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Department of Environment and Natural Resources  
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JAN 14 2005

**DENR Administrative Order**

No. 2005- 01

SUBJECT : **DRUG-FREE WORKPLACE POLICY IN THE  
DEPARTMENT OF ENVIRONMENT AND NATURAL  
RESOURCES**

Pursuant to the provisions of RA 9165, the DENR hereby adopts the following rules and regulations.

**I. TITLE**

These rules shall be known as the Implementing Guidelines for a Drug-Free Workplace and the conduct of authorized drug tests in the DENR per RA 9165, also known as "The Comprehensive Dangerous Drugs Act of 2002".

**II. PURPOSE**

These rules provide guidelines for the operationalization and maintenance of a safe and healthy work environment free from the use and trafficking of dangerous drugs in the DENR offices nationwide.

**III. SCOPE**

These rules shall apply to all officials and employees of the Department regardless of rank or status whether stationed in the Central Office, its Bureaus, attached agencies, regional offices, PENROs and CENROs.

**IV. DEFINITION OF TERMS**

- a) **Workplace** - is the regular station, office of DENR employees where work is normally conducted or public service is delivered.
- b) **Authorized Drug Test** - is the test done by any government forensic laboratory or by any drug testing laboratory accredited and monitored by the Department of Health. Such tests of urine shall employ testing methods of screening and confirmatory tests.

- c) **Center** – any of the treatment and rehabilitation centers which undertake treatment, aftercare and follow up of drug dependents.
- d) **Rehabilitation** – the process including aftercare and follow up treatment directed towards the physical, emotional/psychological, vocational, social, and spiritual changes of a drug dependent to render him to enjoy life at its fullest and be a law abiding and productive employee of the DENR.
- e) **Treatment** – is the medical service rendered to a patient for the effective management of physical and mental conditions arising from drug use.
- f) **Confirmatory Drug Test** – the analytical test, which will validate and confirm the result of the screening test.
- g) **Dangerous Drugs** – include those listed in the schedules annexed to the 1991 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, the 1971 Single Convention on Psychotropic Substances enumerated/part of RA 9165.
- h) **Drug Test Certificate** – the declaration of the drug test results issued by the drug testing centers and valid for one year.
- i) **Employee Assistance Program or EAP** – employee assistance program for those who have problems on alcohol and drugs use to be formulated in coordination with the Employees' Union.
- j) **For "Cause" or "Probable Cause" Drug Test** – drug test 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.
- k) **Mandatory Drug Test** – is the compulsory submission of employees for drug testing required by RA 9165 and these rules.
- l) **Random Drug Test** – random selection of employees for drug testing following no specific pattern and without prior notice or information.
- m) **Screening Drug Test** – rapid drug test performed to establish potential positive result. It refers to the immunoassay test to eliminate a "negative" specimen.

- n) **Drug Dependence** – the cluster of physiological, behavioral, and cognitive phenomena of variable intensity with a strong desire or a sense of compulsion to take substance.
- o) **Administer** – any act introducing any dangerous drug into the body of any employee, with or without his/her knowledge, by injection, inhalation, or ingestion.
- p) **Unlawful acts** – any of the unlawful acts penalized under Article II of RA 9165.
- q) **RA 9165** – refers to the Comprehensive Dangerous Drugs Act of 2002.

#### V. RESPONSIBILITIES OF THE OFFICE

- a) Creation of a Drug-Free Workplace Committee, which shall oversee the formulation and implementation of the drug-free workplace policy;
- b) Proposal and implementation of training and continuing education, awareness programs as well as Value Formation and Family Enhancement Programs for all employees to include the following principles/activities:
  - i. DENR policy of maintaining a drug-free workplace
  - ii. the dangers posed by the abuse of dangerous drugs
  - iii. the availability of Employee Assistance Program
  - iv. the consequences, penalties and administrative sanctions in violation thereof.
- c) Formulation of the DENR Drug Testing Program in accordance with RA 9165
- d) Dissemination of all information pertinent to the Program and internal policy to all employees
- e) Display of billboards at strategic places with the message: "This is a Drug Free Workplace. Let's keep it this way."

#### VI. RESPONSIBILITIES OF OFFICIALS AND EMPLOYEES

- a) Employees shall not possess nor use dangerous drugs.
- b) They shall not directly or indirectly sell, give, provide, nor administer any dangerous drug/substance of abuse to co-employees nor aid in the commission of any unlawful acts penalized under RA 9165.
- c) They shall faithfully abide by the terms and conditions of these guidelines as a condition for continued employment.
- d) Any employee with drug-related problem shall voluntarily seek treatment and rehabilitation in coordination with the DENR Medical Unit or a DOJ accredited hospital/clinic/center.

**VII. FORMULATION AND ADOPTION OF THE DENR DRUG TESTING PROGRAM INCLUDING PROCEDURES THEREFOR**

- a) The Drug Testing Program shall be formulated to highlight the following:
- i. activities and projects related to the subject, including the issuance of a commitment/affirmation of support to the policy
  - ii. procedures in the conduct of the authorized drug test
  - iii. dissemination of all information pertinent to the DENR Drug Testing Program to all employees, which highlight the following:
    - rationale behind the conduct of either the random or mandatory drug test
    - the kind of drug test to be administered
    - program coverage
    - instances when mandatory and random tests will be conducted
- b) Procedures in the conduct of the random and mandatory tests as well as in the handling of a positive result after confirmatory test shall be included in the Drug Testing Program, to be approved by the Secretary prior to implementation of the program.

**VIII. MONITORING**

Compliance report shall be submitted yearly in compliance with the provisions of RA 165.

**IX. FUNDING REQUIREMENTS**

The cost of the drug testing shall be funded out of the yearly appropriation of the agency.

**X. EFFECTIVITY**

This Order shall take effect immediately.

  
**MICHAEL T. DEFENSOR**  
Secretary

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