

Behavioral Health is Essential To Health



Prevention Works



Treatment is Effective



People Recover



Federal Drug-Free Workplace Program Overview

Hyden S. Shen, J.D.

*Policy Oversight Lead,
Federal Drug-Free Workplace Program*

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Federal Drug-Free Workplace Program

Governing Authorities

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- **Executive Order 12564**



- **Public Law 100-71**



- **Mandatory Guidelines**



Federal Drug-Free Workplace Program Guidance Documents

- **Model Plan for a Comprehensive Drug-Free Workplace Program**



- **2013 Guidance for Selection of Testing Designated Positions**



Executive Order 12564

The Federal government, as the largest employer in the Nation, can and should show the way towards achieving drug-free workplaces through a program designed to offer drug users a helping hand and, at the same time, demonstrating to drug users and potential drug users that drugs will not be tolerated in the Federal workplace.

September 15, 1986

Executive Order 12564

Directed Agency Heads to develop a plan to include:

“The mark of a successful drug-free workplace program also depends on how well the [Agency] can inform its employees of the hazards of drug use, and on how much assistance it can provide drug users.”

- Policies/procedures for a drug free workplace
- Employee Assistance Program
- Supervisory Training
- Employee Training
- Self Referrals to Treatment
- Testing Program – Sensitive/Voluntary Positions

Public Law 100-71

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)

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- **Prohibited spending of appropriated funds for drug testing unless:**
 - Agency plan is certified by HHS and reported to Congress
- **Required HHS to publish Mandatory Guidelines that:**
 - Establish laboratory procedures, technologies, chain of custody
 - Specify drugs for which employees may be tested
 - Establish laboratory certification standards and processes

Model Plan for a Comprehensive Drug-Free Workplace Program

The Model Plan:

Serves as the foundation for the creation of all Certified Plans

Shaped to address agency mission and structure

Testing Designated Positions

Where a momentary lapse in judgment could result in catastrophic consequences that can not be remediated by the administrative process.

<http://workplace.samhsa.gov/pdf/2013GuidanceforSelectionofTestingDesignatedPositions.pdf>

Drug Program Coordinator

The Drug Program Coordinator (DPC) is responsible for implementing, directing, administering, and managing the drug program within the agency.

The DPC Coordinator serves as the principal point of contact with the laboratory and for collection activities to assure the effective operation of the testing portion of the program.

Marijuana - Clarification

- States have passed medical and recreational marijuana initiatives.
- Under the Controlled Substances Act, marijuana continues to be a Schedule I Drug.
- Continue to be tested under the Federal Drug Free Workplace Programs.

Resources

Executive Order 12564:

http://www.workplace.samhsa.gov/fedpgms/files/executive_order.pdf

Public Law 100-71:

http://www.workplace.samhsa.gov/fedpgms/files/public_law_100.pdf

Mandatory Guidelines:

<http://www.gpo.gov/fdsys/pkg/FR-2008-11-25/pdf/E8-26726.pdf>

Model Plan for a Comprehensive Drug-Free Workplace Program:

<http://www.workplace.samhsa.gov/FedPgms/Pages/ModelPlan508.pdf>

2013 Guidance for Selection of Testing Designated Positions:

<http://workplace.samhsa.gov/pdf/2013GuidanceforSelectionofTestingDesignatedPositions.pdf>

Questions

