

ADS Chapter 410 - DRUG FREE WORKPLACE PROGRAM

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410.1 Authority

1. [Executive Order 12564](#);
2. [Executive Order 10450](#);
3. Section 503 of the supplemental Appropriations Act of 1987, Pub. L. 100-71, 101 Stat. 391, 468-471, codified at [5 U.S.C. §7301](#) note (1987);
4. Scientific and Technical Guidelines For Drug Testing Programs, Alcohol, Drug Abuse and Mental Health Administration (ADAMHA), Department of Health and Human Services (HHS), as amended;
5. Standards for Certification of Laboratories Engaged in Urine Drug Testing for Federal Agencies, Alcohol, Drug Abuse and Mental Health Administration (ADAMHA), Department of Health and Human Services (HHS), as amended;
6. Civil Service Reform Act of 1978, [P.L. 95-454](#);
7. Foreign Service Act of 1980, [P.L. 96-465](#);
8. [42 CFR Part 2](#), establishing requirements for assuring the confidentiality of alcohol and drug abuse patient treatment records;
9. The Privacy Act of 1974 ([5 USC Section 552a](#)), prescribing requirements governing the maintenance of records by agencies pertaining to the individuals and access to these records by the individual(s) to whom they pertain;
10. [22 CFR Part 171](#), implementing the Privacy Act of 1974 within the Department of State.
11. Federal Employees Substance Abuse Education and Treatment Act of 1986, [P.L. 99-570](#);
12. [Volume 3, Foreign Affairs Manual \(FAM\), Section 620](#), Employee Responsibilities and Conduct, [3 FAM 760](#) Disciplinary Action (including separation for cause) (Foreign Service), and [3 FAM 1840](#), Adverse Actions and Appeals from Adverse Actions (Civil service); and
13. Inspector General Act of 1978 as amended [P.L. 95-452](#).

410.2 Objective

This chapter provides policy guidance on promoting a drug free work environment.

410.3 Responsibility

1. Supervisors are responsible for:
 - a. Training to address illegal drug use by employees.

- b. Documenting job performance and behavior that is below standard and referring employees to the Employee Assistance Program (EAP) to obtain counseling for rehabilitation.
- 2. Drug Program Coordinator (DPC) is responsible for:
 - a. The implementation, direction, administration, and management of USAID's Drug-Free Workplace Plan.
 - b. Making final decision regarding disciplinary procedures.
 - c. Appointing a Drug Program Manager (DPM).
- 3. Drug Program Manager (DPM) is responsible for:
 - a. Handling the day-to-day management, coordination and implementation of USAID's Drug-Free Workplace Plan.
 - b. Assuring the effective operation of the testing portion of the program.
 - c. Insuring that all employees subject to random testing receive individual notice on the implementation of random testing.
 - d. Transmitting verified positive test result from Medical Review Official, to appropriate management official.
 - e. Documenting all results of laboratory inspections.
 - f. Reporting laboratory results to Drug Program Coordinator.
 - g. Disseminating drug program educational materials, and oversee training and education sessions regarding drug use and rehabilitation.
 - h. Coordinating all drug testing.
- 4. Employee Assistance Program Coordinator (EAPC) is responsible for:
 - a. Assuming the lead role in the development, implementation, and evaluation of the EAP.
 - b. Supervising the Alcohol and Drug Abuse and Employee Consultation Service Administrators and assist them in establishing and maintaining EAP services.

- c. Submitting annual statistical reports, and preparing consolidated reports on the Employee Assistance Program on behalf of USAID.
5. Alcohol and Drug Abuse (ADAP) and Employee Consultation Service (ECS) Program Administrators are responsible for:
- a. Implementing and direct the Employee Assistance Program.
 - b. Providing counseling and treatment services to all employees.
 - c. Providing educational materials and training to managers, supervisors and employees on illegal drugs in the work place.
 - d. Assisting supervisors with performance and/or personnel problems that are related to illegal drug use.
 - e. Monitoring the progress of referred employees during and after rehabilitation.
 - f. Maintaining a list of rehabilitation or treatment organizations that provides counseling and rehabilitative programs.
 - g. Visiting rehabilitative or treatment organizations to meet administrative and staff members.
6. Medical Review Official (MRO) is responsible for:
- a. Receiving all laboratory test results.
 - b. Assuring that an employee who has tested positive has been afforded an opportunity to justify the test result.
 - c. Referring written determinations regarding all verified positive test results to the Drug Program Manager.
7. USAID employees are responsible for complying with the provisions and procedures contain within this chapter.

410.4 **Definitions - N/A (See [ADS Glossary](#))**

410.5 **POLICY**

The following are the official Agency policies and corresponding essential procedures:

410.5.1 **ILLEGAL DRUGS**

USAID shall protect our national security, eliminate any risk to the health, welfare, and safety of the public, it is the policy of the Agency that the use of illegal drugs, on or off duty, will not be tolerated.

E410.5.1 Illegal Drugs - N/A

410.5.2 DRUG FREE WORKPLACE PLAN

The Agency shall promote its policy through implementation of its drug free workplace plan. The policies and essential procedures set forth in the USAID Drug Workplace Plan shall be adhered to by all USAID employees. Key components of the plan include:

- * supervisory education and training;
- * employee education;
- * employee assistance; and
- * identification of illegal drug use through drug testing on a carefully controlled and monitored basis.

The USAID Drug Free Workplace Plan includes the following types of drug testing:

- a) random testing of employees in testing designated position;
- b) reasonable suspicion testing;
- c) applicant testing;
- d) accident or unsafe practice testing;
- e) voluntary testing; and
- f) testing as part of or as follow-up to counseling or rehabilitation. See Mandatory Reference USAID Drug Free Workplace Plan.

E410.5.2 Drug Free Workplace Plan

The Agency shall adhere to the Drug Free Workplace Plan. (See **Mandatory Reference [Drug Free Workplace Plan](#)**)

410.6 Supplementary Reference - N/A