



**United States
Department of
Agriculture**

**Food Safety
and Inspection
Service**

**FSIS Directive
4735.8**

Drug-Free Workplace Plan

DRUG-FREE WORKPLACE PLAN

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UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

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DRUG-FREE WORKPLACE PLAN

I. PURPOSE

This directive establishes policy, procedures, and criteria that govern implementation of the FSIS Drug-Free Workplace Plan and sets forth supervisory and employee responsibilities.

II. (RESERVED)

III. REASON FOR ISSUANCE

A. USDA's concerns are with the well-being of its employees, the successful accomplishment of Agency missions, and the need to maintain safety and security of the Nation's food supply. The plan offers a helping hand to those who need it, while sending a clear message that any illegal drug use is, quite simply, incompatible with the Agency's mission.

B. The plan acknowledges EO 12564, dated September 15, 1986, which established the goal of a drug-free Federal workplace. The Order requires as a condition of employment that all Federal employees refrain from using illegal drugs on-or-off-duty.

C. This plan complies with the USDA Drug-Free Workplace Plan. It points to the essential 5 elements set out in EO 12564:

1. Develop a comprehensive written policy.
2. Establish supervisory training.
3. Offer employee education.
4. Make available employee assistance programs.

DISTRIBUTION:
All Offices

OPI
OM – Labor and Employee
Relations Division

5. Identify illegal drug users and provide drug testing on a controlled and carefully monitored basis.

IV. REFERENCES

Executive Order 10450, Security Requirements for Government Employees
Executive Order 12356, National Security Classification
Executive Order 12564, Drug-Free Federal Workplace
Memorandum to Federal Agencies "Guidance for Selection of Testing Designated Positions (TDPs)", August 2, 1999
USDA Drug Free Workplace Plan, April 27, 1988
Departmental Regulation 4430-792-2, Drug-Free Workplace Program
Public Law 95-454, Civil Service Reform Act of 1978
Public Law 99-570, Federal Employee Substance and Treatment Act of 1986
Public Law 100-71, Supplemental Appropriations Act
Public Law 100-71, Section 71, Section 503 of the Supplemental Appropriations Act of 1987
Public Law 101-136, General Government Appropriations Act of 1990
5 CFR Section 752, Adverse Actions
5 CFR 792, Federal Employee's Health and Counseling Programs
5 USC 552(a), Privacy Act of 1974
5 USC 7103, Labor Management Relations
5 USC 7301, Suitability, Security and Conduct, Presidential Regulations
5 USC 7361-7362, Suitability, Security and Conduct, Drug Abuse, Alcohol Abuse and Alcoholism
5 USC 7901, Services to Employees, Health Service Programs
21 USC 802(6), Schedules I and 2, Defining Controlled Substances
21 USC 1175, Drug Abuse Office and Treatment Act of 1972

V. ABBREVIATIONS

The following appears in their shortened form in this directive:

| | |
|------|---|
| ADTL | Agency Drug Testing Liaison |
| CFL | Center for Learning |
| CFR | Code of Federal Regulations |
| DFWP | Drug Free Workplace Plan |
| EAP | Employee Assistance Program |
| ECPM | Employee Counseling Program Manager |
| EO | Executive Order |
| FDA | Food and Drug Administration |
| HHS | United States Department of Health and Human Services |
| HRD | Human Resources Division |
| LERD | Labor and Employee Relations Division |
| MRO | Medical Review Officer |
| OM | Office of Management |
| PCP | Phencyclidine |

| | |
|-------|---|
| PPPD | Personnel Policy and Partnership Division, Office of Human Resource Management |
| PL | Public Law |
| QWLD | Quality of Work Life Division, Office of Human Capital Management |
| USC | United States Code |
| SHEWD | Safety, Health and Employee Welfare Division, Office of Human Resource Management |
| TDP | Testing Designated Position |

VI. APPLICABILITY

This Directive applies to all FSIS employees and applicants for employment in TDPs, and to all employees for reasonable suspicion testing; injury, illness, or unsafe practice testing.

VII. POLICY

It is FSIS policy to:

- A. Have a workplace free from illegal drug use.
- B. Implement a Drug-Free Workplace Plan that ensures integrity in the accomplishment of the mission.
- C. Incorporate a drug testing program which includes random testing and other appropriate types of testing as necessary to provide protection from illegal drug use.
- D. Respect employee dignity and privacy in reaching the USDA drug-free workplace goal. This plan includes policies and procedures for:
 - 1. Employee counseling and assistance.
 - 2. Supervisory training.
 - 3. Employee education.
 - 4. Identification of illegal drug use through drug testing on a carefully controlled and monitored basis.

VIII. DEFINITIONS

A. **Agency Drug-Free Workplace Coordinator.** The individual appointed to provide the liaison with the ECPM, supervisors and employees of the Agency on the DFWP. The coordinator is also the individual responsible for coordinating drug test referrals within the Agency.

B. **Applicant.** Any individual tentatively selected for employment with FSIS in a safety related TDP, or any individual within FSIS tentatively selected for movement into a TDP, who has not, immediately before the selection, been subject to random testing.

C. **Employee Assistance Program (EAP).** The FSIS counseling program that offers assessment, short-term counseling, and referral services to employees for a wide range of drug, alcohol, and mental health problems.

D. **Employee Assistance Program Coordinator.** A designated individual who disseminates educational materials to the workforce on drug, alcohol, and mental health problems.

E. **Follow-up Testing.** An unannounced test for employees undergoing counseling or rehabilitation for illegal drug use for a period of up to two years.

F. **Illegal Drug.** A controlled substance that is used without a valid prescription. The term "illegal drugs" does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.

G. **Injury, Illness, Unsafe or Unhealthful Practice Testing.** A test applied to a job-related accident or unsafe practice resulting in death or personal injury requiring hospitalization, or damage to Government or private property estimated in excess of \$10,000.

H. **Management Official.** An employee required or authorized by the FSIS to formulate, determine, or influence USDA policies.

I. **Medical Review Officer.** A licensed physician with medical training in substance abuse disorders. The MRO evaluates and interprets all positive test results received from the drug testing laboratory. Also evaluates an individual's medical history and any other relevant biomedical information.

J. **Random Testing.** A system of drug testing imposed without individualized suspicion that a particular individual is using illegal drugs. Random testing may either be uniform unannounced testing of employees in a TDP, or may be a statistically random sampling of a percentage of such employees based on a neutral criterion, (**example:** such as social security numbers).

K. **Reasonable Suspicion Testing.**

1. A type of drug testing to which an employee is referred where there is reasonable belief for the following criteria:

a. Observable phenomena, (**example:** such as direct observation of drug use, possession, or the physical symptom(s) of being under the influence of a drug).

- b. A pattern of abnormal conduct or erratic behavior.
- c. Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking.
- d. Information provided either by reliable and credible sources or independently corroborated.
- e. Newly discovered evidence that the employee has tampered with a previous drug test.

2. Although, reasonable suspicion testing does not require certainty, mere “hunches” are not sufficient to meet this standard.

L. **Supervisor.** An employee with authority to hire, direct, assign, promote, reward, transfer, furlough, layoff, recall, suspend, discipline, or remove other employees, to adjust their grievances, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature, but requires the consistent exercise of independent judgment.

