



## DRUG-FREE WORKPLACE POLICY AND PROGRAM

### I. PURPOSE

In compliance with **Section 47, Article V of Republic Act No. 9165**, otherwise known as **The Comprehensive Dangerous Drugs Act of 2002**, and the **Department Order No. 53-03, series of 2003, Guidelines for the Implementation of a Drug-Free Workplace Policies and Programs for the Private Sector** issued by the Department of Labor and Employment. The UCPB Savings Bank is hereby adopts the following policies and programs to achieve a drug-free workplace:

### II. POLICY ON DRUG-FREE WORKPLACE

#### A. Policy Statement

UCPB Savings Bank has established the following policy with regard to drug use to ensure that we can meet our obligations. It is essential that set of procedures be adopted for the purpose of institutionalizing drug awareness as a component of staff welfare and development, and drug-testing as an element of corporate safety and productivity.

#### B. Definition of Terms

1. **Officer/Employee** – any person directly employed by the bank irrespective of status, tenure, rank or office.
2. **Drug Testing Center** – refer to government or private forensic laboratories or drug testing laboratories accredited and monitored by the Department of Health.
3. **Screening Test** – a rapid test performed by a Drug Testing Center for purposes of establishing potential or presumptive positive result and the type of drug used.
4. **Confirmatory Test** – is an analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific to validate and confirm the potential or presumptive positive result of the screening test using a GCMS (Gas Chromatography Mass

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## DRUG-FREE WORKPLACE POLICY AND PROGRAM

Spectrometry) machine. It refers to the second or further analytical procedure to more accurately determine the presence of dangerous drugs in a specimen.

5. **Drug Test Certificate** – a certificate issued by the accredited Drug Testing Centers conveying the result of the screening and confirmatory tests.
6. **Illegal Drugs** – includes all dangerous drugs enumerated in Republic Act. No. 9165.
7. **Assessment Team** – the team is composed of at least the HR Head, the company nurse/accredited physician, the concerned employee's division/department head for appropriate intervention or action.

### C. General Guidelines

1. The use, possession, solicitation for, or sale of dangerous drugs on bank premises or while performing a work related assignment are strictly prohibited. Commission of such shall be penalized with termination of employment.
2. Being impaired or under the influence of dangerous drugs away from the bank, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the bank's reputation. The employee shall be subjected to drug test to establish potential or presumptive positive result and the type of drug used. If found positive, the concerned employee be referred to the Assessment Team and/or Management Committee (ManCom) for appropriate action on first time offender. The employment of second time offender shall be terminated.
3. Possession, use, solicitation for, or sale of dangerous drugs away from the bank premises, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the bank's reputation. Commission of such shall be penalized with termination of employment.
4. The presence of any detectable amount of dangerous drugs in the employee's system while at work, while on the premises of the bank, or while on bank business. \*Dangerous





## DRUG-FREE WORKPLACE POLICY AND PROGRAM

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 attached annex of R.A. 9165. The concerned employee shall be penalized with termination of employment.

5. Any employee who refuses to submit himself/herself to drug testing when directed by the Bank shall be subject to disciplinary provision pursuant of Article 282 of the Labor Code.
6. On top of the disciplinary action the Bank shall impose against those who are certified and confirmed to have used illegal drugs or caught in possession of illegal drugs, the Bank shall endorse them to the appropriate government authority for rehabilitation or criminal prosecution, as the case may be.

### III. PROGRAM ON DRUG-FREE WORKPLACE

#### A. Mandatory Drug Test

1. To ensure that only those qualified shall be screened and recruited to prevent the detrimental effects (*e.g. lower productivity; poor decision making; increased accidents; more compensation claims; and reduced team effort*) which drug use and abuse may cause in the workplace, the conduct of mandatory drug test shall be required for pre-employment.
2. The bank designates a duly accredited drug testing center by the Department of Health (DOH), as its authorized drug testing laboratory.
3. The bank may also conduct drug testing under any of the following circumstances:
  - i. **RANDOM TESTING:** Officer/employee may be selected at random for drug testing at any interval and/or during annual physical examination as determined by the Bank.







## DRUG-FREE WORKPLACE POLICY AND PROGRAM

- ii. **FOR-CAUSE TESTING:** The Bank may ask an officer/employee to submit to a drug test at any time it feels that the employee may be under the influence of drugs, including, but not limited to, the following circumstances: evidence of drugs on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs, negative performance patterns, or excessive and unexplained absenteeism or tardiness.
  - iii. **POST-ACCIDENT TESTING:** Any officer/employee involved in a "Near-Miss" incident or "Work Accident" under circumstances that suggest possible use or influence of drugs may be asked to submit to a drug test. As defined herein, "Near-Miss" means an incident arising from or in the course of work which could have led to injuries or fatalities of the workers and/or considerable damage to the employer had it not been curtailed. "Work Accident" refers to unplanned or unexpected occurrence that may or may not result in personal injury, property damage, work stoppage or interference or any combination thereof of which arises out of and in the course of employment.
4. All drug tests shall employ, among others, two (2) testing methods, the screening test which will determine the positive result as well as the type of drug used and the confirmatory test which will confirm a positive screening test. Where the confirmatory test turns positive, the Bank's Assessment Team shall evaluate the results and determine the level of care and administrative interventions that can be extended to the concerned employee.
5. The Bank shall inform the officer/employee who was subjected to a drug test of the test-results whether positive or negative.
6. All costs of drug testing shall be borne by the Bank.





