved in the surveillance and enforcement of fish and wildlife conservation laws, rules and regulations. They may be required to carry firearms in the performance of their job. They inspect fishing and hunting areas, apprehend violators, serve subpoenas, testify in courts of law as government witnesses, and coordinate and collect biological information for analysis of aquatic and wildlife resources. Customs Officers and investigators conduct and investigate custom cases in violation of Guam and federal laws, review and determine evidence for possible arrests, coordinate with police force, Drug Enforcement Administration, Naval Investigation Services Resident Agency, Air Force Office of Special Investigation on Custom drug seizures requiring controlled delivery. They also inspect baggage and other effects of persons suspected of importing controlled substances and other violations.

JUSTIFICATION - Drug usage could result in adverse impairment to the ability to carry out the above duties of the positions. Improper action or inaction, with or without the use of firearms, presents a clear and present danger to the life and safety of everyone encountered as well as to the safety and security of property and facilities. Officials in these positions must be above reproach in all actions dealing with drug abuse.

7. *LEGAL INVESTIGATION*

Investigator I
Investigator II
Investigator III
Investigator IV
Chief Investigation Agent

DESCRIPTION - These positions are involved in the investigation, apprehension or detention of individuals suspected or convicted of offenses against the criminal laws of Guam and the United States. Incumbents conduct complete investigations which involve actual or potential crimes such as arson, assault, bribery, fraud, murder, manslaughter, rape, sodomy, larceny, burglary, housebreaking, forgery, maltreatment of prisoners, narcotic violations, customs violations, and other violations against federal and local statutes. Participates in highly sensitive operations and engages in collection and preservation of evidence of crimes, coordinates surveillance and stakeout assignments and assistance to other law enforcement agencies.

JUSTIFICATION - Drug usage could result in adverse impairment to the ability to carry out the above duties of the position. Improper action or inaction, with or without the use of firearms, present a clear and present danger to the life and safety of the public as well as to the safety and security of property and facilities.

8. PUBLIC SAFETY, SECURITY AND CORRECTION

Police Dispatcher I	Guard
Police Dispatcher II	Guard Supervisor
Police Cadet	Detention Facility Guard
Police Officer I	Detention Facility Guard Leader
Police Officer II	
Police Officer III	Security Inspector
Police Sergeant I	Security Guard (Armed)
Police Sergeant II	Security Guard Supervisor
Police Lieutenant	Chief of Security
Police Captain	
Police Major	Territorial Park Patrol Recruit
Deputy Police Chief	Territorial Park Patrol Officer I
	Territorial Park Patrol Officer II
	Territorial Park Patrol Supervisor
	Territorial Park Patrol Superintendent
Correction Officer I	
Correction Officer II	
Correction Officer III	
Correction Officer Supervisor I	
Correction Officer Supervisor II	
Correction Facility Assistant Supervisor	
Correction Facility Supervisor	

DESCRIPTION - All incumbents perform or supervise law enforcement work to preserve peace; prevent, detect and investigate crimes; apprehend violators; control traffic and crowds; provide assistance to citizens in emergencies; protect civil rights; and protect government-owned or controlled property. Some employees are armed and responsible for the protection of weapons and all types of related equipment, supplies and support facilities against sabotage and terrorism. Incumbents required to meet and maintain physical standards and proficiency in the use of weapons and equipment of the profession; exercise sound and rational judgement under stress; and must have good muscle coordination to apprehend hostile violators or protect or rescue people.

JUSTIFICATION - Drug usage could result in adverse impairment to the employee's ability to carry out the above duties of the position. Improper action or inaction, with or without the use of a firearm, presents a clear and present danger to the life and safety of everyone encountered as well as to the safety and security of property and facilities. Since incumbents must also enforce all illegal drug laws and regulations and serve as credible witnesses in courts of law, drug usage is inconsistent with the mission of their positions.

9. **FIREFIGHTER**

Firefighter Recruit
Firefighter I
Firefighter II
Fire Service Specialist
Fire Inspector
Fire Captain

DESCRIPTION - Firefighters and related fire officials are responsible for performing work in controlling and extinguishing fires and securing persons endangered by fire. Hazards encountered may involve burns and other effects of heat, smoke inhalation, falling objects, explosions, and exposure to toxic materials. Incumbents must be prepared to deal with fire victims in varying states of fright and panic. Also, they may be required to operate or ride on fire trucks at high speeds under adverse conditions, e.g., congested areas. These duties require keen sensory perception and muscle coordination.

JUSTIFICATION - Drug usage could result in loss of life or injury and damage to or destruction of property. Use of illegal drugs by a firefighter could endanger fire victims, the general public in the fire vicinity, other firefighters, and all property threatened by the fire.

10. LABORATORY SERVICES, CRIME SCENE AND RELATED TECHNICAL

Public Health Lab Director

Crime Scene Technician

Fingerprint Examiner

Crime Analyst

Criminalist I

Criminalist II

Criminalist III

Chief Criminalist

DESCRIPTION - The incumbents conduct or support a full range of chemical analysis of urine and blood specimens to determine the presence of drugs and substances of abuse and their metabolites. Methodologies utilized include gas-liquid chromatography, microscopic spectrographic, x-ray diffraction, photographic, gas, column and thin layer chromatographic infra-red and ultra-violet spectrophotometric, electrophoretic, immunoelectrophoretic procedures. Duties require mental alertness keen sensory perception, neuromuscular coordination, and sound judgement.

JUSTIFICATION - Drug usage could result in impairment of analytical capabilities, equipment operation, or records control and adversely impact the credibility of the drug screening laboratory. Analytical procedures require the use of specialized instrumentation and elaborate sequences. Information developed can affect the careers and personal lives of employees being tested.

11. *NURSING, MEDICAL, DENTISTRY AND RELATED TECHNICAL*

Only the following positions which provide direct patient care are TDP's.

Communicable Disease Control Coordinator I	Graduate Nurse (Non-Licensed)
Communicable Disease Control Coordinator II	Infection Control Practitioner
Communicable Disease Control Coordinator Supervisor	Nurse Aide I Nurse Aide II
Communicable Disease Control Program Administrator	Nurse Midwife
Communicable Disease Investigator	Nurse Practitioner
Community Health & Nurse Services Assistant Administrator	Nurse Specialist
Community Health & Nurse Services Administrator	Nurse Supervisor I Nurse Supervisor II
Community Health Nurse I	Psychiatric Technician I
Community Health Nurse II	Psychiatric Technician II
Community Health Nurse Supervisor I	Psychiatric Nurse I
Community Health Nurse Supervisor II	Psychiatric Nurse II Psychiatric Nurse III
Dental Assistant	Psychiatric Nurse Supervisor Psychiatric Nurse Administrator
Dental Health Specialist I	
Dental Health Specialist II	Staff Nurse I
Dental Health Specialist III	Staff Nurse II

DESCRIPTION

- a. Nurse Aides/Licensed Practical Nurse. These positions involve performance of a variety of nursing care work concerned with personal care, diagnostic procedures, treatments, chartings, and patient teaching.
- b. Psychiatric Nurse/Technician. These positions involve both medicine and psychiatric care of patients in the Department of Mental Health and Substance Abuse. Incumbents perform a range of personal nursing care. They take, record, and report deviations in vital signs, take specimens, label specimens for the laboratory, and assist the doctor in a variety of diagnostic examinations. Incumbents install and monitor intravenous fluids, change intravenous tubing,

insert catheters, irrigate catheters, and care for patients in isolation, setting up and giving treatments that require auxiliary equipment such as oxygen and respirators. All incumbents have access to controlled substances. Nurses direct service to patients and administer drugs, including controlled substances in a mental health clinic.

- c. Nurse Specialist, Community Health Nurse. All nurses provide an advanced level of competence in patient care, including quality assurance or developing innovative nursing techniques, practices, and approaches. These nurses are assigned to specific areas or may be of a more general nature involving more than one area. Incumbents must be able to recognize adverse signs and symptoms and respond quickly by providing appropriate emergency treatment. All incumbents have access to and administer drugs, including controlled substances. These duties require keen sensory perception and neuromuscular coordination.
- d. Nurse Practitioner. Incumbents perform duties which require advanced level of competence in nursing in providing primary health care. These positions provide direct comprehensive nursing and preventive and therapeutic health care service to individuals, families, or groups. This includes assessment, treatment, counseling, guidance and instruction.
- e. Nurse Midwife. Provides for the management and care of mothers and babies throughout the maternity cycle provided patient conditions meet medically determined criteria for what is normal. These positions evaluate the progress and management of labor and delivery.
- f. Dental Assistant/Dental Health Specialist. Incumbents prepare patients for examination and treatment, assists in oral surgery, perform complex expanded dental functions, provide oral prophylactic care to patients by examining, scaling and polishing teeth and gums, administer fluoride treatments. Specialists also plan, develop and conduct dental health education and assist in surgical procedures.
- g. Dental Officer. Performs complex professional dental public health work in the diagnosis and treatment of diseases, injuries and malformations of teeth and gums and related oral structures. Incumbents perform the full range of complex professional dental duties, including independent work in specialized areas of the profession. Employees supervise the work of auxiliary dental staff. They administer local and general anesthetics, prepare and restore carious teeth, execute pulpotomies; perform endodontic treatment, diagnose dental diseases and prescribe treatment and care, refer selected dental problems to appropriate dental specialist.

- h. Communicable Disease Control Coordinator/Investigator/Supervisor/Administrator. Incumbents of these positions perform a variety of complex duties in the immunization, investigation, prevention, control and treatment of communicable diseases, supervise a centralized immunization program, quarantine and/or disease control program, maintain records of cases reporting systems to ensure accurate collection of data, coordinates treatment regime, referral procedures and other outside consultations. Directs surveillance of infectious diseases, analyzes and directs epidemiologic investigations.

JUSTIFICATION - These positions have direct patient care responsibilities. Health professionals are responsible for the lives and well being of their patients. The potentially disastrous results of inappropriate diagnosis and/or treatment dictates that such practitioners be mentally alert and competent at all times. Incumbents must recognize patients' adverse signs and symptoms and react swiftly in emergency situations. Any impairment due to drug use may result in loss of life or serious physical or mental injury to patients and negatively impact a substantial sub-section of patient care and public health concerns.

- i. Criminalist, Chief Criminalist and Crime Scope Technician. This is complex professional laboratory work in the chemical, physical and biological analysis and comparison of criminal evidence. Criminalist's perform laboratory examinations in chemical, microscopic, spectrographic, x-ray diffraction, photographic, gas, column and thin layer chromatographic, electrophoretic, immuneoelctrophoretic procedures; develop methods of identifying new drugs of organic or synthetic origin. Crime Scene Technicians search for physical evidence at the scene of a crime; collect, preserve, mark and identify evidence; recover latent fingerprints, bullets, cartridge cases, weapons, documents and other physical evidence; examine and identify firearms and related hardware used in the commission of a crime; provide photos of arrestees to narcotics, detectives, and may testify in criminal court.

JUSTIFICATION - Drug usage could impair the ability to conduct laboratory tests properly and contribute to mishandling of crime evidence. Drug usage could result in adverse impairment to the ability to carry out the above duties of the positions. Improper action or inaction, with or without the use of firearms, presents a clear and present danger to the life and safety of everyone encountered as well as to the safety and security of evidentiary materials and documents.