M. **Testing Designated Position.** A position designated for random testing (see Attachment 1). The position description of all positions identified as TDPs will contain the following: “This position is designated by the USDA as a testing designated position under the USDA Plan for a Drug-Free Workplace. As a mandatory requirement for employment in this TDP, the incumbent must refrain from the use of illegal drugs and if required, submit to random urinalysis testing.”

N. **Verified Positive Test Result.** A test result shows positive by FDA-approved immunoassay test, confirmed by a Gas Chromatography/Mass Spectrometry assay (or other confirmatory tests approved by the HHS), evaluated and determined by MRO to be positive for illegal drug use.

O. **Quality of Work Life Division.** Responsible for identifying employees selected for drug testing under the DFWP.

IX. RESPONSIBILITIES

A. **Administrator.** Responsible for the proper and effective administration of the program.

B. **Assistant Administrator, Office of Management.** Responsible for the formulation and issuance of policies.

C. **Agency Drug Testing Liaison.** Arranges for employees to present themselves for drug testing and ensures that notices are delivered to employees identified for drug testing through random drug testing, reasonable suspicion drug testing, follow-up testing, or injury illness, unsafe, or unhealthful practice testing. Coordinates the DFWP with QWLD, EAP personnel, agency supervisors and employees.

D. **Director, Labor and Employee Relations Division.**

1. Approves or disapproves requests for reasonable suspicion or injury, illness, unsafe, or unhealthful practice testing within FSIS.
2. Ensures managers and supervisors are trained to recognize the signs of illegal drug use.
3. Receives reports of positive drug tests from the Director, PPPD.

E. **Employee Assistance Program Coordinator.**

1. Ensures that supervisors and employees know how to access EAP.
2. Provides advice and assistance to field personnel staffs, supervisors, and representatives of employee organizations, as appropriate.
3. Advises supervisors of employees with performance or personal problems of the services available through EAP.

F. **Medical Review Officer.**

1. Receives all laboratory test results.
2. Verifies positive test results received from the laboratory.
3. Assures that an individual who tests positive is afforded an opportunity to discuss the test result following the Mandatory Guidelines for Federal Workplace Drug Testing.
4. Refers written determinations for verified positive test results to the ECPM, QWLD including a positive drug test form indicating that the positive result is verified, together with all relevant documentation, and a summary of findings.

G. **Supervisors.** Attend training sessions to recognize signs and symptoms associated with illegal drug use by employees. Supervisors must immediately report findings to the appropriate program official. Supervisors receive information regarding how to make a referral of employees to the EAP, the procedures and requirements for drug testing, and behavioral patterns that give rise to a reasonable suspicion that an employee may be using illegal drugs. Supervisors:

1. Initiate drug test requests based on reasonable suspicion and injury, illness, unsafe, or unhealthful practice testing, as defined.
2. Refer employees to the EAP for assistance in obtaining counseling and rehabilitation on a finding of illegal drug use.
3. Request appropriate disciplinary or adverse action for a finding of illegal drug use.
4. Coordinates with HR specialists to assist higher level supervisors in evaluating employee performance or personal problems that may relate to illegal drug use. If an employee is suspected of using illegal drugs, the appropriate supervisor or management official gathers all information, facts, and circumstances leading to and supporting this suspicion.

H. A Higher Level Supervisor (above the Front Line Supervisor).

Reviews and concurs in advance with all requests for drug testing on the basis of reasonable suspicion and injury, illness, unsafe, or unhealthful practice testing before forwarding to the appropriate Program Official.

I. Appropriate Program Official. Makes formal requests for reasonable suspicion or injury, illness, unsafe, or unhealthful practice testing to the Director, LERD.

J. Chief, Employee Relations Branch. Takes appropriate disciplinary or adverse action based on reported verified positive test results.

X. FEATURES AND PROCEDURES OF THE DRUG TESTING PROGRAM

A. Drugs to be Screened. The Department has the reserved right to request HHS' approval to expand the list of drugs or drug classes. Employees are tested for the presence of the following drugs or drug classes:

1. Amphetamines (speed, bennies, uppers, methamphetamine).
2. Cocaine (coke, crack).
3. Opiates (heroin, morphine - "designer drugs").
4. Phencyclidine (PCP, angel dust).
5. Marijuana (dope, grass, joint, hash, hooch, weed, smoke).

B. Notices. The USDA Plan for a Drug Free Workplace issued April 27, 1988, satisfies the 60 day advance notice requirement. Individual notices are issued to those employees occupying a position newly designated as a TDP (**See Attachment 2**). Approval level is the Department.

C. Notice to Employees Under Specific Conditions. Employees subject to random testing, reasonable suspicion, post-accident or unsafe practice and follow-up testing shall receive notice of such testing on the same day of the scheduled testing, and preferably within two hours.

D. Privacy in Drug Testing.

1. Drug testing procedures allow individual privacy unless there is reason to believe that an individual may alter or substitute the specimen.

2. Unless there is reason to suspect tampering during the test, the test occurs in a rest room stall or similar enclosure to ensure privacy.

3. When there is reasonable suspicion the individual may tamper with the specimen, the Director, QWLD may order the individual to be observed while providing a sample. When this occurs, the collection site personnel must be of the same sex as the individual providing the sample.

E. Agency Drug-Testing Liaison.

1. Immediately forwards the notification that an employee is to report for a specified drug test to the employee's first-level supervisor.

2. Forwards "A Random Drug Testing Program Checklist for Employees" with the notification to report for random drug testing.

3. Contacts the USDA Liaison for requests to reschedule a random drug test. Requests to reschedule must be based on extenuating circumstances.

F. The First-Level Supervisor.

1. Contacts the collection site to verify the drug test kit is there and to determine the best time to schedule the employee's appointment.

2. Arranges for release of the employee to report for the drug testing.

3. Notifies the FSIS Drug Testing Liaison of any problems encountered with the scheduling.

4. Serves notification of the specified drug test to the identified employee. Establishes the date and time of the test within the timeframe specified.

G. Deferral of Testing.

1. An employee selected for random drug testing may obtain deferral of testing if the Director, QWLD, or designee, concurs that a compelling need necessitates a deferral on the grounds that the employee is:

- a. In a leave status (sick, annual, administrative, or leave without pay) or,
 - b. In official travel status away from the test site or is about to embark on official travel scheduled before testing notification.
2. An employee whose random drug test is deferred is subject to an unannounced test within the following 60 days.

XI. TYPES OF DRUG TESTING ADMINISTERED

A. Reasonable Suspicion Testing.

- 1. Reasonable suspicion testing may be required of any employee in a position which is designated for random testing when there is a reasonable suspicion that the employee uses illegal drugs whether on or off duty. Reasonable suspicion testing may also be required of any employee in any position when there is a reasonable suspicion of on-duty use or on-duty impairment.
- 2. Immediately upon receipt of approval from the Director, LERD, to conduct a reasonable suspicion test, the ADTL:
 - a. Identifies a collection site to administer the drug test and orders a kit from the USDA contract provider.
 - b. Informs the supervisor where the kit is and advises the supervisor to notify the employee. The supervisor informs the employee to report for urinalysis drug testing. (See Attachments 3, 4, and 5.)