## **DRUG-FREE WORKPLACE POLICY AND PROGRAM**

### **IV. TREATMENT, REHABILITATION, AND REFERRAL**

1. An officer/employee who, for the first time, is found positive of drug use, shall be referred for treatment and/or rehabilitation in a DOH accredited center. For this purpose, The Bank shall provide a list of at least three (3) accredited facilities which an employee who was tested positive for drugs may choose from.
2. Following rehabilitation, the Bank's Assessment Team, in consultation with the head of the rehabilitation center, shall evaluate the status of the drug dependent employee and recommend to the employer the resumption of the employee's job if he/she poses no serious danger to his/her co-employees and/or the workplace.
3. All costs for the treatment and rehabilitation of the drug dependent employee shall be charged to his account. The period during which the employee is under treatment or rehabilitation shall be considered as authorized leaves.
4. Repeated drug use even after ample opportunity for treatment and rehabilitation shall be dealt with the corresponding penalties under R.A. 9165 and is a ground for dismissal.

### **V. ADVOCACY, EDUCATION AND TRAINING**

1. The Bank undertakes to increase the awareness and education of its officers and employees on the adverse effects of dangerous drugs through continuous advocacy, education and training programs/activities to all its officers and employees.
2. All officers and employees are required to undergo an orientation/education program before assumption of their respective duties. The program shall include the following topics:
  - i. Salient features of R.A. 9165;





## DRUG-FREE WORKPLACE POLICY AND PROGRAM

- ii. Adverse effects of abuse and/or misuse of dangerous drugs on the person, workplace, family and the community;
  - iii. Preventive measures against drug abuse; and
  - iv. Steps to take when intervention is needed, as well as available services for treatment and rehabilitation.
3. To encourage all officers and employees to lead a healthy lifestyle while at work and at home, the Bank undertakes to conduct the following activities as often as possible:
  - i. Lifestyle assessment programs on health nutrition, weight management, stress management, alcohol abuse, smoking cessation, and other indicators of risk diseases;
  - ii. Health wellness screenings / Annual Physical Examination (*e.g. blood pressure and heart rate, cholesterol test, blood glucose, etc.*);
  - iii. Sports, recreational and fun-game activities; and
  - iv. Other activities promoting health and wellness.

### VI. ROLES, RIGHTS AND RESPONSIBILITIES OF EMPLOYER AND EMPLOYEES

1. The Bank shall ensure that the workplace policies and programs on the prevention and control of dangerous drugs, including drug testing, shall be disseminated to all officers and employees. The employer shall obtain a written acknowledgement from the employees that the policy has been read and understood by them.
2. The Bank shall maintain the confidentiality of all information relating to drug tests or to the identification of drug users in the workplace; exceptions may be made only where required by law, in case of overriding public health and safety concerns; or where such exceptions have been authorized in writing by the person concerned.





## DRUG-FREE WORKPLACE POLICY AND PROGRAM

3. All officers and employees shall enjoy the right to due process, absence of which will render the referral procedure ineffective.

### VII. OFFENSES AND PENALTIES

1. Failure to attend seminars related drug awareness without justified cause
  - i. First Offense – Written Warning
  - ii. Second Offense – 7 working days suspension
  - iii. Third Offense – Dismissal
2. Failure or refusal to submit to random drug testing
  - i. First Offense – 7 working days suspension
  - ii. Second Offense – Dismissal
3. Reporting for duty under the influence of illegal drugs
  - i. First Offense – Dismissal
4. Confirmed and verified positive in mandatory drug test
  - i. First Offense – The Assessment Team's recommendation for rehabilitation
  - ii. Second Offense – Dismissal
5. Refusal to undergo rehabilitation upon the recommendation of the Assessment Team
  - i. First Offense – Dismissal
6. Possession, sale or distribution, buying or accepting of illegal drugs
  - i. First Offense – Dismissal
7. Other analogous offenses will be dealt with per case basis.

### VIII. MONITORING AND EVALUATION

The implementation of these policies and programs shall be monitored and evaluated periodically by management to ensure a drug-free workplace. For this purpose, an Assessment Team shall be constituted in accordance with D.O. 53-03.







## DRUG-FREE WORKPLACE POLICY AND PROGRAM

### IX. EFFECTIVITY

The provisions of these policies and programs shall be immediately effective after its ratification by the Management and the Board of Directors.

A blue ink signature of Mr. Angel H. Mojica, written over a circular stamp that contains his name and title.

MR. ANGEL H. MOJICA  
President and CEO

Date: 3/14/16