12. EQUIPMENT OPERATION AND RELATED

Equipment Operator I	Bus Driver
Equipment Operator II	Handicap Bus Driver
Equipment Operator III	
Equipment Operator IV	School Bus Driver
Equipment Operator Leader I	School Bus Driver Leader
Equipment Operator Leader II	School Bus Driver Supervisor
Equipment Operator Supervisor	Field Operations Bus Supervisor

DESCRIPTION - Incumbents operate any one or combination of a variety of motor vehicle equipment. This includes, but is not limited to, automobiles, trucks, buses, or other allied vehicles or equipment. The equipment is used to transport people, including students, material, and government equipment. Operators must be alert in order to continually monitor instrument panels and possess physical dexterity to steer or otherwise manipulate equipment controls. Because equipment is in motion, the operator must be constantly aware of the location and movement of pedestrians, workers, and other vehicles in the general vicinity. School Bus Drivers also need to be continually alert to ensure the safety of students under their care. Because of the momentum or speed of the equipment, the operator must be able to act quickly to avoid accidents or correct equipment malfunctions.

JUSTIFICATION - Drug usage could result in the loss of life and damage to or destruction of property. Drug usage could lead to driving errors or accidents that endanger lives of passengers, including students, as well as other drivers and pedestrians or result in serious damage or loss to the vehicle.

DEPARTMENT OF ADMINISTRATION
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**GENERAL NOTICE OF IMPLEMENTATION
OF DRUG TESTING UNDER THE
DEPARTMENT OF ADMINISTRATION
DRUG-FREE WORKPLACE PROGRAM**

TO: All Employees of Line Agencies and Non-Autonomous Agencies and Departments

A drug-free workplace has been established for Government of Guam employees. As a condition of employment, all employees must refrain from using illegal drugs on or off duty. The Department of Administration Drug-Free Workplace Program, developed to implement the law, is designed to accomplish this goal through deterrence, identification, rehabilitation, and disciplinary action. While the Department will assist employees with drug problems, it must be recognized that the employees who use illegal drugs are primarily responsible for changing their own behavior and actions.

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

The determination that an employee uses illegal drugs may be made on the basis of direct observation, a criminal conviction, the employee's own admission, other appropriate administrative determination or by a confirmed positive urinalysis. The program subjects all employees to drug testing (urinalysis) under the following conditions:

1. When there is a reasonable suspicion that the employee uses illegal drugs.
2. As part of an authorized examination regarding an accident or unsafe practice.
3. As a part of or as a follow-up to counseling or rehabilitation for illegal drug use.

In addition, certain employees occupying specifically designated sensitive positions, will be subject to random drug testing. These are called Testing Designated Positions (TDPs).

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11. Employees in this category will receive individual written notices that their positions have been included in the department's random testing pool at least thirty (30) days prior to actual testing.
2. Employees selected for or otherwise placed in a designated sensitive position, will be subject to a drug test prior to final selection/placement and to random testing thereafter.
3. Any employee can volunteer for random testing and will be included in the random testing pool.

All employees subject to testing shall be allowed to provide urine specimens in private except when there is reason to believe the specimen will be altered. Employees will be given the opportunity to declare the legitimate use of over-the-counter or prescription drugs prior to taking a test. The Department has developed strict chain-of-custody procedures to ensure proper identification of the specimen tested.

All urine specimens will be tested on approved contract laboratories in accordance with mandatory guidelines published by the Department of Health and Human Services on June 9, 1994, or most recent issue, in the Federal Register. A two step procedure has been established for testing urine specimens. The first test procedure used is called a radioimmunoassay (RIA) test and is used as an initial screening test. If the results of that procedure are positive, a second, confirmatory procedure is used, called a gas chromatography-mass spectrometry (GC/MS). The screening levels of these tests are sufficiently high to eliminate extraneous reasons for a positive test and with confirmation by the second, but different test method, the chemical test results are highly reliable and accurate. A Medical Review Officer (MRO) will review all positive test results. Employees will be given an opportunity to provide evidence to an MRO for verification of the legitimate use of over-the-counter or prescription drugs authorized by a physician or medical officer.

Drug test results will be handled in a confidential manner. Positive test results from the laboratory will only be disclosed to a Medical Review Officer. Positive results, verified by the MRO, may only be disclosed to the employee, the appropriate Employee Assistance Program (EAP) administrator, and appropriate supervisory/ management officials necessary to take and process an administrative and/or adverse action against the employee, in an administrative proceeding (such as appeals and grievances) or in a court proceeding.

The use of illegal drugs will not be tolerated and any employee who has a substance abuse problem is encouraged to seek assistance through his/her Employee Assistance Program (EAP). Such assistance may be obtained by contacting the EAP Coordinator designated by the appointing authority, or the Department of Administration Drug-Free Program

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Administrator, who will make the referral to the EAP. Employees who voluntarily identify themselves to their supervisor or other appropriate management official as users of illegal drugs, prior to being so identified by other means, and who seek counseling and/or rehabilitation assistance, will not be subject to disciplinary action for their prior drug use. This is referred to as "safe harbor." It is important to note that once an employee is officially informed of an impending drug test, the employee is no longer eligible for "safe harbor." All employee medical and rehabilitation records maintained in connection with the EAP will be deemed confidential "patient" records and may not be disclosed without the prior written consent of the employee.

All employees are expected to refrain from illegal drug use. Employees identified for drug testing are requested to participate in the testing program. Disciplinary action up to and including dismissal from employment will be initiated for the first failure to remain drug-free or refusal to submit to a drug test. Dismissal action will be initiated for any employee upon a second positive test result, failing to refrain from illegal drug use after counseling and/or rehabilitation, or adulterating or substituting a specimen.

This is a general notice to all employees that the Director of Administration intends to implement a drug testing program. Actual testing by the Department of Administration will begin no sooner than sixty (60) days from the date this notice is issued. This notice is intended to provide general information on the drug testing program.

JOHN S. SALAS, Director
Department of Administration

ACKNOWLEDGEMENT

I ACKNOWLEDGE RECEIPT OF THE GENERAL NOTICE OF IMPLEMENTATION OF DRUG TESTING.

NAME (PRINT)	SIGNATURE	DATE

INDIVIDUAL NOTICE TO EMPLOYEES CURRENTLY ASSIGNED TO TESTING DESIGNATED POSITIONS

MEMORANDUM

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

FROM: Director, Department of Administration

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

You were advised by a General Notice dated _____, 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 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.

Page 2 - Notice of Random Drug Testing Under the Drug-Free Workplace Program

If you refuse to furnish a urine specimen or fail to report for testing as directed, you will be subject to discipline. If, by any means, illegal drug use is detected, 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, disciplinary action up to and including removal from government service will be initiated. The removal action will be initiated if you refuse to obtain counseling or rehabilitation through the EAP after being found positive on your drug test or for a second finding.

If you believe you have a drug problem, you are encouraged to seek counseling and/or referral services by contacting the EAP (provide name, address, telephone number). 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." Furthermore, if you are arrested or convicted of a drug-related offense, you will not be eligible for "safe harbor" from discipline for those actions.

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 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 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.

Page 3 - Notice of Random Drug Testing Under the Drug-Free Workplace Program

As stated in the General Notice announcing the 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.

JOHN S. SALAS

ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of this letter and have read and understood its contents. 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

PROCEDURES FOR CHANGING THE TDP LIST

Agency/department heads may request additions to or deletions from the TDP list from the Director of Administration. The request must contain:

1. The exact title and pay grade of each position.
2. A description of duties and justification which warrant including the position on the TDP list.
3. The reasons why the agency/department head wants the position deleted from the TDP list in sufficient detail to support the request.

If the Director of Administration determines after conferring with the Attorney General, that the requested addition meets the criteria and justification for inclusion on the TDP list, he will grant approval, subject to CSC's approval. The requested position will be added to the list and a new listing will be provided to all line and non-autonomous agencies and departments.

If request is rejected by the Director of Administration, the requestor will be so notified. The TDP list will not be revised.

The Director of Administration will evaluate requests for deletions and will notify all line and non-autonomous agencies of the decision to delete. Where a deletion is approved, positions with the same title and pay grade must be removed from every TDP list and thereafter, incumbents of positions will not be tested.

SELECTION PROCEDURES FOR RANDOM DRUG TESTING

SECTION 1. Random Selection. The DPS will generate or direct preparation of the list identifying employees selected for random testing from the agency/department TDP pool. The DPS may use any method to generate the list that assures a true random selection. These may range from using computer-generated lists based on Social Security Number (SSN) or the first or last letter of the surname to "blindly" picking numbers. The method of selection must be fully documented for the record. The following are some examples of possible random sampling:

1. The DPS will select a number from 0 to 9 from a "hat". A list will be generated to show every employee in a TDP at the agency/department whose SSN ends with the number selected. Those employees would then be tested.
2. The DPS will decide to test a particular shop or office and pick a last digit for the SSN from a "hat". The DPS, knowing that the shop had more employees subject to random testing than were scheduled to be tested that day, would have a list showing every second, every third, etc., employee in the shop with a SSN ending in the randomly selected number. The method chosen should ensure that the employee at the top of the list is not always selected or skipped.
3. The DPS will do the entire process manually by picking a number from a "hat" and matching it against a list of employees in TDPs (e.g., if the number was 9, the DPS would select every 9th individual on the TDP list).

SECTION 2. Notification of Supervisor and Employee. The DPS will notify the selected employee's first-level supervisor approximately two (2) hours prior to the actual time of collection. If the first-level supervisor is unavailable, the next higher level of supervision will be contacted. The DPS will annotate the list with date and time the supervisor has been contacted. The supervisor will notify the employee approximately 15 to 30 minutes prior to the scheduled collection.

SECTION 3. Collection Site Requirements. The collection site is a place where individuals present themselves for the purpose of providing urine specimens to be analyzed for drugs of abuse. It should be prepared in advance with all necessary materials, equipment, facilities, security, and temporary storage, if necessary. The collection site facility will be secured at all times, if possible. In cases where the facility cannot be dedicated solely for the purpose of drug testing, it will be secured as a collection site facility during drug testing operations. No unauthorized personnel will be permitted in any part of the collection site where urine specimens are collected or stored.

RANDOM DRUG TESTING PROGRAM

CHECKLIST FOR SUPERVISORS

On the actual date that random drug testing is scheduled to be conducted, your Drug Program Specialist (DPS) or Collection Site Official (CSO) will notify you which of your employees have been selected for drug testing and the proposed schedule. This information is confidential. The following procedures should be followed in notifying employees of the collection process.

- Supervisor is expected to act in good faith.
- Approximately 15-30 minutes prior to the actual collection, inform the employee verbally and privately that he or she has been identified through a random selection process for drug testing by urinalysis. Clearly inform the employee of the time and exact location to report for testing and instruct him or her to take photo identification.
- Employees normally will be scheduled to report to the collection site at 15-minute intervals. Coordinate any scheduling changes necessary to maintain work operations closely with your supervisor and the DPS/CSO. Do not make any unilateral changes.
- Advise employees to be prepared to provide a urine specimen at the scheduled collection time.
- You may provide the Checklist for Employees, which offers helpful information about the collection process, to scheduled employees.
- When an employee selected for random testing is unavailable for legitimate reason (e.g., working a different shift, travel, leave), you must inform the DPS/CSO. Once an employee has been notified of testing, any leave requests submitted for the same time as the test should be carefully scrutinized.
- Immediately report any problems encountered during employee notification to the DPS/CSO. Employees who fail to cooperate with the collection procedures will be subject to disciplinary action consistent with the Department of Administration Personnel Rules and Regulations. NOTE: You may obtain guidance from the Division of Personnel Management.
- If you have any questions or concerns, you should share them with your DPS/CSO.

RANDOM DRUG TESTING PROGRAM CHECKLIST FOR EMPLOYEES

You have been identified through a process of random selection for drug testing by urinalysis. Your selection for such drug testing in no way reflects that your appointing authority has any specific cause to suspect the usage of illegal drugs. Please take a few minutes to read the following information, which describes your responsibilities in the collection process.

