

**[ DOH ADMINISTRATIVE ORDER NO. 2009-0023,  
November 23, 2009 ]**

**GUIDELINES ON THE INSTITUTIONALIZATION OF A DRUG-FREE  
WORKPLACE PROGRAM IN THE DEPARTMENT OF HEALTH AND  
OTHER GOVERNMENT AGENCIES**

**I. Rationale**

Drug abuse is a major public health and social problem with far-reaching adverse effects. This may lead to criminal acts, poverty, homelessness and even serious disease like HIV/AIDS. Statistics show that drug abuse can affect not only the individual and his/her family but also his/her workplace. It can threaten public safety, impair job performance, result in costly rehabilitation, cause medical, social and other problems affecting employees and employers alike.

RA 9165 also known as the Comprehensive Dangerous Drugs Act of 2002 specifically under Section 2 states that "it is the policy of the State to safeguard the integrity of its territory; and the well being of its citizenry from the harmful effects of dangerous drugs on their physical and mental well-being, and to defend the same against acts or omissions detrimental to their development and preservation." While RA 6713 also known as Code of Conduct and Ethical Standards of Government Officials and Employees under Section 2 states that "it is the policy of the State to promote a high standard of ethics in the public service. Public officials and employees shall at all times be accountable to the people and shall discharge their duties with utmost responsibility, integrity, competence and loyalty, act with patriotism and justice, lead modest lives, and uphold public interest over personal interest." To maintain these ethical standards, public officials and employees must abstain from using dangerous drugs.

The Department of Health (DOH) is committed to provide a safe working environment and promote the well-being and health of its employees. The DOH prohibits the use of prohibited/regulated drugs or the irrational use of prescription medications; reporting to work while under the influence of prohibited drugs; and possessing, distributing or selling prohibited drugs.

The Department considers drug use and abuse as a disease more than a criminal problem. As such, strategies and assistance programs are geared towards counseling, treatment and rehabilitation or other necessary interventions to affected employees.

In order to proactively protect its employees from the ill effects of drug abuse, the DOH will institute a Drug-Free Workplace Program.

**Legal Mandate**

1. Dangerous Drugs Board (DDB) Regulation No. 2 series of 2004 mandates each agency/ office to create a Drug-Free Workplace Committee and adopts its own drug abuse policy which shall serve as a legal document that communicates the organization's position in the use of illegal drugs as well as outlining the responsibilities of the employer, the employees and the employees' union.
2. Republic Act 9165, otherwise known as the Comprehensive Drugs Act of 2002 and Implementing Rules and Regulations dated November 15, 2002.
3. Republic Act 6713 also known as the Code of Conduct and Ethical Standards of Government Officials and Employees.
4. Rule XIV Section 22, The Civil Service Law and Rules (Book V of Executive Order 292 and its Omnibus Rules, as Amended).

Given the above, the DOH is instituting a Drug-Free Workplace Program. Effectively implemented, the DOH-Drug-Free Workplace policies and programs will help the DOH organization in its legal duty to safeguard the health, safety and welfare of its employees as well as in reducing health and safety risks to the public.

## **II. OBJECTIVE**

This Administrative Order is being issued to institute the Drug-Free Workplace Program in the Department of Health and all its attached agencies and to list down the guidelines for its implementation.

## **III. SCOPE AND COVERAGE**

This shall apply to all employees without distinction as to rank, status and salary of the Department of Health Central Office and attached agencies, Centers for Health Development, DOH Retained Hospitals and DOH Treatment & Rehabilitation Centers.

## **IV. DEFINITION OF TERMS**

1. *Agency Head* - refers to Secretary of Health, CHD Directors, Chiefs of Retained Hospitals and Directors of Department of Health - Treatment and Rehabilitation Centers.
2. *Committee* - refers to the Drug-Free Workplace Program Committee.
3. *Confirmatory Test* - an analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific which will validate and confirm the result of the screening test. It refers to the second or further analytical procedure to more accurately determine the presence of dangerous drugs in a specimen.
4. *Counseling* - meetings with a counselor to receive help with personal or psychological problems.
5. *Dangerous Drugs* - include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the annexes of RA 9165.
6. *Dangerous Drug Use* - use of addictive substances that cause changes in behavior and perception.
7. *Drug abuse* - is the habitual misuse of a chemical substance including illegal

drugs, prescription drugs and over-the-counter drugs.

8. *Drug Offender* - any employee found to be positive of prohibited drug after undergoing the confirmatory test.

9. *Drug Dependence* - is a cluster of physiological, behavioral and cognitive phenomena of variable intensity, in which the use of psychoactive drug takes on a high priority thereby involving, among others, a strong desire or a sense of compulsion to take the substance and the difficulties in controlling substance-taking behavior in terms of its on-set, termination, or levels of use. This is based on World Health Organization definition.

10. *Drug Testing Laboratory* - a laboratory/facility, accredited by the DOH, that performs screening or confirmatory testing of illicit drugs.

11. *DFWC - Drug-Free Workplace Committee*

12. *Employees* - shall mean any person hired or required to work by an employer. The term employee includes permanent, regular, temporary, casual, part-time and contractual.

13. *"For Cause or Probable Cause" Drug Test* - drug testing required when there is a "probable cause" or "reasonable ground" to believe that a person is using or is under the influence of dangerous drugs.

