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**COMMISSION ON FILIPINOS OVERSEAS
ALCOHOL AND DRUG-FREE WORKPLACE PROGRAM**

Pursuant to Republic Act No. 9165, otherwise known as the "Comprehensive Dangerous Drugs Act of 2002" and Civil Service Commission Memorandum Circular Nos. 13, series of 2010 and 4 series of 2011, entitled Guidelines for a Drug-Free Workplace in the Bureaucracy and Policy Guidelines on the Prohibition on the Consumption of Alcoholic Beverages Among Government Officials and Employees, respectively, the Commission on Filipinos Overseas (CFO) hereby establishes its own policy for an Alcohol and Drug-Free workplace program.

I. PURPOSE

The CFO is committed to protecting the safety, health and well being of all its employees. It recognizes that alcohol abuse and drug use pose a significant threat in the performance of its mandate. In this regard, the CFO hereby establishes the CFO Alcohol and Drug-Free Workplace Program that balances its respect for individuals with the need to maintain an alcohol and drug-free environment.

- This policy recognizes that employee involvement with alcohol and other drugs can be very disruptive, and adversely affect the quality of work and performance of employees, pose serious health risks to users and other persons, and have a negative impact on productivity and morale of the employee concerned;
- As a condition of employment, the CFO requires that all employees adhere to a strict policy regarding the use and possession of drugs and alcohol; and
- The CFO encourages employees to voluntarily seek help with drug and alcohol problems.

II. POLICY STATEMENT

The Commission believes that it is a violation of the CFO Alcohol and Drug-Free Workplace Program to manufacture, use, possess, distribute, trade, and/or offer for sale alcohol, illegal drugs or intoxicants. The CFO Alcohol and Drug-Free Workplace Program is applicable during all working hours, lunch hours and whenever conducting business or representing the CFO, while on official mission, on or off CFO premises, including official vehicles.

The policy provisions also apply whenever anyone is representing or conducting business on behalf of the Commission.



This policy includes, but is not limited to the Executive Management, Division Heads, Rank and File Employees, Contract of Service Personnel, Consultants, Utility Workers, Security Guards, Interns and Applicants.

While the CFO respects the privacy of its employees, the Commission also believes that drug and alcohol consumption on and/or off the job can adversely affect job performance and employee/public safety.

III. BASIC POLICIES

1. The Management is committed to providing an alcohol and drug-free workplace for all CFO employees and its clientele.
2. The unlawful manufacture, distribution, dispensation, sale, possession, or use of controlled substances; the unlawful use of prescription drugs; the possession or intake of alcoholic beverages during working hours; and the possession of and manufacture or delivery of drug paraphernalia are prohibited on CFO premises and its workplaces. The Commission maintains a zero tolerance position on the aforementioned issues.
3. Violation of the policy set out in item 2 above and/or alcohol or controlled substance impaired behavior on the job shall be viewed as misconduct of the personnel involved and shall be cause for disciplinary action up to and including dismissal.
4. An employee found guilty, by administrative or other investigation, to be involved in the use, manufacture, distribution, dispensation, or sale of a controlled substance on CFO premises and its workplaces shall be dismissed from the service.
5. An employee found guilty, by administrative or other investigation, to be in possession of a controlled substance as well as, possession of and involved in the manufacture or delivery of drug paraphernalia on CFO premises and its workplaces shall be dismissed from the service.
6. An employee found guilty, by administrative or other investigation, to be under the influence and/or functioning below acceptable work standards due to use of a controlled substance or unlawful use of prescription drugs on CFO premises and its workplaces shall be dismissed from the service.
7. The CFO shall report to the appropriate law enforcement authority any violations of criminal drug statutes occurring within CFO premises and its workplaces.
8. An employee convicted of any criminal drug or alcohol statute violation must notify his/her Division Head no later than (5) five calendar days after such conviction. Failure to provide notification will result in dismissal.

9. The Management shall support an employee who is seeking for immediate help and rehabilitation for an alcohol or controlled substance problem. An employee's efforts to obtain help through the CFO will be handled with utmost confidentiality.
10. The Administrative and Finance Division (AFD) is tasked to facilitate the conduct of various information awareness programs to educate CFO personnel about the dangers of alcohol and drug abuse in the workplace.
11. All employees shall be responsible for reporting observed and suspected violations of this policy to their Division Heads and Supervisors.
12. The AFD Head is assigned the responsibility and authority to establish supplemental policies and procedures necessary for the implementation and administration of this policy. The AFD Head shall also oversee the implementation of the CFO Alcohol and Drug-Free Workplace Program and review the same in consideration of proposed changes and/or additions to the policy as may be needed.