- Present required photo identification to the collector.
- When instructed by the collector, provide the information required in the Permanent Record Book. On this form, you may list any prescription and over-the-counter drugs that you use.
- Remove any unnecessary outer garments (coat, jacket, coveralls). All personal belongings (purse, briefcase) must remain with your outer garments. You may retain your wallet.
- When instructed by the collector, wash and dry your hands.
- You may provide the specimen in the privacy of a stall or otherwise partitioned area that allows for individual privacy. It will be necessary for you to provide a specimen of at least 30 milliliters. If you are unable to provide a sufficient quantity of urine, you will be asked to drink sufficient fluids to facilitate urination. You will be required to remain at the collection site in the presence of the Drug Program Coordinator (DPC)/Collection Site Officer (CSO) until the sample is provided.
- You should observe the entire collection procedure.
- When instructed, read and sign the statement in the Permanent Record Book that certifies that this is your urine specimen.
- If you have any questions or concerns, share them with your supervisor, the Drug Coordinator, or Collection Site Officer.

SAMPLE NOTICE TO EMPLOYEE SUBJECT TO REASONABLE SUSPICION DRUG TESTING

MEMORANDUM

TO: _____
Name of Employee, Position Title and Pay grade

FROM: (Appointing Authority)

SUBJECT: Notice of Reasonable Suspicion Testing for Illegal Drug Use

The Director of Administration has initiated a comprehensive program to achieve the Governor's goal of a drug-free workplace. This program is set forth in the Department of Administration Personnel Rules and Regulations.

It has been determined that sufficient grounds exist to authorize collection of a urine sample from you on the basis of reasonable suspicion. This drug test is required since management has formed a reasonable suspicion that you are using illegal drugs. Collection procedures under reasonable suspicion testing may require you to provide a specimen under direct observation.

(NOTE: The appointing authority or management official must provide a separate statement describing all relevant circumstances which formed the basis for the decision to conduct reasonable suspicion drug testing, and direct observation, if deemed appropriate.)

Drug testing for line and non-autonomous agency and department employees is performed through urinalysis done by a contracted Drug Screening Laboratory. The testing methodology complies with Guidelines issued by the U.S. Department of Health and Human Services and reflects the scientific and technical procedures necessary to assure that the results are highly reliable and accurate. These procedures will include an initial screening of the urine sample you provide for the presence of illegal drugs and, if appropriate, a confirmation test by gas chromatography/mass spectrometry.

To assure that the sample collected from you is not accidentally confused with any other sample, strict procedures will be used when collecting and transferring the sample. These procedures are known as the chain-of-custody. The test results from your sample will be handled with maximum respect for individual confidentiality consistent with safety and security. A confirmed positive test result reported by the laboratory will be reviewed by a Medical Review Officer (MRO) before a determination is made that you have used illegal

Page 2 - Notice of Reasonable Suspicion Testing for Illegal Drug Use

drugs. The MROs are licensed physicians with experience in substance abuse disorders. You will be given an opportunity to submit medical documentation to the MRO to establish your legitimate use of the specific drug(s) detected by testing before any administrative action is taken.

If it is determined that you are using illegal drugs by means of this drug test or any other means, you will be referred to this department's Employee Assistance Program. Through this program, you will receive counseling and learn about the availability of sources of treatment and rehabilitation assistance. Information concerning the Employee Assistance Program may be obtained from your immediate supervisor or by contacting the Department of Administration, Division of Personnel Management.

If you are employed in a Testing Designated Position (TDP), as defined in the Personnel Rules and Regulations, and illegal drug use is detected, you will be immediately taken out of your position by detail, reassignment, or other personnel action. You may be returned to your TDP as part of your successful participation in a rehabilitation or counseling program. In addition, disciplinary action up to and including removal from the government service will be initiated. A disciplinary action will be initiated if you refuse to submit to this drug test. A removal action will be initiated if you refuse to obtain counseling or rehabilitation through the Employee Assistance Program after being found to use illegal drugs or for a second finding of illegal drug use.

If you have other questions after providing a urine sample, please contact the Drug Program Coordinator.

Signature of Appointing Authority

ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of this letter and have read and understood its contents. 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

SAMPLE NOTICE TO EMPLOYEE SUBJECT TO ACCIDENT/UNSAFE PRACTICE DRUG TESTING

MEMORANDUM

TO: _____
Name of Employee, Position Title, Division/Branch

FROM: (Appointing Authority)

SUBJECT: Notice of Post Accident/Unsafe Practice Testing for Illegal Drug Use

The Department of Administration has initiated a comprehensive program to achieve the Governor's goal of a drug-free workplace. This program is set forth in the Department of Administration Personnel Rules and Regulations.

It has been determined that sufficient grounds exist to authorize collection of a urine sample from you based on your involvement in (briefly describe the nature of the accident or unsafe practice).

Drug testing for employees is performed through urinalysis done by a contracted Drug Screening Laboratory. The testing methodology complies with Guidelines issued by the U. S. Department of Health and Human Services and reflects the scientific and technical procedures necessary to assure that the results are highly reliable and accurate. These procedures will include an initial screening of the urine sample you provide for the presence of illegal drugs and, if appropriate, a confirmation test by gas chromatography/mass spectrometry.

To assure that the sample collected from you is not accidentally confused with any other sample, strict procedures will be used when collecting and transferring the sample. These procedures are known as the chain-of-custody. The test results from your sample will be handled with maximum respect for individual confidentiality consistent with safety and security. A confirmed positive test result reported by the laboratory will be reviewed by a Medical Review Officer (MRO) before a determination is made that you have used illegal drugs. The MROs are licensed physicians with experience in substance abuse disorders. You will be given an opportunity to submit medical documentation to the MRO to establish your legitimate use of the specific drugs detected by testing before any administrative action is taken.

Page 2 - Notice of Post Accident/Unsafe Practice Testing for Illegal Drug Use

If it is determined that you are using illegal drugs by means of this drug test or any other means, you will be referred to the Employee Assistance Program (EAP). Through this program, you will receive counseling and learn about the availability of sources of treatment and rehabilitation assistance. Information concerning the EAP may be obtained from your supervisor or by contacting the Division of Personnel Management, Department of Administration.

If you are employed in a Testing Designated Position (TDP), as defined in the Personnel Rules and Regulations, and illegal drug use is detected, you will be immediately taken out of your position by detail, reassignment, or other personnel action. You may be returned to your TDP as part of your successful participation in a rehabilitation or counseling program. In addition, disciplinary action up to and including removal from government employment will be initiated. A disciplinary action will be initiated if you refuse to submit to this drug test. A removal action will be initiated if you refuse to obtain counseling or rehabilitation through the EAP after being found to use illegal drugs or for a second finding of illegal use.

If you have other questions after providing a urine sample, please contact the Drug Program Coordinator.

Signature of Appointing Authority

cc: Drug-Free Workplace Administrator, DOA-DOPM
Drug Program Coordinator

ACKNOWLEDGMENT OF RECEIPT

I acknowledge receipt of this letter and have read and understood its contents. 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

December 5, 1995

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CHAIN OF CUSTODY AND SPECIMEN CONTROL

SECTION 1. Collection Control

Collection site staff of the contracted laboratory will always have the urine specimen bottle or other catch container within sight before and after the individual has urinated. The specimen bottle must also remain in sight from the time the sample is transferred from the catch container, if used, until tightly capped, properly sealed, and labeled. A Urine Sample Custody Document will be utilized for maintaining absolute control and accountability from point of collection to final disposition of specimens. With each transfer of possession, the form will be dated, signed by the individual releasing the specimen, signed by the individual accepting the specimen, and include the purpose for transferring possession. Every effort should be made to minimize the number of people handling specimens. While any part of the chain-of-custody procedures are being performed, it is essential that the urine specimens and Urine Sample Custody Documents be under the direct control of the involved collection site officer. If that person must leave the site, the specimens and forms will be taken along or secured in a manner to preclude any break in the chain-of-custody.

The DFWP Coordinator, Collection Site Officer (CSO), and observers, if scheduled for testing, must be tested separately from other individuals and their samples should be sent separately from others being tested so that none are involved in handling or processing their own specimens.

SECTION 2. Collection Procedures (Unobserved)

Procedures for providing urine specimens will allow for individual privacy unless the agency/department has reason to believe that a particular individual may alter or substitute the specimen to be provided. The actual collection may be administered by the DFWP Coordinator or a CSO, who will take precautions to ensure that a urine specimen has not been adulterated or diluted and that all information on the urine bottle and in the Permanent Record Book can be identified as belonging to a given individual. To facilitate the following explanation, the procedural steps are written as though the collection is conducted by a CSO. The collection steps are as follows:

1. Upon the individual's arrival at the collection site, the CSO will request a photo identification. If the individual does not have proper identification, the CSO will contact the DPS who will contact the employee's supervisor for positive identification.

If the individual's identity cannot be established, the CSO will not proceed with collection and this fact will be noted on the Urine Sample Custody Document and in the Permanent Record Book.

2. If the individual fails to appear at the collection site or refuses to be tested, the CSO will contact the DPS, who will follow the guidance provided in paragraphs 12 and 13 of this regulation.
3. The CSO will give the employee a copy of the approved carbonized Chain-of-Custody Form.
4. The CSO will require the individual to remove any unnecessary outer garments (coat, jacket, coveralls, etc.) that might conceal items or substances that might be used to tamper with or adulterate the urine specimen. The individual may retain his or her wallet but all other personal belongings (purse, briefcase, lunch pails, etc.) will remain with the outer garments. The CSO will ensure that those personal belongings are placed in a secure area.
5. The individual will be instructed to wash and dry his or her hands prior to urination. After washing, the individual will remain in the presence of the CSO or observer and will not have access to water fountains, faucets, soap dispensers, cleaning agents, or other materials which could be used to adulterate the specimen.
6. The individual may be given the specimen bottle or other type of "catch container" such as a styrofoam cup, a device specifically designed for collection, or a wide-mouth bottle.
7. To deter dilution of specimens at the collection site, toilet bluing agent will be placed in the toilet tanks for each collection so that the standing water in the toilet bowl always remains blue. This requirement may be met by:
 - a. Inserting a continuously releasing bluing agent, commonly used in households and available in local stores, into the toilet tank.
 - b. Adding a bluing agent such as food coloring to the bowl after each flush.
8. The observer (same gender as the individual) will accompany the individual into the rest room and remain there while the individual is providing the urine specimen. The individual will provide the sample in the privacy of the rest room stall or other partitioned area that allows for individual privacy. Although direct observation is not permitted except under certain circumstances, the observer will be aware of any unusual sounds, behavior, or delays by the individual. The individual, upon exiting the stall, will be instructed to flush the toilet before the specimen is delivered to the CSO.

9. If a "catch container" is used, the specimen must be transferred by the individual to the specimen bottle. This transfer must be watched by the observer.
10. After the specimen has been provided, submitted to the CSO, and the documentation complete, the individual should be permitted to wash his or her hands.
11. The CSO, upon receipt of the specimen, will immediately measure the temperature of the urine. The time from urination to delivery of the sample for temperature measurement is critical and in no case should it exceed 4 minutes. If the temperature of the specimen is outside the range of 90.5 - 99.8 degree Fahrenheit, it may give rise to reasonable suspicion of adulteration/substitution of the sample. In this case, another specimen will be collected under direct observation and both specimens forwarded to the Drug Screening Laboratory. To avoid possible contamination of the sample, a non-intrusive method of obtaining the temperature of the sample will be used. Appointing authorities can use the type of temperature gauge that adheres to the outside of the bottle, purchase a bottle which has a permanent temperature gauge affixed to the inside of the bottle (readable outside), or after the individual transfers the sample from a "catch container" to the bottle, the CSO or observer could insert a thermometer into the urine remaining in the "catch container." An individual may volunteer to have his or her oral temperature taken to provide evidence to counter the reason to believe an individual may have altered or substituted a specimen when the temperature is outside the prescribed range.
12. The CSO will examine the specimen for color and signs of contaminants. Any unusual finding resulting from the inspection must be included in the remarks section of the Permanent Record Book.
13. The CSO will ensure that the specimen bottle contains at least 30 milliliters of urine. The DFWP must use the same specimen bottles as those used by local laboratories, Guam Memorial Hospital or Department of Mental Health and Substance Abuse, which hold up to 100 milliliters of urine. When an individual is unable to provide the minimum urine sample, he or she should be given a reasonable amount of fluid to drink. Additional urine should be collected in a separate container so that both samples together total 30 milliliters. The temperature of each partial specimen will be measured to meet the 90.5 - 99.8 F. If each sample is within the acceptable range, the partial specimens will be combined into one container.

