

"MCWD DRUG-FREE WORKPLACE POLICY AND PROGRAM"

In compliance with Article V of Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, and its Implementing Rules and Regulations and Civil Service Commission Memorandum Circular No. 13, series of 2010 (Guidelines for a Drug-Free Workplace in the Bureaucracy), METRO COTABATO WATER DISTRICT (MCWD) hereby adopts the following policies and programs to achieve a drug-free workplace:

I. MCWD POLICY ON DRUG-FREE WORKPLACE

MCWD explicitly prohibits:

- The use, possession, solicitation for, or sale of dangerous drugs on MCWD premises or while performing an assignment.
- Being impaired due to/or under the influence of dangerous drugs away from the MCWD, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the MCWD reputation.
- Possession, use, solicitation for, or sale of dangerous drugs away from the MCWD premises, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the MCWD reputation.
- The presence of any detectable amount of dangerous drugs in the employee's system while at work or while on the premises of the MCWD.

II. MCWD PROGRAM ON DRUG-FREE WORKPLACE

A. MANDATORY DRUG TEST

- 1) To ensure that only those qualified shall be screened and recruited to prevent the detrimental effects (e.g. low productivity; poor decision making; increased accidents; more compensation claims; and reduced

team effort) which drug use and abuse may cause in the workplace, the conduct of mandatory drug test screening shall be required for pre-employment.

- 2) MCWD designates a drug testing center duly accredited by the Department of Health (DOH), as its authorized drug testing laboratory.
- 3) MCWD may also conduct drug testing under any of the following circumstances:
 - a) **ROUTINE TESTING:** All officials and employees of MCWD will submit to a drug test as part of scheduled fitness-for-duty medical examinations annually.
 - b) **RANDOM TESTING:** Officer/employees, if there is compelling reason, may be selected at random for drug testing at any interval determined by MCWD.
 - c) **FOR-CAUSE TESTING:** The MCWD may ask an officer/employee to submit to a drug test at any time it feels that the employee may be under the influence of drugs, including, but not limited to, the following circumstances:
 - i. Evidence of drugs on or about the employee's person or in the employee's vicinity;
 - ii. Unusual conduct on the employee's part that suggests impairment or influence of drugs;
 - iii. Negative performance patterns, or excessive and unexplained absenteeism or tardiness.
 - d) **POST-ACCIDENT TESTING:** Any officer/employee involved in a "Near-Miss" accident or "Work Accident" under circumstances that suggest possible use or influence of drugs may be asked to submit to a drug test. As defined herein, "Near-Miss" means an accident arising from or in the course of work which could have led to injuries or fatalities of the workers and/or considerable damage to the employer had it not been curtailed. "Work Accident" refers to

unplanned or unexpected occurrence that may or may not result in personal injury, property damage, work stoppage or interference or any combination thereof of which arises out of and in the course of employment.

- 4) All drug tests shall employ, among others, two (2) testing methods, the screening test used to differentiate a non-reactive specimen from one that requires further testing for drugs metabolites and the confirmatory test which will confirm a positive screening test which will determine the type of drug used. Where the confirmatory test turns positive, the MCWD management shall evaluate the results and determine the level of care and administrative interventions that can be extended to the concerned employee.
- 5) MCWD shall inform the officer/employee who was subjected to a drug test of the test results whether positive or negative.
- 6) All costs of drug testing shall be borne by MCWD.

B. CREATION OF A DRUG-FREE WORKPLACE COMMITTEE

In order to institutionalize and oversee the implementation of the Drug-Free Workplace Program, a Drug Free Workplace Committee (DFWC) shall be created.

- 1) The Committee shall consist of the following:
 - a) All Department Managers
 - b) Highest Ranking Officer for HR Section
 - c) 1st Level and 2nd Level Representative from the Union
- The following may also be invited to participate in the deliberation of the Committee;
 - a) Legal Retainer
 - b) Psychiatrist – DOH Accredited Physician

- 3) All costs for the treatment and rehabilitation of the drug dependent employee shall be charged to his account. The period during which the employee is under treatment or rehabilitation shall be considered and approved as authorized leaves, with or without pay.
- 4) Repeated drug use even after ample opportunity for treatment and rehabilitation shall be dealt with the corresponding penalties under R.A. 9165 and is a ground for dismissal.

D. ADVOCACY, EDUCATION AND TRAINING

- 1) MCWD undertakes to increase the awareness and education of its officers and employees on the adverse effects of dangerous drugs through continuous advocacy, education and training program/activities to all its officers and employees.
- 2) All officers and employees are required to undergo an orientation/education program before assumption of their respective duties. The program shall include the following topics:
 - a) Salient features of R.A. 9165;
 - b) Adverse effects of abuse and/or misuse of dangerous drugs on the person, workplace, family and the community.
 - c) Preventive measures against drug abuse; and
 - d) Steps to taken when intervention is needed, as well as available services for treatment and rehabilitation.
- 3) To encourage all officers and employees to lead a healthy lifestyle while at work and at home, MCWD undertakes to conduct the following activities as often as possible:
 - a) Lifestyle assessment programs on health nutrition, weight management, stress management, alcohol abuse, smoking cessation, and other indicators of risk diseases;

- b) Health wellness screening (e.g. blood pressure and heart rate, cholesterol test, blood glucose, etc.);
- c) Sports, recreational and fun-game activities; and
- d) Other activities promoting health and wellness.

E. ROLES, RIGHTS AND RESPONSIBILITIES OF EMPLOYER AND EMPLOYEES

- 1) MCWD thru the Drug-Free Workplace Committee (DFWC) shall ensure that the workplace policies and programs on the prevention and control of dangerous drugs, including drug testing, shall be disseminated to all officers and employees. MCWD shall obtain a written acknowledgement form from the employees that the policy has been read and understood by them.
- 2) MCWD shall maintain the confidentiality of all information relating to drug tests or to the identification of drug users in the workplace; exceptions may be made only where required by law, in case of overriding public health and safety concerns; or where such exceptions have been authorized in writing by the person concerned.
- 3) All officers and employees shall enjoy the right to due process, absence of which will render the referral procedure ineffective.

F. CONSEQUENCES OF POLICY VIOLATIONS

- 1) Any officer or employee who uses, possesses, distributes, sells or attempts to sell, tolerate, or transfer dangerous drugs or otherwise commits other unlawful act as defined under Article II of RA 9165 and its Implementing Rules and Regulations shall be subject to the pertinent provisions of the said Act.
- 2) Any officer or employee found positive for use of dangerous drugs shall be dealt with administratively in accordance with the

provisions of Section 46 (19) of Book V of the Executive Order 292 Section 22 © of its Omnibus Rules and Section 46 A (7) Rule 10, Revised Rules on Administrative Cases (RRACS).

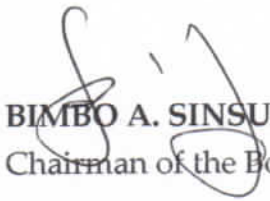
G. MONITORING AND EVALUATION

- 1) The implementation of these policies and programs shall be monitored and evaluated periodically by management thru the Drug-Free Workplace Committee (DFWC) to ensure a drug-free workplace.

H. EFFECTIVITY

- 1) The provisions of these policies and programs shall be immediately effective upon MCWD Board approval and its ratification by the management and the employee's representatives and it's posting in the MCWD bulletin board.

Approved per Board Resolution No. 106-14 dated December 3, 2014.


BIMBO A. SINSUAT, JR.
Chairman of the Board


LEONORA D. GAUDIANO
General Manager