14. *Inpatient care* - a residential treatment program performed in a general or psychiatric hospital or in a center, dedicated to the effective management of physical and psychological conditions arising from drug abuse. The program provides full professional staff that includes therapists, psychologists, and psychiatrists.

15. *Mandatory Drug Testing* - refers to the compulsory submission of an employee for drug testing as required by RA 9165 and by the agencies' internal policies.

16. *Outpatient Treatment* - non-residential treatment program where patient must be seen by a psychologist or psychiatrist so drug use or abuse, among others, can be monitored.

17. *Random Drug Testing* - the manner in which the employees are subjected to drug testing wherein selection follows no specific pattern and without prior notice and having an equal chance of being selected.

18. *Rehabilitation* - the dynamic process, including after-care and follow-up treatment directed towards the physical, emotional, psychological, vocational, social and spiritual change of a drug dependent to enable him/her to live without dangerous drugs, enjoy the fullest life compatible with his/her capacity and potentials and render him/her able to become a law-abiding and productive employee and member of the society.

19. *Sell* - any act of giving any dangerous drug and/or controlled precursor and essential chemical whether for money or any consideration.

20. *Screening Test* - a test performed to establish potential/presumptive positive results.

21. *TRCs* - Treatment and Rehabilitation Centers

22. *Use* - any act of introducing substances into the body by injection (intravenously or intramuscularly) and/or consumption (either by chewing, smoking, sniffing, eating, swallowing or drinking) of the dangerous drugs.

23. *Work Accident* - shall mean an unintended or unexpected occurrence that may or may not result in damage to person, property, work stoppage or interference or any combination thereof of as may arise from their employment.

24. *Workplace* - means the office, premises or worksite, where the workers are employed.

## **V. GENERAL GUIDELINES**

1. The following should be observed in any Drug-Free workplace program:
  - i. The Drug-Free Workplace Program must be made known to all employees and officers
  - ii. The program must aim to provide a safe working environment and promote the well-being and health of employees and should not be used to harass employees.
  - iii. The program should adhere to the concept that drug addiction is a disease, which can be prevented and treated.
  - iv. Program implementation must emphasize promotion of a safe and healthy drug-free environment.
  
2. The Drug-Free Workplace Program must include the following components: Advocacy, Education and Training; Drug Testing Program for officials and employees; Management, Treatment, Rehabilitation and Referral; Monitoring and Evaluation.
  
3. Strict confidentiality must be observed in the conduct of the Drug Free Workplace Program.

## **VI. IMPLEMENTING GUIDELINES**

### A. 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 in the DOH Central Office and attached agencies, Centers for Health Development, DOH Specialty and Retained Hospitals, DOH Treatment & Rehabilitation Centers. The Committee shall have the following functions:

1. Formulate guidelines for the curtailment and prevention of drug abuse in the workplace;
2. Oversee the implementation of the policies and guidelines on drug-free workplace in their respective workplaces;
3. Conduct advocacy activities on drug abuse prevention & control;
4. Disseminate the policy and guidelines for employees' knowledge, awareness and compliance.
5. Monitor the implementation of the policies and guidelines and recommend updating if and when necessary;
6. Conduct random drug testing;
7. Evaluate positive cases and refer to proper health facilities/offices for action.
8. Submits report and recommendation to the heads of concerned agency.
9. Create a sub-committee for every component

The Committee shall consist of the following:

Chairperson

Vice

Chairperson

Members: Personnel Officer  
 Officer of Employees Union  
 Program Coordinator for Drug Abuse

The following may also be invited to participate in the deliberation of the committee;

Legal Officer  
Health Promotion and Education Officer  
Psychiatrist/DDB-DOH Accredited Physician

## **B. Health Promotion and Advocacy**

The Drug Abuse Program coordinators in cooperation with Health Promotion Officer/ Information Officers shall:

1. Plan and implement advocacy and communication activities including the development of relevant materials to raise the awareness and educate the employees on relevant topics that may include the following among others:

- DOH policies and programs on drug-free workplace
- List of regulated and prohibited drugs
- Adverse effects of drug abuse and/or misuse of dangerous drugs on the person, workplace, family and the community
- Preventive measures against drug abuse
- When, where and how to seek employee assistance services for drug use and abuse
- Salient features of RA 9165

2. Display a billboard, streamer, poster in conspicuous places in the workplace with the standard message: "DRUG USE IS PREVENTABLE, DRUG ADDICTION IS TREATABLE. KEEP THE WORKPLACE DRUG-FREE", and other messages deemed appropriate by the Drug-Free Workplace Committees of respective agencies.

3. Make use of available channels of communication to disseminate appropriate messages such as agency website, emails, newsletters, blogs, SMS, meetings, forums and the like.

4. Ensure that health promotion campaigns are extended to families, adjacent communities and other partner/cooperating agencies, in the context of governmental and social responsibility using appropriate channels.

5. Sustain advocacy and communication activities to ensure maximum and long-term commitment to participate in the Drug-Free Workplace initiative.

6. Orient newly hired employees of the Department of Health on the Drug-Free Workplace Program

## **C. Supervisor's Training**

Supervisors on Drug-Free Workplace Program shall be trained to effectively help in dealing with employee's failing performance due to substance abuse, particularly drug addiction.

The Mental Health Program of the Degenerative Diseases Office of the National