If an individual still fails to provide the necessary specimen, the CSO will contact the DPS to obtain guidance on action to be taken in accordance with paragraph 12 of the basic DFWP regulation.

14. Whenever there is reason to believe that a particular individual may alter or substitute the specimen to be provided, a second specimen will be obtained as soon as possible under direct observation as provided in Section 3 below.

15. All specimens suspected of being adulterated or contaminated will be forwarded to the laboratory for testing.
16. Both the individual being tested and the CSO should keep the specimen in view at all times prior to its being sealed, labeled, and the necessary documentation process completed. The CSO will place the identification label securely on the bottle. The CSO will place the tamper-proof tape over the *bottle cap and down the sides of the bottle*, making sure not to obliterate the information on label.
17. The individual will initial the label on the specimen bottle, using initials corresponding with the name on the Urine Sample Custody Document.
18. The CSO will enter the identifying information in the Permanent Record Book. the individual must read the statement and certify that the specimen identified is in fact his or hers by signing the Permanent Record Book. The CSO must ensure that all *information pertaining to previous individuals is not visible to the current individual*.
19. The CSO will complete the Urine Sample Custody Document and the Permanent Record Book and deliver both with the specimens to the DPS for transfer to the Drug Screening Laboratory.

The Urinalysis Collection Checklist (Attachment 9) was developed to assist the DPS/CSO and can be used to ensure that the correct steps have been taken during the collection and chain-of-custody process.

SECTION 3. Collection Procedures (Direct Observation)

Collection under direct observation will not be made except with proper authorization and only in those circumstances involving reasonable suspicion or follow-up testing. The collection steps are as follows:

1. Upon the individual's arrival at the collection site, the CSO will request a photo identification. *If the individual does not have proper identification, the CSO will contact the DPS who will contact the employee's supervisor for positive identification. If the individual's identify cannot be established, the CSO will not proceed with collection and this fact will be noted on the Urine Sample Custody Document and in the Permanent Record Book.*
2. If the individual fails to appear at the collection site or refuses to be tested, the CSO will contact the DFWP Coordinator, who will follow the guidance provided in paragraphs 12 and 13 of the basic DFWP regulation.
3. The CSO will give the employee a copy of the approved Chain-of-Custody Form.

4. The CSO will require the individual to remove any unnecessary outer garments (coat, jacket, coveralls, etc.) that might conceal items or substances that might be used to tamper with or adulterate the urine specimen. The individual may retain his or her wallet but all other personal belongings (purse, briefcase, lunch pail, etc.) will remain with the outer garments. The CSO will ensure that these personal belongings are placed in a secure area.
5. The individual will be instructed to wash and dry his or her hands prior to urination. After washing, the individual will remain in the presence of the CSO or observer and will not have access to water fountains, faucets, soap dispensers, cleaning agents, or other materials which could be used to adulterate the specimen.
6. The CSO will inform the employee that the sample will be collected under direct observation and, if the basis is reasonable suspicion, the employee should be issued a copy of the written notice for a reasonable suspicion test (Attachment 8).
7. Only the individual providing the sample and the CSO/observer (same gender) will be permitted in the area where the collection is being taken.

The CSO/observer will be positioned in such a way during collection that he or she can be certain that the sample passes directly from the individual's body to the specimen bottle or "catch container."

8. Once the specimen is provided, the procedures in steps (8) through (19) of Section 2 above, will be followed. The CSO will code the Urine Sample Custody Document to indicate the sample was collected under direct observation due to reasonable suspicion or as part of follow-up testing.

The Urinalysis Collection Checklist was developed to assist the DPS/CSO and can be used to ensure that the correct steps have been taken during the collection and chain-of-custody process.

SECTION 4. Special or Emergency Collection Procedures (Unobserved)

If an event such as an accident or reasonable suspicion of drug use, possession, or impairment triggers the need for an immediate collection and an agency collection site is not available, any public rest room facility may be used. The collection steps are as follows:

1. Upon the employee's arrival, the CSO will request a photo identification. If the individual does not have proper identification, the CSO will contact the DFWP Coordinator who will contact the employee's supervisor for positive identification.

2. The CSO will inform the employee of the basis for the collection, either accident or reasonable suspicion, and, if possible, ensure that the employee receives a copy of the written notice of accident or reasonable suspicion testing.
3. The CSO will require the individual to remove any unnecessary outer garments (coat, jacket, coverall, etc.) that might conceal items or substances that might be used to tamper with or adulterate the urine specimen. The individual may retain his or her wallet but all other personal belongings (purse, briefcase, lunch pail, etc.) will remain with the outer garments. The CSO will ensure that these personal belongings are placed in a secure area.
4. The individual will be instructed to wash and dry his or her hands prior to urination. After washing, the individual will remain in the presence of the CSO or observer and will not have access to water fountains, faucets, soap dispensers, cleaning agents, or other materials which could be used to adulterate the specimen.
5. The individual may be given the specimen bottle or other type of "catch container" such as a styrofoam cup, a device specifically designed for collection, or a wide-mouth bottle.
6. The site will be secured during the collection and, if possible, toilet bluing agents will be placed in the toilet tank and any accessible toilet bowl. This requirement may be met by:
 - a. Inserting a continuously releasing bluing agent, commonly used in households and available in local stores, into the toilet tank.
 - b. Adding a bluing agent such as food coloring to the bowl.
7. The CSO/observer will be of the same gender and accompany the individual into the public rest room, remaining there while the individual is providing the urine specimen. The individual will provide the sample in the privacy of the rest room stall or otherwise partitioned area that allows for individual privacy. Although direct observation is not permitted except under certain circumstances, the observer will be aware of any unusual sounds, behavior, or delays by the individual. If no bluing agent was available, the individual will be instructed not to flush the toilet or permitted to wash his or her hands, until after the specimen is delivered to the CSO.
8. The documentation for the collection will be completed by following steps (8) through (19) of Section 2.

SECTION 5. Special or Emergency Collection Procedures (Direct Observation)

If an event triggers the need for an immediate collection under circumstances of reasonable suspicion, and there is specific reason to believe that the employee will adulterate or tamper with the specimen, any public rest room facility may be used if no agency collection site is available. The collection steps are as follows:

1. Upon the employee's arrival, the CSO will request a photo identification. If the individual does not have proper identification, the CSO will contact the DFWP Coordinator who will contact the employee's supervisor for positive identification.
2. The CSO will inform the employee that the sample will be collected under direct observation and, if possible, ensure that the employee is issued a copy of the written notice for reasonable suspicion.
3. The CSO will require the individual to remove any unnecessary outer garments (coat, jacket, coveralls, etc.) that might conceal items or substances that might be used to tamper with or adulterate the urine specimen. The individual may retain his or her wallet but all other personal belongings (purse, briefcase, lunch pails, etc.) will remain with the outer garments. The CSO will ensure that these personal belongings are placed in a secure area.
4. The individual will be instructed to wash and dry his or her hands prior to urination. After washing, the individual will remain in the presence of the CSO or observer and will not have access to water fountains, faucets, soap dispensers, cleaning agents, or other materials which could be used to adulterate the specimen.
5. The individual may be given the specimen bottle or other type of "catch container" such as a styrofoam cup, a device specifically designed for that purpose, or a wide-mouth bottle.
6. The site will be secured during the collection but it is not necessary to add a bluing agent to the toilet bowl because of direct observation.
7. Only the individual providing the sample and the CSO/observer (same gender) will be permitted in the area where the collection is being taken. The CSO/observer will be positioned in such a way during collection that he or she can be certain that the sample passes directly from the individual's body to the specimen bottle or "catch container".
8. The documentation for the collection will be completed by following steps (8) through (19) of Section 2. The CSO will code the Urine Sample Custody Document to indicate the sample was collected under direct observation due to reasonable suspicion.

A Urinalysis Collection Checklist (Attachment 9) can be used to ensure that the correct steps have been taken during the collection and chain-of-custody process.

SECTION 6. Quality Assurance and Quality Control

Drug testing laboratories shall have a quality assurance program which encompasses all aspects of the testing process including but not limited to specimen acquisition, chain of custody, security and reporting of results, initial and confirmatory testing, and validation of analytical procedures. Quality assurance procedures shall be designed, implemented and reviewed to monitor the conduct of each step of the process of testing for drugs.

Only laboratories which have been certified by the U. S. Department of Health and Human Services, or DHHS-recognized certification program shall be contracted for DFWP Program drug testing.

SECTION 7. Preparation for Transferring Samples

The urine specimens and Urine Sample Custody Document, are now ready for transfer preparation. All specimens should be sent as soon as possible after collection. However, if the specimen is not immediately prepared for shipment, it should be refrigerated and must be appropriately secured during temporary storage. The handling and transportation of urine specimens from one authorized individual or place to another must always be accomplished through the use of chain-of-custody procedures on the reverse side of the Urine Sample Custody Document.

After collecting all of the samples, the CSO or DFWP Coordinator will complete the chain-of-custody document and enter the means of transfer at item 11 on the Urine Sample Custody Document.

All samples must be placed inside a leak-proof container (a single zip-lock type bag is not leak-proof) and packed with absorbent material. The samples will be packed in appropriate cartons, specimen boxes, or padded mailers that are securely sealed to prevent tampering. A copy of the Urine Sample Custody Document will be enclosed in a waterproof mailer.

The Drug Program Specialist will seal all sides of the box or mailer with adhesive tape and sign and date across the tape on the top and bottom of each box or container. The original custody document will be placed in a sealed envelope and attached to the outside of the mailer. The package should be clearly labeled as containing "Clinical Specimens". The package will be transported to the contracted drug screening laboratory.

The samples must be hand delivered to the contracted laboratory or the DPS may request the laboratory to have the samples picked up by laboratory staff.

URINALYSIS COLLECTION CHECKLIST

- Determine who will be tested.
- Establish adequate collection area.
- Prepare bottle labels.
- Prepare Permanent Record Book.
- Assign specimen numbers.
- Notify supervisors of personnel selected to be tested.
- Verify bottle is empty and clean.
- In cases where the individual cannot or will not provide a sample, contact the Drug Program Specialist (DPS).
- Ensure that the individual turns sample over to Collection Site Officer (CSO).
- Inspect sample for color and measure bottle for temperature.
- Complete permanent record book for individual.
- Enter required information on label.
- Secure bottle cap tightly.
- Attach label to bottle.
- Ensure that the individual verifies his/her data on specimen bottle label.
- Ensure that the individual initials bottle label in space provided.
- Ensure that the bottle contains at least 30 milliliters of urine (if less than 30 milliliters, follow guidance provided by DPS).
- Apply tamper-resistant tape.
- Place sample bottle in box.

-
- Ensure that the individual verifies information and signs Permanent Record Book.
 - Maintain continuous control of samples or complete proper documentation on Urine Sample Custody Document.
 - Continue collection until all samples are collected.
 - Ensure that the Urine Sample Custody Document is properly completed using information on bottles not information in the Permanent Record Book.
 - Verify social security numbers on labels against Urine Sample Custody Document (two-party verification system recommended).
 - Pack bottles for transfer to contracted drug screening laboratory.
 - Place copy of Urine Sample Custody Document in waterproof package in box.
 - Sign name and date across top and bottom of taped box.
 - Attach original of Urine Sample Custody Document securely to outside of container.
 - Hand carry samples to contracted drug screening laboratory.