B. Injury, Illness, Unsafe or Unhealthful Practice Testing. If an employee is suspected of having caused or contributed to an accident meeting the criteria in Subparagraph VIII.G., the first-level supervisor will immediately present the facts leading to this suspicion through the chain of command to the Program Manager for referral to the Director, LERD, for approval. Once approval is obtained and testing arrangements made, the supervisor promptly prepares a written report detailing the facts and circumstances that warranted the testing. Injury, illness, unsafe, or unhealthy testing must be conducted within 32 hours of the incident forming the basis for the test.

C. Random Testing. When an employee is identified for random testing, the ADTL:

- 1. Identifies a collection site and orders a kit from the USDA contract provider.
- 2. Notifies the employee’s supervisor identified for random drug testing and forwards to the supervisor a Random Drug Test Program Checklist for Supervisors. (**See Attachments 6 and 7.**)

3. The supervisor informs the employee to report for urinalysis drug testing. (See Attachment 8.)

D. **Follow-up Testing.** Employees in TDPs found abusing drugs through a verified positive test result may return to duty after completion of rehabilitation through an EAP. Such employees are subject to follow-up testing for two years after they complete a counseling or rehabilitation program. During this period, the employee is tested three times at a minimum. This testing is distinct from any testing imposed as a component of the EAP. This also applies to employees referred by administration officials to a counseling rehabilitation program for illegal drug use through EAP as a result of having previously been found illegally using drugs.

XII. **FINDING OF DRUG USE AND DISCIPLINARY CONSEQUENCES**

A. **Drug Use Determination.** An employee found to use illegal drugs on the basis of any appropriate evidence including, but not limited to:

1. Direct observation.
2. Evidence obtained from an arrest or criminal conviction.
3. A verified positive test results.
4. An employee's voluntary admission.
5. An administrative inquiry.

B. **Employees in TDPs.** An employee found to use illegal drugs and who also occupies a sensitive position may be removed from a sensitive position until successful completion of rehabilitation. Appropriate action, such (**examples:** detailing the employee from the sensitive position or voluntary use of leave by the employee), is appropriate. An employee may return to duty in a sensitive position if the employee's return will not endanger public health, safety, or national security. Appropriate officials are identified in the USDA Plan for a Drug Free Workplace. (See Paragraph VIII.)

C. **Disciplinary or Adverse Action.** Supervisor must initiate disciplinary or adverse action when an employee is found to use illegal drugs. Disciplinary or adverse action may include any of the following measures Employee Relations Branch, LERD, determines appropriate:

1. Reprimand the employee in writing.
2. Place the employee in an enforced leave status.
3. Suspend the employee for 14 days or less.

4. Suspend the employee for 15 days or more.
5. Suspend the employee until they successfully complete counseling or rehabilitation or until it is determined that an action other than suspension is more appropriate.
6. Reduce the employee in pay or grade.
7. Remove the employee from the Agency.

D. **Referral.** The Agency refers an employee found to use illegal drugs to the EAP. Such referral, however, does not preclude initiation of disciplinary or adverse action proceedings.

E. **Mandatory Removal from the Agency.** The Agency initiates action to remove an employee who:

1. Refuses to obtain counseling or rehabilitation through the EAP as required by the EO after having been found to use illegal drugs.
2. Continues to use illegal drugs after a first finding of illegal drug use.
3. Refuses testing.
4. Attempts to alter or substitute specimens.
5. Distributes or sells illegal drugs.

XIII. **EMPLOYEE COUNSELING AND ASSISTANCE**

A. The Agency continues its sponsorship of the EAP program which includes programs for referrals for illegal drug use, prevention and treatment, and rehabilitation of employees with drug use problems.

B. The FSIS contracts for EAP services for the workforce. Any employee found using illegal drugs will be referred to the EAP Center. The EAP is available to all employees without regard to a finding of drug use. The EAP provides short-term counseling and referral as necessary, as well as education and training regarding illegal drug use. The EAP is available to employees and the families of employees with drug problems, and to employees with family members having drug problems.

XIV. **SUPERVISORY TRAINING**

A. Supervisors have a key role in establishing and monitoring a drug-free workplace. FSIS is committed to training its' supervisors and managers to recognize and address illegal drug use.

B. The CFL and OM are primarily responsible for ensuring that supervisors and managers receive training which includes information on drug testing requirements, identifying and addressing illegal drug use by employees, and referral of employees to the EAP. Such training will include information to make supervisors more sensitive to employee's drug behavior and help supervisors recognize signs that give rise to a reasonable suspicion that an employee illegally uses drugs.

C. Supervisory training provides an understanding of:

1. Agency policies relevant to work performance problems, drug use, and the Agency's EAP.
2. The responsibilities of offering EAP services.
3. How to recognize and document employee performance and behavioral changes.
4. The roles of the MRO, medical staff, supervisors, HRD, LERD, and EAP personnel.
5. The ways to use the Agency's EAP.
6. How the EAP is linked to the performance appraisal and the disciplinary process.
7. The process of reintegrating employees into the workforce.
8. The documentation of facts and circumstances needed to support the reasonable suspicion case.

D. Supervisory training:

1. Assist supervisors in documenting facts and circumstances to support the reasonable suspicion case.
2. Is a primary part of the ongoing supervisory training programs. Training is provided as soon as possible after an employee assumes supervisory responsibilities. Training courses include:
 - a. Overall Agency policy.
 - b. The prevalence of various employee problems with respect to drugs and alcohol.
 - c. The EAP approach to handling problems including the supervisor's role and relationship to EAP.
 - d. How to recognize employees with possible problems.

- e. Documentation of employee performance or behavior.
- f. Skills in confronting employees with possible problems.
- g. Agency procedures for referring employees to EAP.
- h. Disciplinary action and removal from sensitive positions.
- i. Reintegration of employees into the workforce.
- j. Written materials for supervisory use at the work site.

XV. EMPLOYEE EDUCATION

The CFL and OM share responsibility for providing on-going drug education to all Agency employees.

- A. Drug education objectives include:
 - 1. Type and effect of drugs.
 - 2. Symptom of drug use, and the effect on performance and conduct.
 - 3. The relationship of the EAP to drug testing.
 - 4. Other relevant treatment, rehabilitation, and confidentiality issues.
- B. Drug education activities may include:
 - 1. Written materials.
 - 2. Videotapes.
 - 3. Lunchtime or work unit employee forums.
 - 4. Employee drug awareness days and events. Also, any employee or supervisor can contact the ADTL at any time for educational information or materials.

XVI. CONFIDENTIALITY

- A. **Test Results.**

1. The laboratory discloses confirmed test results only to the Department's MRO. The MRO interprets and evaluates positive laboratory test results. The MRO discusses the lab results with the employee. If the employee cannot provide valid reasons for the positive result, the MRO tells the employee that he or she is reporting the result as a verified positive to the Department EAP Manager. The Department EAP Manager discloses results to the Department's PPPD and then to the Agency's Director, LERD.

2. Test results are protected by the Privacy Act and may not be released in violation of that Act. Drug testing shall not be conducted for the purpose of gathering evidence for use in criminal proceedings. USDA is not required to report to the Attorney General for investigation or prosecution any information, allegation or evidence relating to violations of 21 U.S.C., received as a result of the operation of drug testing programs established under the USDA Drug-Free Workplace Plan.

B. Medical and Rehabilitation Records.

1. EAP records, on an employee's drug abuse, prognosis, or treatment are confidential. Disclosure is authorized by 42 CFR Part 2, and includes obtaining the employee's written consent. An employee may consent to release their records to verify treatment progress.

