



DRUG-FREE WORKPLACE PROGRAM GENERAL NOTICE TO ALL EMPLOYEES

1. All employees are hereby notified that a program designed to implement Executive Order 12564, Drug-Free Federal Workplace, dated September 15, 1986, has been established in the Department of Veterans Affairs (VA). Testing for illegal drugs will be part of VA's comprehensive drug prevention program to achieve the President's goal of a drug-free Federal workplace with due consideration for the rights of the employee and the government. VA's employee testing program, which will include both mandatory and voluntary drug testing, will begin no sooner than 60 days from the date of this posting.

2. Testing may occur under the following circumstances:

a. **Random Testing Of Employees In Testing Designated Positions.** Employees who hold positions identified for random testing will receive an individual notice no later than 30 days prior to the commencement of testing, indicating that their positions have been identified as testing designated positions.

b. **Reasonable Suspicion Testing.** An employee in a Testing Designated Position may be directed to undergo drug testing when there is a reasonable suspicion that the employee uses, or is impaired by, illegal drugs, whether that use or impairment is on or off duty. Employees who are not in Testing Designated Positions may be directed to undergo drug testing when there is a reasonable suspicion that the employee is using or impaired by illegal drugs while on duty.

c. **Testing In Connection With An Injury, Illness, Unsafe or Unhealthful Practice Investigation.** Any employee involved in an accident or unsafe practice will be directed to take a drug test as part of an authorized investigation into an accident or unsafe practice, when the accident or unsafe act meets the following criteria:

- (1) The accident results in a death or personal injury requiring immediate hospitalization; or
- (2) The accident results in damage to government or private property estimated to be in excess of \$10,000.

d. **Follow-Up Testing.** All employees who undergo a counseling or rehabilitation program for illegal drug use through the Employee Assistance Program (EAP) will be subject to unannounced testing both during and after such a program.

e. **Applicant Testing.** Applicants who are tentatively selected for VA employment in a Testing Designated Position are subject to drug testing.

f. **Voluntary Testing.** Employees may volunteer for unannounced random testing by notifying their Human Resources Management Officer.

3. The laboratory testing methodology is a series of scientific and technical procedures which are highly accurate and reliable. In addition, a Medical Review Officer (MRO) will review and interpret positive test results reported by the testing laboratory. Employees will be afforded the opportunity to submit medical documentation of lawful use of an otherwise illegal drug. Positive test results verified by the MRO may only be disclosed to the employee, the appropriate Employee Assistance Program (EAP) Coordinator, the appropriate management officials necessary to process any disciplinary or adverse action against the employee, or a court of law or administrative tribunal in an adverse personnel action.

4. Counseling and rehabilitative assistance is available to all employees through existing Employee Assistance Programs (EAPs) at VA facilities. Employees found to be using illegal drugs will be referred to the EAP for assessment, and for counseling and referral to treatment or rehabilitation, as appropriate. Employees who wish to seek assistance voluntarily may do so through existing program arrangements at their facility or through the employee's servicing human resources management office.

5. All medical and rehabilitation records in an EAP will be deemed confidential "patient" records and may not be disclosed without the prior written consent of the patient.

6. Tests for employees working in drug treatment programs in accordance with MP-5, part I, chapter 792, or other programs which were authorized prior to the issuance of Executive Order 12564, dated September 15, 1986, will continue in effect and are not subject to this advance notice.

7. The VA Drug-Free Workplace Program should be consulted for specific information on the program.