AGREEMENT TO PARTICIPATE IN EDUCATION, REHABILITATION OR TREATMENT PROGRAM

PART A

Participation in education, rehabilitation or treatment program is offered to you as an alternative to the following disciplinary action: (State the consequences of the adverse action)

PART B

If you agree to participate, cooperate, and make satisfactory progress in, and complete the program as recommended by the Director, which may include drug and alcohol analysis testing, the disciplinary action above will not be taken or will be mitigated as follows:

PART C

Under any option, satisfactory conduct and satisfactory job performance must be maintained. Your referral for education, rehabilitation or treatment program does not replace your supervisory option to initiate any adverse action against you if unsatisfactory job performance or unsatisfactory conduct continues.

PART D

Your signature below signifies your agreement to participate in the education, rehabilitation or treatment program. Failure to complete your agreement to participate and comply with the treatment program shall result in the disciplinary action indicated in Part A above.

_____ EMPLOYEE'S SIGNATURE	_____ BADGE NO.	_____ DATE
_____ DEPARTMENT HEAD'S SIGNATURE		_____ DATE

DEPARTMENT OF ADMINISTRATION ACCESS TO RECORD FORM (ARF)

As an applicant or employee of the Government of Guam, I request access to all records relative to my drug screening test. I understand that my complete records, including medical review, screening information and test results will be released to the Department of Administration. I understand that by requesting access to these records, I hereby release the Government of Guam, its officers and employees from any and all liability regarding the confidentiality of these records.

NAME OF APPLICANT/EMPLOYEE

DATE

DEPARTMENT/DIVISION/SECTION

SOCIAL SECURITY NO.:

BADGE NO.:

SIGNATURE OF APPLICANT/EMPLOYEE

DATE



APPROVED



DISAPPROVED

JOHN S. SALAS, Director
Department of Administration

DATE

ORIGINAL: DOPM - EMR BRANCH (DFWP File)

1st Copy: Employee

2nd Copy: Department of Mental Health & Substance Abuse

DEPARTMENT OF ADMINISTRATION MEDICAL INFORMATION FORM (MIF)

I hereby consent to have a specimen of my urine submitted and I understand that it will be used for analysis by the contracted Drug Screening Laboratory. The result of the test on my specimen will be made available to the authorized Medical Review Officer and used for employment evaluation or referral for education, treatment, or rehabilitation. I hereby release all physicians, medical facilities, testing facilities, clinics; and my employing agency, its employees and officers; from any and all liability whatsoever arising from the release of the information discovered from my test.

Source I.D. No. _____

Name (Please Print) _____

Sex: Male Female Date of Birth _____

Have taken any over-the-counter or prescription medication in the last 48 hours? YES NO

Date: _____	Time: _____	Medication: _____
Date: _____	Time: _____	Medication: _____
Date: _____	Time: _____	Medication: _____
Date: _____	Time: _____	Medication: _____

I hereby certify that the above statement is accurate and true to the best of my knowledge.

SIGNATURE OF APPLICANT/EMPLOYEE DATE

SAMPLE OBTAINED BY: _____

SIGNATURE OF TECHNOLOGIST OR LABORATORY PERSONNEL DATE

DEPARTMENT OF ADMINISTRATION RELEASE OF INFORMATION FORM (RIF)

As an employee of the Government of Guam, I understand and acknowledge that I have been referred to the Department of Administration's Treatment and Rehabilitation Program. I understand that I must contact the Employee Assistance Program (EAP) within 24 hours for processing and scheduling for a drug assessment with the Guam Mental Health and Substance Abuse Department. I understand that I may voluntarily arrange and schedule for any and all required education, treatment or rehabilitation programs as may be prescribed by the EAP Administrator.

I hereby sign this waiver which releases information about the educational and treatment program in which I will participate. I authorize the release of any and all information regarding my admittance to an outpatient treatment program, the treatment program and progress, how the scheduled treatment will affect my work schedule, and other information which may affect my employment responsibilities.

I will present a copy of this signed waiver to the Guam Department of Mental Health & Substance Abuse Counselor as notification that I am a referral from the EAP as a result of the Drug Screening Program. This form will serve as notice that information must be released to the EAP and DPS, regarding my admittance and treatment schedule for as long as I am involved in treatment and follow-up care. I understand that if I do not contact the EAP, schedule an assessment, provide information regarding my treatment or complete my scheduled treatment sessions, I may be subject to disciplinary action in accordance with the Civil Service Commission's Adverse Action Procedures.

NAME OF EMPLOYEE

DEPARTMENT/DIVISION/SECTION:

SOCIAL SECURITY NO

BADGE NO.

SIGNATURE OF EMPLOYEE

DATE

Subscribed and sworn to before me this _____ day of 19____.

NOTARY PUBLIC

My appointment expires: _____

**DEPARTMENT OF ADMINISTRATION
EDUCATION OR TREATMENT
VERIFICATION FORM**

This certifies that the following individual participated in a drug evaluation and was recommended for an education or treatment program as a mandatory referral to the Department of Mental Health & Substance Abuse.

NAME OF EMPLOYEE _____

SOCIAL SECURITY NO: _____

BADGE NO.: _____

1. This individual successfully completed the recommended program.
Determination is based on clinical evidence contained in our records that the individual is free of illegal drugs.

2. This individual failed to successfully complete the recommended program.
Determination is based on:
 - a. failure by the individual to participate; and/or
 - b. clinical evidence contained in our records that the individual is not free of illegal drugs.

Clinical evidence includes a drug screening test result.

YES

NO

COMMENTS: _____

Name of Facility _____

Signature of Facility's Authorized Signature _____

Date _____

Signature of Employee _____

Date _____

Subscribed and sworn to before me this _____ day of 19____.

NOTARY PUBLIC

My appointment expires: _____

REQUEST FOR ACCESS TO INDIVIDUAL DRUG TEST RESULT

MEMORANDUM

TO: Administrator, Drug Free Work Place Program

FROM: _____
Name of Employee/Position Title/Agency/Department

SUBJECT: Access to Personal Drug Test Result

This is to request your authorization to review records retained by your office relating to my drug test: (Check below the information you need to access.)

- Drug Test Result
- Laboratory Certification
- Laboratory Review of Revocation of Certification

When approved, I will make an appointment for a convenient date and time that I may review the records.

Signature of Employee

- APPROVED
- DISAPPROVED

Signature of Drug Free Workplace Program Specialist

URINE SAMPLE CUSTODY DOCUMENT

1. Submitting Agency		3. Laboratory Name & Address		4. Return Results To:	
2. Collection Site & Date					

NO.	5. SUBMITTING AGENCY'S SPECIMEN IDENTIFICATION	6. SSN OF PERSON PROVIDING SPECIMEN	7. TYPE TEST	8. DRUGS TESTED	A. LABORATORY ACCESSION NUMBER	B. LABORATORY RESULTS
01						
02						
03						
04						
05						
06						
07						
08						
09						
10						

9. I certify that I received all specimens and verified for accuracy both the identification on each sample bottle and this Chain of Custody document. Signature of Collection Official _____ Date _____	C. Specimens Received From	D. Received By (Date)	E. Condition <input type="checkbox"/> Undamaged <input type="checkbox"/> Damaged (describe in F)
10. I received specimens from the collection official; properly packaged, sealed and released shipment. Signature of Releasing Official _____ Date _____	F. Comments/Discrepancies/Reasons Not Tested		
11. Means of Shipment	G. I certify that the findings noted above accurately report testing results. Name, Signature, and Title of Certifying Official _____ (Date) _____		

URINE SAMPLE CUSTODY DOCUMENT

INSTRUCTIONS

SUBMITTING AGENCY'S INSTRUCTIONS	LABORATORY INSTRUCTIONS
<ol style="list-style-type: none"> 1. Name of submitting agency. 2. Location of collection site and date 3. Testing laboratory's mailing address 4. Address, telephone, fax to which results are sent 5. Specimen number assigned to each specimen (bar code label permitted) 6. Full Social Security number of person for whom specimen was obtained 7. Enter code for type of test as follows: AT - Applicant Testing RS - Reasonable Suspicion Testing AU - Accident or Unsafe Practices 8. Enter letter designations as follows: A - THC, Cocaine, Amphetamines, PCP, Opiates B - THC, and Cocaine C - Other Drugs (Specify in <i>Remarks</i> Section) 9. Name/Signature of collection official and date certified 10. Name/Signature of official releasing specimen(s) for shipment and date shipped 11. Indicate means of shipment (e.g., UPS, Federal Express) 	<ol style="list-style-type: none"> A. Sequential assigned laboratory accession number (bar/code label permitted) B. Indicate laboratory result C. Indicate the accountable mode of transportation utilized in shipping the specimen D. Name/Signature of laboratory official receiving the shipment and date received E. Indicate condition of shipping container; if damaged describe damage in Block F F. Self-explanatory G. Printed name, signature, title of certifying official and date certified

CHAIN OF CUSTODY

DATE	RELEASED BY	RECEIVED BY	PURPOSE OF CHANGE/REMARKS
	SIGNATURE	SIGNATURE	
	NAME	NAME	
	SIGNATURE	SIGNATURE	
	NAME	NAME	
	SIGNATURE	SIGNATURE	
	NAME	NAME	
	SIGNATURE	SIGNATURE	
	NAME	NAME	



GOVERNMENT OF GUAM
AGANA, GUAM 96910
DEPARTMENT OF ADMINISTRATION
(DIPATTAMENTON ATMENESTRASION)
DIRECTOR'S OFFICE
(UFISINAN DIREKTOT)
Post Office Box 884 • Agana, Guam 96932
Tel.: (671) 475-1101/1250 • Fax: (671) 477-6788

Carl T.C. Gutierrez
Governor
Madeleine Z. Bordallo
Lieutenant Governor

JAN 21 2000

DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO. 00-010

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

Buenas yan Hafa Adai! We are pleased to inform you that the Department of Administration has finally secured a contract with a medical laboratory to conduct drug testing for the government of Guam employees.

Under this contract, prospective hires and employees of the government of Guam will soon no longer be drug tested at the Guam Memorial Hospital. The contract with the Diagnostic Laboratory Services, Inc. (DLS), was signed by the Acting Governor on December 7, 1999. Pre-employment, accident, reasonable suspicion, voluntary and follow-up tests will be conducted by the staff of the Bio-Path Laboratory, located in the ITC Building in Tamuning. Bio-Path is the specimen collection agent for the DLS. Random drug testing will be conducted by the same personnel at the Department of Administration collection site located in Building 103 B Street, Tiyan. Program coordinators at each department or agency will be informed of where to send their employees based on the type of testing.

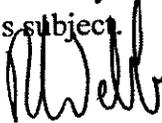
In addition, the enclosed sample memorandum of the thirty (30) day notice to all employees occupying Testing Designated Positions (TDP), with attached map to Tiyan Drug Testing Site, must be signed by department/agency heads and issued to those employees as soon as possible. A listing of all employees given the notice must be provided to the Division of Personnel Management. Each employee must sign receipt of the notice and return it to the Division of Personnel Management, Employee-Management Relations Branch. Employees who did not receive the notice should not be included in the list for random testing. A listing of TDPs for all departments/agencies is also attached for your information and use. In addition, department heads are held responsible for ensuring that employees who have no ride to the test site are provided a ride and tested on the date they are scheduled. Deferral for testing will not be approved for the initial random testing. The Drug-free Workplace Program (DFWP) Specialist must be immediately informed of all employees approved for deferred testing. The DFWP Specialist may be reached at extension 475-1131 or 475-1248.

DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO. 00-010
Drug-Free Workplace Program
PAGE TWO

The demands for drug testing of individuals in TDPs have been placed on top priority. It is expected that the first round of random testing will apply to all employees occupying TDPs in each department. We ask that all department and agency heads include the costs for all types of drug testing in your FY 2000 budget to ensure coverage of all associated costs. The Fee Schedule provided by the DLS is attached for your guidance in submitting your Drug-Free Workplace Program expenses.

By copy of this circular, autonomous agencies, having a Memorandum of Understanding with the Department of Administration for the DFWP Program, are requested to submit names of employees occupying TDPs for inclusion in the overall TDP pool. This list must be updated periodically to ensure accurate accounting of individuals occupying TDPs.

Si Yu'os Ma'ase for your cooperation and support. You may call the Division of Personnel Management at 475-1131 for any questions regarding this subject.


RODNEY C. WEBB
Acting

Attachments

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

TESTING DESIGNATED POSITIONS (NON-AUTONOMOUS DEPARTMENTS AND AGENCIES)

POSITION TITLE	POSITION CODE
Assistant Chief of Customs and Quarantine	04.237
Assistant Fire Chief	04.436
Chemical Dependency Treatment Specialist I	03.102
Chemical Dependency Treatment Specialist II	03.103
Chemical Dependency Treatment Specialist III	03.105
Chief Criminalist	07.328
Chief of Customs and Quarantine	04.238
Chief Investigation Agent	04.315
Chief of Safety & Security Operations	04.135
Chief of Security	04.523
Chief Parole Officer	03.035
Community Health Nurse I	08.180
Community Health Nurse II	08.181
Community Health Nurse Supervisor I	08.190
Community Health Nurse Supervisor II	08.191
Community Health & Nurse Services Administrator	08.195
Community Health and Nurse Services Assistant Administrator	08.194
Conservation Officer I	04.220
Conservation Officer II	04.221
Conservation Officer III	04.222
Correction Facility Assistant Supervisor	04.540
Correction Facility Supervisor	04.541
Correction Officer I	04.530
Correction Officer II	04.531
Correction Officer III	04.532
Correction Officer Supervisor I	04.535
Correction Officer Supervisor II	04.536
Correction Social Worker I	03.041
Correction Social Worker II	03.042

POSITION TITLE	POSITION CODE
Correction Social Worker Administrator	03.048
Correction Social Worker Assistant	03.040
Corrections Social Worker Supervisor	03.047
Crime Analyst	07.323
Crime Scene Technician	07.320
Criminalist I	07.325
Criminalist II	07.326
Criminalist III	07.327
Customs & Quarantine Officer I	04.230
Customs & Quarantine Officer II	04.231
Customs & Quarantine Officer III	04.23 2 3
Customs & Quarantine Officer Supervisor	04.235
Dental Assistant	08.135
Dental Health Specialist I	08.136
Dental Health Specialist II	08.137
Dental Health Specialist III	08.138
Dental Officer I	08.410
Dental Officer II	08.411
Deputy Fire Chief	04.437
Deputy Police Chief	04.420
Detention Facility Guard	04.510
Detention Facility Guard Leader	04.511
Equipment Operator I	09.521
Equipment Operator II	09.522
Equipment Operator III	09.523
Equipment Operator IV	09.524
Equipment Operator Leader I	09.525
Equipment Operator Leader II	09.526
Equipment Operator Supervisor	09.527

recruit

POSITION TITLE	POSITION CODE
Field Operations Bus Driver Supervisor	09.546
Fingerprint Examiner	07.231
Fire Battalion Chief	04.435
Fire Captain	04.434
Firefighter Recruit	04.429
Firefighter I	04.430
Firefighter II	04.431
Fire Inspector	04.433
Fire Service Specialist	04.432
GOSH Administrator	04.132
Graduate Nurse (Non-Licensed)	08.130
Guard	04.505
Guard Supervisor	04.506
Handicap Bus Driver	09.540
Head Lifeguard	03.612
Investigator Agent I (AG)	04.311
Investigator Agent II (AG)	04.312
Investigator Agent III (AG)	04.313
Investigator Agent IV (AG)	04.314
Law Enforcement Dispatcher I	04.405
Law Enforcement Dispatcher II	04.406
Lifeguard	03.610
Lifeguard Instructor	03.611
Lifeguard Recruit	03.609
Medical Laboratory Technician I	07.250
Medical Laboratory Technician II	07.251
Medical Laboratory Technician III	07.252
Medical Laboratory Technician IV	07.253
Medical Technologist I	07.255

POSITION TITLE	POSITION CODE
Medical Technologist II	07.256
Medical Technologist Supervisor	07.257
Mental Health Psychologist	03.122
Mental Health Residential Treatment Program Manager	03.107
Nurse Aide I	08.105
Nurse Aide II	08.106
Nurse Midwife	08.188
Nurse Practitioner	08.186
Nurse Specialist	08.184
Nurse Supervisor I	08.163
Mental Health Psychologist	07.257
Mental Health Residential Treatment Program Manager	03.107
Nurse Aide I	08.105
Nurse Aide II	08.106
Nurse Midwife	08.188
Nurse Practitioner	08.186
Nurse Specialist	08.184
Nurse Supervisor I	08.163
Nurse Supervisor II	08.164
OSHA Administrator	04.130
Parole Officer I	03.060
Parole Officer II	03.064
Parole Officer III	03.032
Pharmacist	07.225
Physician Specialist	
Police Cadet	04.409
Police Captain	04.418
Police Lieutenant	04.417
Police Major	04.419

POSITION TITLE	POSITION CODE
Police Officer I	04.411
Police Officer II	04.412
Police Officer III	04.413
Police Sergeant I	04.414
Police Sergeant II	04.415
Psychiatric Nurse I	08.151
Psychiatric Nurse II	08.152
Psychiatric Nurse III	08.153
Psychiatric Nurse Administrator	08.155
Psychiatric Nurse Supervisor	08.154
Psychiatric Social Services Administrator	03.071
Psychiatric Social Worker I	03.066
Psychiatric Social Worker II	03.067
Psychiatric Social Worker Supervisor	03.069
Psychiatric Technician I	08.110
Psychiatric Technician II	08.111
Psychologist	03.120
Public Health Laboratory Administrator	07.260
School Bus Driver	09.541
School Bus Driver Leader	09.542
School Bus Driver Supervisor	09.545
Security Guard (Armed)	04.520
Security Guard Supervisor	04.521
Security Inspector	04.513
Social Worker I	03.073
Social Worker II	03.074
Social Worker III	03.075
Social Service Supervisor I	03.077
Social Service Supervisor II	03.078

POSITION TITLE	POSITION CODE
Staff Nurse I	08.160
Staff Nurse II	08.161
Substance Abuse Program Specialist	03.085
Substance Abuse Program Supervisor	03.086
Territorial Park Patrol Officer I	04.570
Territorial Park Patrol Officer II	04.571
Territorial Park Patrol Recruit	04.569
Territorial Park Patrol Superintendent	04.574
Territorial Park Patrol Supervisor	04.572
Vehicle Safety Inspector I	01.565
Vehicle Safety Inspector II	01.566
Vehicle Safety Inspector Supervisor	01.568
Vocational Rehabilitation Counselor I	03.330
Vocational Rehabilitation Counselor II	03.331
Vocational Rehabilitation Counselor III	03.332
Vocational Rehabilitation Supervisor I	03.335
Vocational Rehabilitation Supervisor II	03.336
Weights and Measures Inspector I	02.214
Weights and Measures Inspector II	02.215
Weights and Measures Technician	02.213
Youth Community Services Supervisor	03.711
Youth Correction Superintendent	03.721
Youth Development Administrator	03.715
Youth Rehabilitation Administrator	03.723
Youth Service Worker I	03.705
Youth Service Worker II	03.706
Youth Service Worker Assistant	03.704
Youth Service Supervisor	03.709



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

(UFISINAN DIREKTOT)
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Carl T.C. Gutierrez
Governor

Madeleine Z. Bordallo
Lieutenant Governor

FEB 04 2000

DEPARTMENT OF ADMINISTRATION ORGANIZATIONAL CIRCULAR NO. 00-011

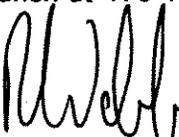
To: Non-Autonomous Department/Agency Heads
From: Director, Department of Administration
Subject: Drug-Free Workplace Program

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.

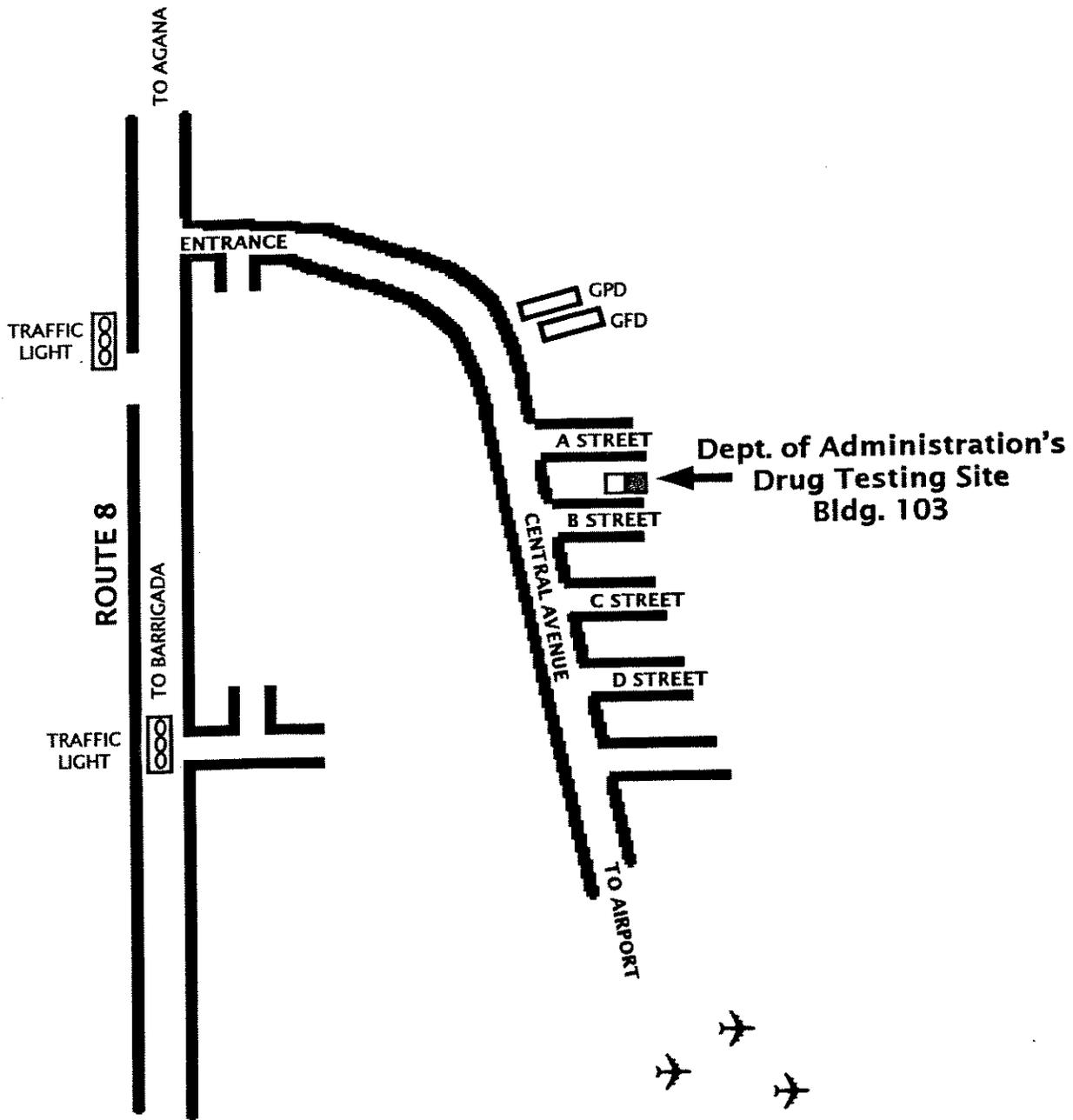
- Construction Inspector I, II, III
- Customs and Quarantine Recruit
- Engineer I, II, III
- Engineer Supervisor
- Messenger Clerk
- Process Officer
- Safety Inspector I, II, III
- Safety Inspector Supervisor
- Welder I, II
- Welder Leader
- Welder Supervisor

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.