2. EAP records may be disclosed without the prior written consent of the employee to:

a. Medical personnel when necessary to meet a genuine medical emergency.

b. The administrator of the EAP in which the employee is receiving counseling or treatment or is otherwise participating.

c. Qualified personnel for conducting scientific research, management audits, financial audits, program evaluation or communications with all identifying information removed from the data.

d. Comply with a court order when defending a challenge against any adverse personnel action.

XVII. TEST PROCEDURES IN GENERAL

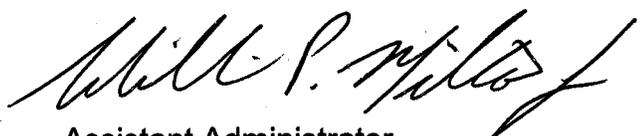
A. The Agency observes the Mandatory Guidelines for Federal Workplace Drug Testing Programs. The testing component provides for professionally trained collection personnel, quality assurance requirements for urinalysis procedures, and strict confidentiality requirements.

B. The Plan permits any individual subject to testing to provide urine specimens in private and in a rest room stall or similar enclosure so that the employee is not observed while providing the sample. Collection site personnel of the same gender as the individual tested, however, may observe the individual provide the urine specimen when such personnel have reason to believe the individual may alter or substitute the specimen to be provided. Collection site personnel may have reason to believe that a particular individual may alter or substitute the specimen to be provided when:

1. The individual:
 - a. Is being tested pursuant to reasonable suspicion testing.
 - b. Has previously been found by the Agency to be an illegal drug user.
 - c. Has previously tampered with a specimen.

2. The facts and circumstances suggest that the individual:
 - a. Is an illegal drug user.
 - b. Is under the influence of drugs at the time of the test.
 - c. Has equipment or implements capable of tampering with the specimen.

3. The specimen:
 - a. Has a temperature outside the specified range in the guidelines.
 - b. Shows signs of contaminants.



**Assistant Administrator
Office of Management**

Attachment

- 1 USDA Position Titles Designated for Random Testing
- 2 Sample of Individual 30-Day Notice
- 3 Sample of Reasonable Suspicion Drug Testing Letter
- 4 Supervisory Checklist for Reasonable Suspicion Drug Test
- 5 Employee Checklist for Reasonable Suspicion Drug Test Program
- 6 Sample of Random Drug Test Letter
- 7 Sample of Random Drug Test Program Checklist for Supervisors
- 8 Sample of Random Drug Test Program Checklist for Employees
- 9 Drugs for Which Individuals are Tested

USDA POSITION TITLES DESIGNATED FOR RANDOM DRUG TESTING

1. TITLE/SERIES

Agency Heads (Not subject to applicant testing)

Incumbents serve as the top cadre of management personnel of USDA in both career and non-career positions. They manage and supervise agencies of the Department, participate at the highest levels in policy formulation and direction, and make extremely complex and sensitive decisions requiring a high degree of public trust and confidence.

Drug usage could result in actions and decisions which could lead to a failure to implement laws and program delivery which could negatively impact the protection of life and property or public health and safety or lead to the waste of public funds. This could lead to a loss of trust and confidence in USDA and the American Government by the public and foreign governments.

2. TITLE/SERIES

Aircraft Mechanic (GS-1670, WG-8852 or any other occupational series in which the incumbent may perform the duties described below) (Subject to applicant testing)

Incumbents are involved in the overhaul, installation, maintenance, modification, test and/or repair of aircraft systems, electronic equipment, instrumentation, flight control and survival equipment. These duties require keen sensory perception and neuromuscular coordination. Incumbents must exercise sound judgment to ensure aircraft safety and operation.

Drug usage could result in loss of life, injury or destruction of property. For example, if an aircraft mechanic failed to properly conduct pre-flight inspections, mechanical failure could result and cause a crash endangering the pilot, passengers, and other personnel on the ground and in the surrounding airspace.

3. TITLE/SERIES

Aircraft Operator (AD-404, GS-486, GS-2181, GM-2150 or any other occupational series in which the incumbent may perform the duties described below) (Subject to applicant testing).

Incumbents are required to operate aircraft used in agricultural programs for such purposes as crop spraying, fire fighting, insect control, animal damage control, and aerial surveillance and photography. Aircraft operators make critical judgments which are substantially more demanding than what would be required of operators of aircraft carrying only passengers. Flying in agricultural situations usually requires operating in and out of less developed airfields, over rural and mountainous terrain, and at low altitudes necessitating acute awareness and instantaneous decision making.

Drug usage produces diminished mental and neuromuscular coordination which could lead to the inability to properly operate the aircraft. Inability to properly operate aircraft could in turn result in the loss of life and damage to, or destruction of property.

Drug usage could endanger the aircraft operator, as well as all other passengers and pilots in the airspace and personnel on the ground.

4. TITLE/SERIES

Boat Operator (WG-5723 or any other occupational series in which the incumbent may perform the duties described below) (Subject to applicant testing).

Incumbents are required to operate vessels which average approximately 30 feet in length. The vessels are used to move people, supplies and equipment including high level state and Federal officials. Vehicles must be operated in a safe manner in order not to endanger lives or to risk loss of property.

Drug usage diminishes the mental and neuromuscular capacity necessary to operate vessels of this size. This, in turn, leads to the operator's inability to properly control the vessel leading to a possible loss of life, personal injury, or destruction of property.

5. TITLE/SERIES

Criminal Investigator (Subject to applicant testing) GS-1811

Incumbents perform, advise on and administer investigations concerning suspected violations of Federal statutes and regulations. Close coordination must be maintained with U.S. Attorneys, military security and local, state and Federal law enforcement officials. Incumbents interrogate witnesses and suspects, serve subpoenas, testify before grand juries, administer oaths, and conduct searches for physical and documentary evidence.

Some incumbents carry and use firearms in the performance of their duties. The conduct of these duties requires the highest level of personal integrity and credibility since it involves investigating and charging others who are accused of wrongdoing or violation of the law. These duties also require extensive exercise of sound personal judgment.

Drug usage could result in loss of life or injury and improper adjudication of criminal or administrative actions. For example, if criminal investigators fail to obtain key data, ascertain witness veracity, follow legal procedures, or execute rules of evidence properly, sensitive and costly investigations could be compromised. Additionally, improper or unauthorized use of weapons could result in a loss of life. The high level of personal integrity required of criminal investigators is inconsistent with the use of illegal drugs.

6. TITLE/SERIES

Departmental Medical Director (Subject to applicant testing) GS-602

The incumbent, as the Chief Medical Officer of the Department, is responsible for a variety of functions including operation of the Health Units, dispersing medications, and emergency treatment of patients. The incumbent must recognize patients' adverse signs and symptoms and react swiftly. This includes taking resuscitative measures in case of cardiac or respiratory arrest. These duties require keen sensory perception, judgment, and neuromuscular coordination.

Drug usage could result in the loss of the patients' life or injury to the patient. Additionally, the incumbent's access to medication and participation in assessing the drug usage of USDA employees requires the utmost personal integrity. Improper or illegal drug usage is not consistent with these responsibilities.

7. TITLE/SERIES

Drug-Free Workplace Program Personnel (Not subject to applicant testing)

Director, Safety, Health and Employee Welfare Division
Employee Assistance Program Manager and Staff
Technical Review Panel Members Medical Review Officer
Agency Drug Testing Liaison
Counselors to Drug Abusers

Incumbents in these positions are directly involved in the administration and day-to-day operation of the DFWP. As such they are in positions having access to sensitive employee and drug testing program information.