IV. TYPE OF DRUG TEST

The CFO may require an employee to undergo drug and/or alcohol testing under any of the following circumstances;

- **Pre-Employment Drug Testing** – Employees before their assumption of their duty with the CFO will be required to undergo mandatory drug testing procedures as a pre-employment requirement.
- **Random Testing** - Employees may be selected at random for drug and/or alcohol testing at any interval determined by the Management.
- **For-Cause Testing** - The CFO may require an employee to submit to a drug and/or alcohol test at any time if there is reasonable cause to believe that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances:
 - Evidence of illegal substance or alcohol in the employee's possession or the vicinity of his/her workplace while on official duty;
 - Unusual conduct on the employee's part that suggests impairment or influence of illegal substance or alcohol;
 - Negative performance patterns;
 - Excessive and unexplained absenteeism or tardiness.
- **Post-Accident Testing:** Any employee involved in an accident or injury while on official mission, under circumstances that suggest possible use or influence of illegal substance or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test.

When requiring an employee to undergo a "For-Cause Testing", the same shall be conducted on the date and drug testing center specified by the CFO.

V. DRUG-TESTING PROCEDURES

1. Before the drug testing procedures, the employee concerned shall be advised of the following information:

- Basis for the drug testing;
- Methods of testing which may be used;
- Substances which may be identified;
- Confidentiality of individual test results;
- Appeals process through a Medical Review Officer following a confirmed positive drug test;
- And the consequences of refusing to sign consent forms, failing to submit to testing, failing to report for a specimen collection, or to receive a verified positive test result or confirmed positive drug test.

2. The AFD Head shall initiate the testing process as soon as possible. The employee shall be given a written notification of the time, date and location of the drug-testing procedures

3. The AFD Head shall require the employee to sign a consent form. The employee, thereafter, shall be given a copy of the same and another copy is placed in his/her 201 file. If the employee refuses to sign the consent form or to undergo testing as scheduled, the AFD Head shall take disciplinary action against the employee for violation of office rules and regulations in accordance with existing Civil Service Rules and Regulations.

4. If a non-positive test result occurs, the employee shall be notified immediately by the AFD Head. All records surrounding this incident shall be removed from the employee's personnel file.

5. If the test is positive, the AFD Head, within five (5) days of receiving a positive test confirmation, shall inform the employee in writing of the results and his right to appeal the test result.

VI. APPEAL

An employee who receives a positive drug test may request through a Medical Review Officer the same or a split specimen to be tested at another certified laboratory. Notification for re-testing of a sample must be made within 72 hours of the employee's receipt of the written notice of a positive test result.

An employee with a confirmed positive test will be afforded the opportunity to appeal the results. This is accomplished by providing medical data/history for review and assessment by a Medical Review Officer who will make a final determination of the test result. Failure on the part of the employee

concerned to appeal the result of the drug testing within the 72-hour period shall be taken as prima facie evidence that the employee has used dangerous drugs. Forthwith, the concerned employee shall be administratively charged and an ad-hoc committee shall be established to investigate the case and determine the necessary penalty to be imposed.

VII. EXCEPTIONS

The consumption of alcoholic beverages may be allowed during programs and rituals such as ceremonial toasts and observance/honoring of local customs and traditions. In such instances, the alcoholic beverages shall not be to such extent that the concerned official or employee will be intoxicated.

The consumption of alcoholic beverages under the foregoing exceptions may be done only after prior permission is secured from the head of office.

VIII. PENALTIES

The following are the corresponding penalties for related violations on alcoholic beverages and illegal drug use:

Offense	First Offense	Second Offense	Third Offense
1. Possession or use of prohibited drugs, drug dependence, promotion of their use or dependence	Dismissal		
2. Possession of drug paraphernalia	Dismissal		
3. Sale or distribution of illegal drugs	Dismissal		
4. Buying or accepting illegal drugs	Dismissal		
5. Consumption of intoxicating liquor and other alcoholic beverages during office hours	Suspension for 1 month and 1 day to 6 months	Dismissal	

Offense	First Offense	Second Offense	Third Offense
6. Reporting for work while under the influence of alcohol	Suspension for 1 month and 1 day to 6 months	Dismissal	
7. Habitual Drunkenness	Suspension for 1 month and 1 day to 6 months	Dismissal	
8. Refusal/ Failure to submit to a drug testing procedure	Suspension for 1 month and 1 day to 6 months	Dismissal	
9. Failure to attend seminars related to drug/alcohol awareness without justified cause	Reprimand	Suspension for 1 month and 1 day to 6 months	Dismissal

IX. RESPONSIBILITIES

Administrative and Finance Division (AFD) - It is the responsibility of the AFD to disseminate the policies contained in CFO Drug-Free Workplace program to all of its personnel. The AFD is also ordered to post this Office Order in conspicuous places within CFO premises and include a copy of this policy in the future publication of CFO Employee's Handbook.

Employees - It is the responsibility of each employee to be aware of and to abide by this policy.

X. EFFECTIVITY

This Office Order takes effect immediately.

For strict compliance.



SECRETARY IMELDA M. NICOLAS
Chairperson

02 November 2011