3. **Alcohol and Drug Dependence.** The reliance on alcohol (alcoholism) or drugs following use on a periodic or continuing basis. Dependence may be psychological or physical or both. Dependency must be determined by a licensed physician, medical officer, or clinical psychologist.
4. **Employee Assistance Program (EAP).** A program offering assistance to employees who have problems involving alcoholism, drug abuse, or other personal problems which result in or may contribute to deficiencies in job performance or conduct.
5. **EAP Counselor.** An individual designated to conduct the initial interview with an employee, explain the provisions of the EAP, determine the nature of the personal problem, and refer the employee to a source of assistance located within the local community.
6. **Drug Abuse.** Use of a drug to 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. The wrongful or illegal possession or use of drugs in any amount also constitutes drug abuse.
7. **Person with Disability.** One who has a physical or mental impairment which substantially limits one or more of the person's major life activities (including working), has a record of such impairment, or is regarded as having such an impairment.
8. **Qualified Person with Disability.** With respect to employment, a person with disability who, with or without reasonable accommodation, can perform the essential functions of the position in question without endangering the health and safety of the individual or others and who meets the experience and/or education requirement (which may include a written test of the position in question or meets the criteria for appointment under special appointment for persons with disabilities).
9. **Reasonable Accommodation.** With respect to any employee who establishes that his or her deficient performance or conduct is caused by a physical or mental impairment, reasonable accommodation is the referral to EAP for diagnostic counseling and referral for treatment or rehabilitation or other assistance and a reasonable opportunity to demonstrate minimally acceptable performance or conduct.
10. **Rehabilitation.** The process of restoring to effective functioning those individuals who have been impaired by alcoholism, drug addiction, or other dependencies. Rehabilitation occurs after treatment has been completed and may be in a clinical or non-clinical setting. Ordinarily, rehabilitation involves individual or group counseling

or participation in self-help organizations such as Alcohols and Narcotics Anonymous.

11. **Trafficking.** The wrongful distribution (including sale or transfer) of a controlled substance, and/or the wrongful possession or introduction into workplace of a controlled substance with intent to distribute. Trafficking of drugs is misconduct which does not confer an entitlement to reasonable accommodation under EAP and must result in corrective action in accordance with disciplinary procedures of the Personnel Rules and Regulations.
12. **Treatment.** The process of alleviating the physical and psychological effects of substance abuse, including withdrawal symptoms and medical conditions resulting from substance abuse. Treatment is always under medical supervision. It is a prelude to, and should not be confused with rehabilitation.

RESPONSIBILITIES

1. **Director of Administration.** Responsible to provide advice and assistance to the agency heads and EAP officials in the implementation of the EAP including the dissemination of policy and guidance for the administration of the program.
2. **Appointing Authorities.** Responsible to ensure the EAP within their agency is consistent with requirements of the Department of Administration procedures for Employee Assistance Program and the Drug-Free Workplace Program; provide recurring publicity about the program, training of EAP counselors and all supervisors, and ensure EAP services are available to all employees.
3. **Supervisors shall:**
 - a. identify and document instances of deficient work performance or conduct, with special attention directed to patterns of performance deterioration.
 - b. discuss performance or conduct deficiencies with the employee and refer the employee to the EAP counselor if, in their opinion, the noted deficiencies may be caused by a personal problem such as alcohol or drug abuse, family problems, etc. Referrals shall be made in writing or otherwise documented by the supervisor. If formal corrective action is not being proposed for the conduct or performance deficiencies, the supervisor should advise the employee that conduct or performance must be raised to an acceptable level or corrective action will be initiated. The supervisor must discuss the choice facing the employee to raise performance or conduct to an acceptable level

or face corrective action to deal with continued performance or conduct deficiencies.

- c. refrain from diagnosing employee problems, but should be alert to indications of personal problems, including alcohol or drug abuse.
- d. refrain from ordering an employee to undergo a medical examination for the purpose of determining his or her fitness for duty. Follow the Personnel Rules and Regulations regarding special medical examinations. Seek the assistance of the Division of Personnel Management in these matters.

PROGRAM ADMINISTRATION

Services provided under the Employee Assistance Program:

1. **General.** Services provided to employees include short-term counseling related to problem identification; referral for treatment and rehabilitation or other assistance to an appropriate community agency or service (at employee's expense); and follow-up counseling to aid an employee in achieving an effective readjustment to his or her job during and after treatment or rehabilitation.
2. **Illegal Drug Use Problem.** To complete the effort of the government to eliminate the adverse effects of illegal drug use in the workplace and ensure compliance with Public Law 100-690, a voluntary referral procedure is established to encourage illegal drug users to seek counseling and rehabilitation without risk of disciplinary action. This is referred to as providing the employee "safe harbor". Accordingly, any employee who voluntarily identifies him or herself as a user of illegal drugs, will be provided "safe harbor" and be exempt from disciplinary action for the admitted acts of prior illegal drug use, including possession incident to such use, provided the employee:
 - a. voluntarily makes such disclosure to a superior official prior to his/her being officially informed of an impending drug test.
 - b. obtains counseling and rehabilitation through the Employee Assistance Program.
 - c. agrees to be tested by the agency during counseling and rehabilitation and during the post-treatment and evaluation phase until such time as the individual is released from testing by the attending medical professional.

- d. consents, in writing, to the release of all records related to counseling and rehabilitation, including urinalysis test results, to appropriate management and EAP officials.
- e. thereafter refrains from using illegal drugs.

2. Relationship to Discipline.

- a. An employee's personal, family or health problems are not a shield from disciplinary action should that be appropriate under all relevant circumstances. However, the rehabilitation action and the Drug and Alcohol Abuse Acts require that agencies offer reasonable accommodation and rehabilitation to individuals who abuse or are addicted to alcohol or drugs if they are "otherwise qualified" persons with disabilities. These statutes were intended to provide assistance to individuals who, because of long-term effects of drugs or alcohol abuse, have lost the ability to control their behavior. Isolated or casual use of alcohol or drugs does not create a statutory obligation of the agency to provide assistance. To be entitled to reasonable accommodation, an employee must establish that he or she abuses or is addicted to drugs or alcohol. This can be done by the employee personally providing information concerning the pattern of abuse, submitting a detailed medical diagnosis or an evaluation from a non-medical expert in the field of drug or alcohol rehabilitation. However, an employee need not prove addiction to a certainty before the agency's duty to accommodate arises. Where the agency has reasonable notice that the employee may be dependent on drugs or alcohol, the agency must inquire sufficiently to determine whether the employee is physically or mentally disabled and is entitled to reasonable accommodation. Supervisors are reminded of their obligation to ensure the employee's rights to representation under any collective bargaining agreement are fully observed in the event disciplinary action is initiated.
- b. An "otherwise qualified" employee with a disability is one who, despite his or her disability, is technically, physically, emotionally, and morally fit to perform his or her duties. The type of misconduct which, standing alone, disqualifies an employee from his or her position is "that which, by its very nature, strikes at the core of the job or agency's mission, or is so egregious or notorious that an employee's ability to perform his duties or to represent the agency is hampered. A decision to remove a drug or alcohol abusing employee without first affording reasonable accommodation must not be made lightly and must be based on a careful consideration of all facts involved in his case. The agency must be prepared to defend such a decision before the Civil Service Commission or other adjudicating body.

- c. It is medically-recognized principle that one way to help alcohol and drug abusers overcome their problem is to make them take responsibility for the consequences of their actions. Thus, it may be appropriate to impose reasonable discipline, short of removal, while at the same time afford an alcohol or drug abusing employee an opportunity to rehabilitate.
 - d. As an alternative to disciplining an employee while, at the same time, providing an opportunity for rehabilitation, an employee may be given a firm choice between seeking assistance through EAP or being subjected to corrective action, to include removal, as appropriate.
 - e. Drug trafficking and possessions of drugs or drug paraphernalia not solely a manifestation of personal dependency, is misconduct which does not entitle an employee to reasonable accommodation.
3. **Voluntary Employee Referral.** An important aspect of EAP is its availability to employees on a voluntary basis. Agency EAP publicity should emphasize this aspect and encourage employees to seek assistance for alcohol, drug or other problems, before these problems result in a negative impact on job performance or conduct.
 4. **EAP Administration and Functions.**
 - a. The Department of Administration EAP Administrator has responsibility for implementing and operating the EAP within the line and non-autonomous agencies and must not be designated to serve as a Drug Program Coordinator, or in any capacity related to the collection or transportation of samples collected under the drug testing program for employees. The DOA EAP Administrator will be appointed in writing by the Director and shall:
 - provide counseling services to all employees referred to EAP by their supervisors or through self-referral and otherwise offer employees the opportunity for counseling and rehabilitation.
 - ensure the provision of appropriate supervisory training and other activities needed to educate and inform employees about EAP and the use of illegal drugs in the workplace.
 - monitor the progress of referred employees during and after the rehabilitation period.
 - develop and maintain an adequate counseling capability through personnel staff, medical, or other counseling sources, including

accessible rehabilitation centers and contracting out.

- maintain a list of rehabilitation or treatment organizations which provide counseling and rehabilitation programs to include name, address, phone number, types of service available, hours of operation, contact's name and telephone number, fee structure and insurance coverage, client specialization, and other pertinent information. Publicize the names and locations of the designated counselors at all agencies and departments.
 - periodically visit rehabilitation or treatment organizations to meet administrative and staff members; tour the sites; ascertain the experience, certification, and education level of the staff; and determine policies concerning progress reports of clients and post treatment follow-up.
 - evaluate the EAP and report the Director of Administration on findings and effectiveness, at least annually, and recommend local EAP changes.
 - effectively publicize the EAP.
- b. Designated agency EAP Counselors serve as the initial point-of-contact for employees who ask or are referred for counseling and must not be designated to serve as a Drug Program Coordinator, or in any capacity related to the collection or transportation of samples collected under the drug testing program for employees. As a minimum, a person designated as a counselor should, or arrangements should be made for him/her to be:
- familiar with the statutes and regulations dealing with persons with disabilities, drug-free workplace, and disciplinary actions.
 - knowledgeable of EAP policies and procedures.
 - able to counsel employees in the occupational setting and identify drug and alcohol abuse and personal problems impacting job performance or conduct.
 - able to communicate effectively with employees, supervisors, and managers about alcohol abuse, personal problems and illegal drug use and their symptoms and consequences.

- knowledgeable about community resources for treatment and rehabilitation and, when making referrals, consider the nature and severity of the problem; location and cost of the treatment, intensity of the treatment environment, inpatient/outpatient care availability, preferences of the employee, and other special needs such as transportation and child care.
- able to discuss treatment for alcohol, drug and other personal problems, as well as rehabilitation insurance coverage available to employees under the government employees group health benefits program.
- able to distinguish the occasional alcohol or drug user from the addicted user and to suggest appropriate treatment based on the distinction.
- able to provide training and education relating to alcohol and illegal drug use and other personnel problems to employees, supervisors, and other interested groups.