Drug usage by the incumbents could result in incorrect decisions, embarrassment to USDA, or the release of information which could undermine the program. Therefore, the incumbents have a responsibility to demonstrate the absence of use of illegal drugs to maintain the credibility and employee confidence in the program.

8. TITLE/SERIES

Employees authorized to carry firearms (Subject to applicant testing)

Incumbents preserve and protect government employees and property. They also are authorized to carry firearms for self protection in remote locations such as in the Forests.

Illegal drug use calls to doubt the integrity and credibility of the employee and their ability to perform their duties of protecting persons, property or themselves. Drug usage produces diminished mental and neuromuscular capacity. This could lead to life threatening lapses in judgment or ability.

9. TITLE/SERIES

Employees directly involved in drug-interdiction duties. (Subject to applicant testing)

Incumbents are involved in: (1) detecting cannabis cultivation activity occurring on National Forest lands; (2) investigating cannabis and other controlled substance violations; (3) apprehending and prosecuting offenders; (4) eradicating cannabis plants and cultivating sites; and (5) cooperating with other Federal, State and local law enforcement agencies in controlled substance investigations where there is a mutual interest.

Illegal drug use could have serious effects on the agency's interdiction responsibilities. A drug user's indifference to the agency's basic responsibility and mission or activity complicity with malefactors can facilitate illicit drug activity on National Forest lands. The employee may suffer from impaired perception and judgment leading to possible loss of life, personal injury, or destruction of property.

10. TITLE/SERIES

Employees with Top Secret Security Clearances (Not subject to applicant testing)

Incumbents have access to national security information with Top Secret classification, serve in sensitive Foreign Service or overseas positions which require a Top Secret security clearance, or are involved in duties demanding the highest degree of public trust.

Drug usage could result in one's inability to properly perform the duties of their positions, indiscretions while under the influence of drugs, or susceptibility to financial considerations which could cause an incumbent to be susceptible to releasing the classified information or otherwise compromising national security for personal gain.

11. TITLE/SERIES

Employees stationed at Plum Island Animal Disease Center with special access to the biocontainment laboratories. (Subject to applicant testing)

Incumbents with special access to the biocontainment laboratories either work within the confines of the biocontainment laboratories, or have frequent access to the biocontainment laboratories, although their primary work site may be in other buildings.

This special access authorizes the incumbents to move freely without supervision or escort throughout the entire biocontainment facility (approximately 250,000 square feet of Laboratory/Mechanical space and Animal Rooms), which allows them access to dangerous and exotic disease agents which pose a high individual risk of life-threatening disease. United States law mandates that certain etiologic microorganisms which are foreign to the United States may be studied only at the Plum Island Animal Disease Center. The microorganisms included exhibit varying degrees of pathogenicity/infectivity for man (in some cases unknown). The risk of extensive damage to the United States livestock industry by exposure to these disease agents is extremely high.

Drug use could result in accidental or deliberate violation of biological safety regulations and procedures which could be potentially disastrous to human safety and economic welfare of the United States.

12. TITLE/SERIES

Fire Protection and Prevention Personnel (Subject to applicant testing) GS-081

Incumbents are responsible for performing work in controlling and extinguishing fires and rescuing persons endangered by fire. Hazards encountered may involve burns and other effects of heat, smoke inhalation, falling materials, explosion, and exposure to toxic materials. Incumbents must be prepared to deal with fire victims in varying states of fright and panic. Also, they may be required to operate or ride on fire trucks at high speed under adverse conditions. These duties require keen sensory perception and neuromuscular coordination.

Drug usage could result in loss of life or injury and damage to, or destruction of property. Use of illegal drugs by a fire fighter could endanger fire victims, employees in the fire vicinity, other fire fighters, and all property threatened by fire.

13. TITLE/SERIES

Guard (Subject to applicant testing) GS-085

Incumbents preserve and protect government employees and property. They must maintain a high standard of conduct at all times, must be mentally alert and aware of their surroundings, and be ready to act to provide protective measures at any time.

A high level of integrity and credibility are necessary in discharging the duties of the position. Incumbents are expected to remain calm under pressure, think rationally, and respond intelligently, despite adverse circumstances, and deal effectively in interpersonal confrontations. They often carry firearms in the line of duty.

Illegal drug use calls to doubt the integrity and credibility of the employee and their ability to perform their duties of protecting persons and property. Drug usage produces diminished mental and neuromuscular capacity. This could lead to life-threatening lapses in judgment or ability. For example, if a guard failed to exercise sound observation powers and judgment and used a weapon improperly, needless injury or death could result.

14. TITLE/SERIES

Job Corps Center Staff (Includes any occupational series in which the incumbent may perform the duties described below) (Subject to applicant testing).

Each Center staff member sees students every day, and each staff member is responsible for the safety of every student, including administering CPR and/or first aid whenever needed. Also, each staff member is required to possess a valid driver's license to transport students in cases of emergency, to and from work sites, etc.

Drug usage by Center staff members could result in the loss of students' lives or injury to the students. Also, all Center staff personnel are responsible for administering the Zero Tolerance for Drug Policy. Improper or illegal drug use is inconsistent with assisting others in becoming and remaining drug-free.

15. TITLE/SERIES

Motor Vehicle Operator Include only operators of passenger carrying vehicles (Subject to applicant testing)WG-5703

Incumbents operate motor vehicles such as buses, trucks, passenger vans, and other passenger carrying vehicles as their predominant duty and responsibility. The vehicles are used to move people and equipment including providing chauffeur services to high level officials. Vehicles must be operated in a safe manner to avoid endangering lives of the public or passengers, or risking the loss of property.

Drug usage produces diminished mental and neuromuscular capacity. This could in turn lead to the operators inability to properly control the vehicle, leading to the possible loss of life, personal injury, or destruction of property. For example, if the driver of a passenger carrying shuttle failed to notice a traffic light, death or serious injury could result to USDA employees and the general public. The use of illegal drugs is therefore inconsistent with the responsibility of safe vehicle operation.

16. TITLE/SERIES

Nurse (GS-6 10), Practical (Vocational) Nurse (GS-620), Health Technician (GS-699), Nursing Assistant (GS-621) Excluding those positions not having responsibility for patient care, drug testing or access to controlled substances (Subject to applicant testing)

Incumbents provide care to people with injuries and illnesses, administer injections, and must be able to recognize patients' adverse signs and symptoms to be able to react swiftly in emergency situations. This includes taking resuscitative measures in case of cardiac or respiratory arrest when a physician is not present or immediately available. They must be able to provide emergency treatment to accident victims. These duties require keen sensory perception and neuromuscular coordination.

Drug usage could result in the loss of patients' lives or injury to the patient. Additionally, the incumbents' access to medication requires the utmost personal integrity on their part concerning drug usage.

17. TITLE/SERIES

Other Personnel With Access to Controlled Substances (Not subject to applicant testing)

Incumbents have access to controlled substances. As a result, incumbents must maintain the highest level of personal integrity in order that full confidence can be placed in the integrity of the agency.

Drug abuse could result in diminished mental capacity, or personal use of the controlled substance to which incumbents have access. Additionally, incumbents who are drug users are highly vulnerable to extortion, which could result in the unauthorized release of these substances.

18. TITLE/SERIES

Presidential Appointees (Not subject to applicant testing)

These are individuals appointed by the President with the advice and consent of the Senate. They serve the American public in the highest levels of the Department in positions such as Secretary of Agriculture, Deputy Secretary of Agriculture, Assistant and Under Secretaries and Agency Heads. They participate with the President and the Congress in developing public policy in the many areas within the scope of USDA, make the most complex and sensitive decisions, and require the highest degree of public trust and confidence.

Drug usage could result in loss of trust and confidence by the American public and governments throughout the world. In addition, drug usage by incumbents in these positions will have a direct and negative effect on USDA and the American Government, national security, and the efficiency, effectiveness and cost of USDA programs.

19. TITLE/SERIES

Special-Sensitive Positions (Not subject to applicant testing)

Incumbents of these positions are designated as such under criteria found at 5 CFR 732.201 and the Office of Personnel Management position sensitivity designation guidance.

Individuals serve in positions of the highest level of sensitivity with the potential for the greatest degree of damage to the national security.

Most occupants of these positions require access to Top Secret national security information in accordance with Executive Order 10450 and 12968, or access to sensitive compartmental information under authority of Director of Central Intelligence Directive 6/4.

These positions also include any ADP-Computer position that meets the above criteria or is determined by the head of a USDA agency to impose a risk in terms of ADP-Computer security above that at the critical-sensitive level.

Incumbents are in positions that have potential for inestimable impact involving duties especially critical to the agency mission. They have broad scope and authority (e.g., overall direction of a major Federal program) or other extremely important responsibilities which affect the overall efficiency of the service.

Drug usage could result in one's inability to properly perform the duties of their positions or indiscretions while under the influence of drugs. Drug usage could cause incumbents to be subject to increased financial need which may cause them to be susceptible to compromising national security information or otherwise compromising national security for personal use.

20. TITLE/SERIES

Employees Required to have a Commercial Drivers License (CDL) (Subject to applicant drug testing - not applicant alcohol testing).

As required by the Department of Transportation (DOT) Regulations (49 CFR et al.), all applicants for and employees of positions in which they are required to have a CDL to perform their duties are subject to random alcohol and drug testing.

See DOT Regulation 49 CFR et. al. for justification.

SAMPLE OF INDIVIDUAL 30-DAY NOTICE



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Labor and Employee Relations Division
1400 Independence Avenue, SW, Rm 3175-S
Washington, D.C. 20250

[Date Letter Sent]

To: [Employee Name]
[Title]

From: Agency Drug Testing Liaison
Labor and Employee Relations Division
Office of Management

Subject: Notice to Employees in Testing Designated Positions

SAMPLE COPY

The Office of Personnel Management guidelines on position sensitivity designation and the USDA Drug-Free Workplace Program identify the position you hold, **[Insert title, grade and series of position here]** as a testing designated position (TDP). This designation requires that employees occupying these positions are subject to random drug testing and that the employees are given at least a 30-day notice of this requirement.

Any person occupying a TDP who tests positively to the random drug test is subject to appropriate disciplinary or adverse action, to include termination of employment. For further information regarding the random drug testing program, please refer to FSIS Directive 4735.8; Drug-Free Workplace Plan, Departmental Regulation 4430-792-2, Drug-Free Workplace Program; and the USDA Drug-Free Workplace Program.

SAMPLE OF REASONABLE SUSPICION DRUG TEST LETTER



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Labor and Employee Relations Division
1400 Independence Avenue, SW, Rm 3175-S
Washington, DC 20250

[Date Letter Sent]

To: [Supervisor of Employee Identified for Reasonable Suspicion Drug Test]

From: [Name]
Agency Drug Testing Liaison

Subject: Reasonable Suspicion Drug Test

SAMPLE COPY

I am the Agency Drug Testing Liaison (ADTL) for FSIS' Drug-Free Workplace Program. The program requires reasonable suspicion drug testing for employees for which there is reasonable suspicion of illegal drug use. [EMPLOYEE'S NAME], [EMPLOYEE'S TITLE], has been identified for a drug test. The reasonable suspicion drug test is scheduled for [DATE/TIME].

The Supervisory Checklist and this letter contain the collection site name, address, and telephone number where the employee reports. Employee Checklist for [EMPLOYEE'S NAME] is also attached.

Ensure that the notification time does not exceed the 2 hour notification restriction. Set a time for the release of the employee that allows reasonable travel time to meet the appointment.

Do not hesitate to contact me if you have any questions or concerns relative to the Drug-Free Workplace Program.

Thank you for your cooperation in this matter.

Reporting time: [Time] am/pm

Location [Site Name]
[Address]
[City State Zip]

Telephone: [Telephone number]

Attachments:
Checklist for Employees Checklist for Supervisors

SUPERVISORY CHECKLIST FOR REASONABLE SUSPICION DRUG TEST

Your Agency Drug Testing Liaison (ADTL) provides you the names of your employees who are identified for reasonable suspicion drug testing under the Drug-Free Workplace Program. **This information is confidential.** The ADTL also provides you with the name, address and telephone number of the collection site where these employees are to report.

Before sending the employee for collection, you should contact the collection site and verify the date and time scheduled for the employee's collection. **You should identify yourself and the employee(s) being tested as Department of Agriculture employees and indicate that the supplies for the collection were provided by (Insert the Name of the Contractor).** Use the following procedures to notify the employee of the collection process:

- Approximately **2 hours** before to the actual collection, inform the employee verbally, and privately, that he or she was identified through a reasonable suspicion process for drug testing by urinalysis. Clearly inform the employee as to the time and exact location to report for testing and instruct him or her to take photo identification.
- Immediately report any problems encountered during the employee notification to the ADTL. Employees who fail to cooperate with the collection procedures are subject to disciplinary or adverse action consistent with USDA's Plan for a Drug-Free Workplace (see the website: <http://www.usda.gov/da/shmd/dfwp.htm>).
- Give the scheduled employee the attached Employee Checklist for Reasonable Suspicion Drug Test Program. This provides the employee with helpful information about the collection process.
- A Government contractor performs the collection. Advise the employees to be prepared to provide a urine specimen at the scheduled collection time.
- If an employee is unable to provide a sufficient quantity of urine, he or she will be given a reasonable period of time to provide a specimen. As a general rule, the employee will be allowed to drink water and allowed until the end of their tour of duty that day (or a reasonable period of time if this is inappropriate) to supply a sample. The employee is NOT to leave the clinic's lobby or waiting area while waiting to complete the collection. Failure to abide with this guideline may be presumed to be a refusal to take the test and a proposal for removal from the Agency would result, unless satisfactory medical documentation is furnished to support their actions.

If you have any questions or concerns, you should share them with the ADTL at (202) 720-9010 or the Departmental Employee Assistance Program Manager at (202) 720-9010.

The name, address, report time, and telephone number of the collection site where the employee(s) is/are to report is:

Report Time: **[Time] AM/PM**

Address: **[Name of Laboratory]
[Street Address]
[City, State, Zip]**

Telephone: **[Telephone Number]**

EMPLOYEE CHECKLIST FOR REASONABLE SUSPICION DRUG TEST PROGRAM

You have been identified for a reasonable suspicion drug testing by urinalysis. Please take a few minutes to read the following information that describes your role in the collection process.