5. Training and Education

- a. **Supervisory Training.** The EAP Administrator will conduct training sessions for supervisors on methods for dealing with personal problems including drug and alcohol abuse. Topics may include:
 - explanation of the EAP and its relationship to the Drug-Free Workplace Program.
 - drug and alcohol awareness, symptoms of drug and alcohol abuse, and methods for dealing with suspected abusers.
 - confrontation and referral techniques.
 - general principles of rehabilitation, including techniques for supervisors to assist employees in returning to the worksite.
 - personnel management issues, e.g., relationship of this program to performance appraisal and disciplinary programs, leave usage, and the use of supervisory notes and other documentation.
- b. **Education and Publicity.** The EAP Administrator will ensure that employees are informed on topics dealing with drug and alcohol abuse through such means as memoranda, seminars, and newsletters. New employees will be

informed of the services available under the EAP during new employee orientation. The names, locations and telephone numbers of all EAP Counselors shall be posted on all official bulletin boards within the agency.

6. **Relationship with Labor Organizations.** The support and active participation of labor organizations is a key element in the success of the EAP. Where there are units of exclusive recognition, agencies should:
- a. Communicate to labor organizations the government's strong commitment to providing assistance to employees.
 - b. Consult or negotiate, as appropriate, concerning the implementation of the EAP.
 - c. Include union representatives in training and orientation programs to ensure mutual understanding of EAP policy, referral procedures, and other program elements.

AGREEMENT TO PARTICIPATE IN EDUCATION, REHABILITATION OR TREATMENT PROGRAM

PART A

Participation in education, rehabilitation or treatment program is offered to you as an alternative to the following disciplinary action: (State the consequences of the adverse action)

PART B

If you agree to participate, cooperate, and make satisfactory progress in, and complete the program as recommended by the Director, which may include drug and alcohol analysis testing, the disciplinary action above will not be taken or will be mitigated as follows:

PART C

Under any option, satisfactory conduct and satisfactory job performance must be maintained. Your referral for education, rehabilitation or treatment program does not replace your supervisory option to initiate any adverse action against you if unsatisfactory job performance or unsatisfactory conduct continues.

PART D

Your signature below signifies your agreement to participate in the education, rehabilitation or treatment program. Failure to complete your agreement to participate and comply with the treatment program shall result in the disciplinary action indicated in Part A above.

EMPLOYEE'S SIGNATURE

BADGE NO.

DATE

DEPARTMENT HEAD'S SIGNATURE

DATE

DEPARTMENT OF ADMINISTRATION RELEASE OF INFORMATION FORM (RIF)

As an employee of the Government of Guam, I understand and acknowledge that I have been referred to the Department of Administration's Treatment and Rehabilitation Program. I understand that I must contact the Employee Assistance Program (EAP) within 24 hours for processing and scheduling for a drug assessment with the Guam Mental Health and Substance Abuse Department. I understand that I may voluntarily arrange and schedule for any and all required education, treatment or rehabilitation programs as may be prescribed by the EAP Administrator.

I hereby sign this waiver which releases information about the educational and treatment program in which I will participate. I authorize the release of any and all information regarding my admittance to an outpatient treatment program, the treatment program and progress, how the scheduled treatment will affect my work schedule, and other information which may affect my employment responsibilities.

I will present a copy of this signed waiver to the Guam Department of Mental Health & Substance Abuse Counselor as notification that I am a referral from the EAP as a result of the Drug Screening Program. This form will serve as notice that information must be released to the EAP and DPS, regarding my admittance and treatment schedule for as long as I am involved in treatment and follow-up care. I understand that if I do not contact the EAP, schedule an assessment, provide information regarding my treatment or complete my scheduled treatment sessions, I may be subject to disciplinary action in accordance with the Civil Service Commission's Adverse Action Procedures.

NAME OF EMPLOYEE

DEPARTMENT/DIVISION/SECTION:

SOCIAL SECURITY NO

BADGE NO.

SIGNATURE OF EMPLOYEE

DATE

Subscribed and sworn to before me this _____ day of 19____.

NOTARY PUBLIC

My appointment expires: _____

DEPARTMENT OF ADMINISTRATION EDUCATION OR TREATMENT VERIFICATION FORM

This certifies that the following individual participated in a drug evaluation and was recommended for an education or treatment program as a mandatory referral to the Department of Mental Health & Substance Abuse.

NAME OF EMPLOYEE _____

SOCIAL SECURITY NO: _____

BADGE NO.: _____

1. This individual successfully completed the recommended program.
Determination is based on clinical evidence contained in our records that the individual is free of illegal drugs.
2. This individual failed to successfully complete the recommended program.
Determination is based on:
 - a. failure by the individual to participate; and/or
 - b. clinical evidence contained in our records that the individual is not free of illegal drugs.

Clinical evidence includes a drug screening test result.

YES

NO

COMMENTS: _____

Name of Facility _____

Signature of Facility's Authorized Signature _____

_____ Date

Signature of Employee _____

_____ Date

Subscribed and sworn to before me this _____ day of 19____.

NOTARY PUBLIC

My appointment expires: _____

CONFIDENTIAL

E.A.P. REFERRAL FORM

General Instructions: The purpose of this form is to provide information to the Employee Assistance Program (EAP) regarding an employee's poor work performance or conduct when there is reason to believe that the cause may be due to a personal-medical problem. It is important that you fill in the information requested to the best of your knowledge, limiting your responses to the facts, not hearsay and/or assumptions. This information will serve as a means of assessing the employee's problem and will help the EAP to determine the necessary steps needed in assisting the employee in alleviating his/her problem.

Employee's Name:	Social Security No.:	Referral Date:
Home Address:	City, State, Zip:	Date of Birth:
Position Title:	Home Phone:	Work Phone:
Employer:	Employer's Address:	Place of Employment:
Hours of Work:	Days Off:	Referred By:
Position Title:	Telephone Number:	
Department/Agency EAP Counselor:	Position Title:	Telephone Number:

REASON FOR REFERRAL

(To Be Completed By The Supervisor of Referred Employee)

Please fill in the sections below that re relevant to this referral. If sufficient space is not available, please attach a supplemental sheet in order that all relevant information is provided. Attach documentation (Letters of Warning, other disciplinary actions and incident reports) to support these disclosures.

ATTENDANCE

No. of Days Absent in Past 12 Months:	Number of Extended Lunch Periods in Past Six Months. (Reasons, if known):	Number of Late Occurrences in the Past Six Months. Reasons (if any).
Pattern (if any) - e.g., Mondays, Friday, after paydays, before and after holidays. Attach leave records for verification.		Other (Please Specify):

JOB PERFORMANCE

(Give Examples of Demonstrated Poor Performance or Conduct)

<input type="checkbox"/> Lower Quality of Work <input type="checkbox"/> Decreased Productivity <input type="checkbox"/> Increased Errors <input type="checkbox"/> Impaired Judgement Memory	<input type="checkbox"/> Erratic Work Patterns <input type="checkbox"/> Failure to Meet Schedules <input type="checkbox"/> Inability to Concentrate <input type="checkbox"/> Other (Specify) _____
--	---

BEHAVIOR DEMONSTRATED

(Give Examples of a Specific Poor Behavior)

<input type="checkbox"/> Avoids Supervisors or Co-workers <input type="checkbox"/> Less Communicative <input type="checkbox"/> Usually Sensitive to Advice or Constructive Criticism <input type="checkbox"/> Usually Critical of Supervisor, Co-workers, or Employer	<input type="checkbox"/> Loss of Interest or Enthusiasm in Job <input type="checkbox"/> Frequent Mood Swings <input type="checkbox"/> Disregard for Safety On The Job <input type="checkbox"/> Other _____ _____
Have The Above Issues Been Discussed With The Employee? <input type="checkbox"/> Yes <input type="checkbox"/> No	Has The Employee Been Referred For Special Medical Examination? <input type="checkbox"/> Yes <input type="checkbox"/> No
Supervisor's Signature:	Date:

THIS SECTION TO BE COMPLETED BY EMPLOYEE

I understand that I am being referred by my employer to the Employee Assistance Program (EAP). I also understand that my signature below does not reflect my agreement/disagreement to any of the issues raised. My signature verifies that I have seen the referral and all documentation contained therein.

_____ Yes, I will participate in the Employee Assistance Program.
I am responsible for all costs of treatment and rehabilitation.

_____ No, I will not participate in the Employee Assistance Program.

Employee's Signature

DATE

Please forward all documents in **DUPLICATE** to:

Department of Administration
Division of Personnel Management (EMR Branch)
Employee Assistance Program
P. O. Box 884, Agana, Guam 96932

If you have any questions, please call the Division of Personnel Management at 475-1131/1225.

LETTER OF CERTIFICATION

REFERRAL FOR DRUG AND ALCOHOL ASSESSMENT

To: Department of Mental Health and Substance Abuse
790 Governor Carlos G. Camacho Road, Tamuning, Guam 96911
Telephone: 647-5440/5325 Facsimile: 649-6948

From: _____ Alternative Sentencing Office (ASO) Probation Office (PrO)
_____ Parole Services Division (PaO) Employer (EAP)

Reference: Client's Name: _____ S.C. Criminal Case No(s) _____

Subject: **Referral for Intake and Drug & Alcohol Assessment**

Name of Referring ASO/PrO/PaO/EAP Signature of ASO/PrO/PaO/EAP Date

Note: This referral must be accompanied with client's Court Order and a Consent for Release of Information.

To: Alternative Sentencing Office (ASO) Telephone: 475-3194 Facsimile: 477-4944
 Probation Office (PrO) Telephone: 475-3194 Facsimile: 477-4944
 Parole Services Division (PaO) Telephone: 473-7001 Facsimile: 473-7009
 Employer (EAP)

From: Intake Unit, Department of Mental Health and Substance Abuse

Please be advised that the above-referenced Client:

- Was seen for Intake/Drug & Alcohol Assessment on _____
 Failed to show for Intake/Drug & Alcohol Assessment on _____
 Case closed as of date _____

DMHSA Treatment Recommendation is:

ADULT PROGRAM ---

- 6-weeks New Beginnings Intensive Rehabilitation Program. 40-weeks New Beginnings Extended Rehabilitation Program for Substance Dependence.
 10-weeks Intensive Outpatient Program for Substance Abuse.
 No treatment recommended. Other: _____

ADOLESCENT PROGRAM ---

- 8-weeks Intensive Outpatient Program (IOP) Program. 8-weeks Drug and Alcohol Prevention Education.
 3-weeks Drug and Alcohol Prevention Education. Other: _____
 No treatment recommended.

ADDITIONAL --

- _____ Sessions attendance with Alcoholic Anonymous, Narcotic Anonymous, AI-Anon, Alateen
 Discharged from Treatment due to:
 Rules Violations THREE times.
 Failure to attend sessions; Client's last attendance was on date _____; case closed as of date _____
 _____; case closed as of date _____
 Alternative Treatment Program _____
 SUCCESSFUL COMPLETION of recommended Treatment on date _____; case closed as of date _____

Name of Clinical Staff Signature of Clinical Staff Date

CONSENT FOR RELEASE OF INFORMATION

I, _____, agree to the attached referral; and furthermore, I consent for Department of Mental Health and Substance Abuse, Intake and Drug & Alcohol staff, to release information to my ASO (Alternative Sentencing Officer) PrO (Probation Officer), PaO (Parole Officer), or EAP (Employer) relative, **only**, to my appointment(s) attendance and recommended treatment program. I understand that this referral and compliance for Drug and Alcohol treatment is a requirement of my alternative sentence probationary/parole terms or the Government of Guam Drug-Free Workplace policy.

Signature of Client

Date

Witness (Name of ASO/PrO/PaO/EAP)

Signature of ASO/PrO/PaO/EAP

Date