- Please arrive at the collection site on time.
- Collection site personnel will ask you to verify your social security number and provide a photo identification such as a driver's license or agency badge. Collection site personnel are required to contact USDA for guidance if proper identification is not obtained. You will be asked to verify your social security number and provide your initials or signatures at several stages throughout the collection process. The precautions are for your protection and will help ensure that all specimens are labeled correctly.
- A technician will explain collection site procedures. Personnel will also be available to answer questions you might have or they will refer you to the appropriate individual from your Agency.
- You will be asked to remove outer garments such as overcoats and suit jackets. You may not take a carrying bag into the collection room, but you may take your wallet with you.
- Your technician will provide you with a sample collection container and instructions.
- You must wash and dry your hands before entering the collection room.
- Unless otherwise directed by the Agency, you may provide the specimen in the privacy of a stall or otherwise partitioned area that allows for individual privacy. It is necessary for you to provide a specimen of at least 30 milliliters for the Agency sample. If you are unable to provide a sufficient quantity, you will be given a reasonable period of time to provide an adequate specimen. As a general rule, you will be allowed to drink water and allowed until the end of your tour of duty that day (or a reasonable period of time if this is inappropriate) to supply a sample. **DO NOT** leave the clinic's lobby or waiting area while waiting to complete the collection. Failure to abide with this guideline may be presumed to be a refusal to take the test and a proposal for removal will result, unless satisfactory medical documentation is furnished to support the actions.
- **DO NOT** flush the toilet at any time during the collection process.
- Give the collection container to the technician who, after checking the temperature (within four minutes of collection) and general appearance of the sample, will transfer the sample to a sealable shipping bottle. If the temperature reading is found to be outside the acceptable range (90 - 100 F) you may request that the collector take an oral temperature. The technician will tighten the bottle cap and place the prepared evidence tape over the cap and down the sides of the bottle. You should then initial the seal and the label confirming that it is your sample in the bottle and that the social security number and other information are correct. You must observe this process continuously.

- If the collector has reason to believe that the urine specimen has been altered or substituted they will notify a higher level supervisor. Should you tamper, adulterate or in any other manner attempt to alter the specimen, the collector will request authorization from your Agency to collect a second specimen under direct observation by a same gender collection site individual. Both specimens will be sent to the laboratory for analysis.
 - You may then wash your hands.
 - You may elect to have a second sample collected at the same time as the USDA sample and have it submitted by the sample collector to the Department's contract laboratory for storage. The collection site personnel will assist you in this determination.
 - Failure to appear for testing will be considered a refusal to participate in testing, and will result in a proposal for removal from employment. The Department's Plan for a Drug-Free Workplace is available on the website:
<http://www.usda.gov/da/shmd/dfwp.htm>
 - If you have any questions or concerns, share them with your supervisor, the Agency Drug Testing Liaison at (202) 720-5657 or the Departmental Employee Assistance Program Manager, at (202) 720-9010.
-

Employee's Name: **[Employee's Full Name]**

The reason for ordering the reasonable suspicion test: [Reason]

The reporting time, name, address and telephone number of the collection site where you are to report is:

Report Time: **[Time]** AM/PM

Address: **[Name of Laboratory]**
[Street Address]
[City, State, Zip]

Telephone: **[Telephone Number]**

SAMPLE OF RANDOM DRUG TEST LETTER



United States
Department of
Agriculture

Food Safety
and Inspection
Service

Labor and Employee Relations Division
1400 Independence Avenue, SW, Rm 3175-S
Washington, DC 20250

[Date Letter Sent]

To: [Supervisor of Employee Identified for Random Drug Test]

From: [Name]
Agency Drug Testing Liaison

Subject: Random Drug Test

SAMPLE COPY

I am the Agency Drug Testing Liaison (ADTL) for FSIS' Drug-Free Workplace Program. The program requires random drug testing for employees who meet the requirements for random drug testing under the Executive Order provisions. [EMPLOYEE'S NAME] and [EMPLOYEE'S TITLE] were randomly selected for a drug test. The random drug test must be accomplished no later than [DATE].

The name, address, and telephone number of the collection site where the employee is to report is included below and in the Supervisor Checklist. Also attached is the Employee Checklist for [EMPLOYEE'S NAME].

Don't hesitate to contact me if you have any questions or concerns relative to the Drug-Free Workplace Program.

Thank you for your cooperation in this matter.

Location: [Site Name]
[Address]
[City, State, Zip]

Telephone: [Telephone number]

Attachments:
Checklist for Employees
Checklist for Supervisors

SAMPLE OF RANDOM DRUG TEST PROGRAM CHECKLIST FOR SUPERVISORS

Your Agency Drug Testing Liaison (ADTL) will provide you the names of your employees who are selected for random drug testing under the Drug-Free Workplace Program. **This information is confidential.** The ADTL will also provide you with the name, address and telephone number of the collection site where these employees are to report.

- Before sending the employee for collection, you should contact the collection site and schedule the date and time of the employee's collection. **You should identify yourself and the employee(s) being tested as Department of Agriculture employees and indicate that the supplies for the collection were provided by (Insert the name of the contractor).** Use the following procedures to notify the employee of the collection process:
- Approximately **2 hours** before to the actual collection, inform the employee verbally, and privately, that he or she was identified through a random selection process for drug testing by urinalysis. Clearly inform the employee as to the time and exact location to report for testing and instruct him or her to take photo identification.
- In no instance will an employee not identified on the official test list, maintained by the ADTL during collection, be tested. Do not make any unilateral changes.
- When an employee selected for random drug testing is unavailable for legitimate reasons (**example:** working different shift, travel, or leave), you **must** inform the Director, Quality of Work Life Division, Office of Human Capital Management, telephone (202) 720-8284, the Acting Division Chief, or [Name], Employee Assistance Program Manager, telephone (202) 720-9010. An employee whose random drug test is deferred will be subject to an unannounced test within the following 60-days. An employee who fails to appear for testing and is not deferred is considered as refusing to participate in testing. The employee is subject to a proposal for removal from the Agency.
- Immediately report any problems encountered during the employee notification to the ADTL. If an employee fails to cooperate with collection procedures, the employee is subject to disciplinary or adverse actions consistent with USDA's Plan for a Drug-Free Workplace (see website: <http://www.usda.jzov/da/shmd/dfwp.htm>).
- Give the scheduled employee the attached Employees Checklist. This provides the employee with helpful information about the collection process.
- A Government contractor performs the collection. The employee should prepare to provide a urine specimen at the scheduled collection time.

- If an employee is unable to provide a sufficient quantity of urine, they are given a reasonable period to provide a specimen. As a general rule, the employee is allowed to drink water and allowed until the end of their tour of duty that day (or a reasonable period of time if this is inappropriate) to supply a **sample**. The employee is **NOT** to leave the clinic's lobby or waiting area while waiting to complete the collection. Failure to abide with this guideline may be presumed to be a refusal to take the test and a proposal for removal from the Agency would result, unless satisfactory medical documentation is furnished to support the action.
- If you have any questions or concerns, you should share them with the ADTL at (202) 720-5657 or the Departmental Employee Assistance Program Manager.

The name, address and telephone number of the collection site where the employee is to report follows:

Name: **[Employee Name]**
Address: **[Name of Laboratory]**
 [Street Address]
 [City, State, Zip]

Telephone: **[Telephone Number]**

SAMPLE OF RANDOM DRUG TEST PROGRAM CHECKLIST FOR EMPLOYEES

You have been identified through a process of random selection for drug testing by, urinalysis. Please be assured that your selection and the selection of other employees in your Agency for such drug testing in no way reflects that the Agency has any specific cause to suspect the usage of illegal drugs. Please take a few minutes to read the following information that describes your role in the collection process.

- Please arrive at the collection site on time.
- Collection site personnel will ask you to verify your social security number and provide a photo identification such as a driver's license or Agency badge. Collection site personnel are required to contact USDA for guidance if proper identification is not obtained. You are asked to verify your social security number and provide your initials or signatures at several stages throughout the collection process. The precautions are for your protection and will help ensure that all specimens are labeled correctly.
- A technician explains collection site procedures. Personnel will also be available to answer questions you might have or they will refer you to the appropriate individual from your Agency.
- You will be asked to remove outer garments such as overcoats and suit jackets. You may not take a carrying bag into the collection room, but you may take your wallet with you.
- Your technician provides you with a sample collection container and instructions.
- You must wash and dry your hands before entering the collection room.
- Unless otherwise directed by the Agency, you may provide the specimen in the privacy of a stall or otherwise partitioned area that allows for individual privacy. It will be necessary for you to provide a specimen of at least 30 milliliters for the Agency sample (45 millimeters if you are requesting a split specimen). If you are unable to provide a sufficient quantity, you will be given a reasonable period of time to provide an adequate specimen. As a general rule, you are allowed to drink water until the end of your tour of duty that day (or a reasonable period of time if this is in appropriate) to supply a sample. At no time during this process should you leave the waiting room area of the facility (**example:** area in clear view of the clinic or hospital personnel). Failure to remain in the collection facility or to provide the required specimen is presumed a refusal to take the test and a proposal for removal from the Agency would result. If there is a medical reason for not providing the required specimen, you will be asked to furnish satisfactory medical documentation to the USDA's contract Medical Review Officer (MRO). The MRO may refer you for a medical evaluation to determine whether there is genuine reason for your inability to provide a specimen or a refusal to test.
- Do not flush the toilet at any time while you are in the collection process.

- You will give the collection container to the technician who, after checking the temperature (within four minutes of collection) and general appearance of the sample, will transfer the sample to a sealable shipping bottle. If the temperature reading is found to be outside the acceptable range (90 - 100 F) you may request that the collector take an oral temperature. The technician will tighten the bottle cap and place the prepared evidence tape over the cap and down the sides of the bottle. You should then initial the seal and the label confirming that it is your sample in the bottle and that the social security number and other information are correct. You must observe this process continuously.
- If the collector has reason to believe that the urine specimen has been altered or substituted they will notify a higher level supervisor. Should you tamper, adulterate or in any other manner attempt to alter the specimen, the collector will request authorization from your Agency to collect a second specimen under direct observation by a same gender collection site individual. Both specimens will be sent to the laboratory for analysis.
- You may then wash your hands.
- You may elect to have a second sample collected at the same time as the Agency sample and have it submitted by the sample collector to the USDA's contract laboratory for storage. The collection site personnel will assist you in this determination.
- Failure to appear for testing without a deferral from your supervisor and the Director, Quality of Work Life Division is considered a refusal to participate in testing, and will result in a proposal for removal from the Agency. USDA's Plan for a Drug-Free Workplace is available on website:
<http://www.usda.gov/da/shmd/dfwp.htm>

If you have any questions or concerns, share them with your supervisor, the Agency Drug Testing Liaison at (202) 720-5657 or the Departmental Employee Assistance Program Manager, at (202) 720-9010.

Name: **Employee Name]**

Address: **[Name of Laboratory]**
[Street Address]
[City, State, Zip]

Telephone: **[Telephone Number]**

**DRUGS FOR WHICH INDIVIDUALS ARE TESTED
(Effects and Signs of Use)**

1. MARIJUANA (dope, grass, joint, hash, hooch, weed, smoke)

Marijuana use produces a euphoric state (called a "high") followed by a feeling of being sleepy. Marijuana intoxication (that is, the effects of taking the drug) reduces the ability of a person to concentrate and to learn, and decreases a persons' muscular ability. Physical signs may include rapid, loud talking and bursts of laughter in early stages of intoxication, forgetfulness in conversation (**example:** what was I saying, or may simply trail off), inflammation in whites of eyes; pupils unlikely to be dilated, odor similar to burnt rope on clothing or breath, tendency to drive cars slowly, and distorted sense of time passage, tendency to overestimate time intervals. For at least 4-6 hours after taking marijuana, a person will not be able to function normally. Long-term effects include irritability, sleep disturbances, gastrointestinal distress, sweating and tremors.

2. COCAINE (coke, crack)

This drug is an alkaloid of the coca plant. Effects on users may include a heightened sense of alertness, feelings of unusual strength and awareness of surroundings. Physical signs may include runny nose, cold or chronic sinus/nasal problems, and/or nosebleeds. Paraphernalia including small spoons, razor blades, mirror, little bottles of white powder, plastic, glass or metal straws, glass pipes, and miniature blowtorches may be found in and around worksite. Cocaine users may also exhibit excessive physical activity. The long term effects a person may have after using cocaine include exhaustion, feeling tired, depression, seizures, heart disease and death.

3. PHENCYCLIDINE (PCP, angel dust)

PCP is a synthetic drug that has no known medical use. Its effects include blurred vision, confusion, and hallucinations, including aggressive, violent or bizarre behavior, rigid muscles, strange gait, and deadened sensory perception (may experience severe injuries while appearing not to notice). PCP is most frequently found in tablets, powder, or mixed with marijuana or leafy herbs for smoking. Many illicit drugs may contain PCP. When used with cocaine the combination is called "space blasting." High dosage PCP use may result in a coma, breathing problems or death.

4. OPIATES (heroin, morphine - "designer drugs')

There are many sources of this drug including the opium poppy and synthetic formulas. While not as common in the workplace as other drugs, the effects are devastating because of the user's need to use increasingly strong doses to obtain and sustain the "high" and avoid physical withdrawal symptoms. These effects may include drowsiness, mental confusion, and decreased alertness. During withdrawal, users may exhibit nausea, diarrhea and hallucinations. These drugs are highly addictive and large doses or long term use can be fatal. Physical signs may include constricted pupils that fail to respond to light, redness and raw nostrils from inhaling heroin in powder form, possibly traces of white powder on nostrils, and scars (tracts) on inner arms or other parts of body from needle injections. Drug paraphernalia including syringes, bent spoons, bottle caps, eye droppers, rubber tubing, cotton and needles may be left in lockers at work or hidden in and around the worksite.

5. AMPHETAMINES (speed, bennies, uppers, methamphetamine)

This family of synthetic drugs is currently used by more than 2 million Americans without medical supervision. Their effect as a stimulant (making a person feel abnormally energetic or active) are similar to cocaine and may result in exhaustion and deteriorating performance as the immediate effects of the drug wear off. Physical signs include dilated pupils (when large amounts are taken), dry mouth and nose, bad breath, frequent lip licking, excessive activity, difficulty sitting still, lack of interest in food or sleep, irritable, argumentative, nervous, and talkative but conversation often lacks continuity, changes subject rapidly.