



REPUBLIC OF THE PHILIPPINES
PROVINCE OF ORIENTAL MINDORO
MUNICIPALITY OF PINAMALAYAN

OFFICE OF THE SANGGUNIANG BAYAN

Telephone Number: (043) 284-3147

Email Address: vicemayorsoffice@pinamalayan.gov.ph

~~ORDINANCE NO. 000000~~

AN ORDINANCE IMPLEMENTING THE DRUG-FREE WORKPLACE PROGRAM, MANDATING THE CONDUCT OF AUTHORIZED DRUG TESTING BY ALL OFFICES OF THE LOCAL GOVERNMENT OF PINAMALAYAN, ORIENTAL MINDORO INCLUDING THE OFFICE OF ITS THIRTY-SEVEN (37) BARANGAYS, PROVIDING FUNDS THEREFORE AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, it is the policy of the municipal government to promote and protect the welfare and well-being of the residents of the municipality against the deleterious effects of dangerous drugs;

WHEREAS, consistent with the said policy, the local government of Pinamalayan is also mandated to prepare plans and programs to deter the use dangerous drugs by the officials and employees of the offices of the thirty-seven (37) barangays and institute preventive measures against drug abuse for purposes of eliminating its hazards in the workplace; and to provide an effective and professionalized system of implementing the program against drug abuse that would safeguard the honor, dignity and integrity of the local government of Pinamalayan and effectiveness and efficiency of their officials and employees;

WHEREAS, pursuant to the powers vested in it under Section 77, Article IX of Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, in relation to Section 16, Article II and Section 48, Article V of the same Act, the Dangerous Drug Board (DDB), prescribes the guidelines for the formulation and implementation of a drug-free workplace program and conduct of authorized drug testing for offices, bureaus and agencies of the National and Local Governments, Government-Owned and Controlled Corporations (GOCC) and other institutes of learning including State Colleges and Universities.

NOW THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF PINAMALAYAN, ORIENTAL MINDORO IN THE REGULAR SESSION ASSEMBLED:

ARTICLE I

GENERAL PRINCIPLES AND POLICIES

SECTION 1. Title. This Ordinance shall be known as the Pinamalayan Drug-free Workplace Ordinance of 2019.

SECTION 2. Declaration of Policy. The Municipal Government of Pinamalayan, Oriental Mindoro recognizes the threat posed by drug abuse in the community and its specific effects in the workplace including, among others, decreased productivity, increased vehicular accidents, absenteeism, lapses in the performance of assigned tasks, criminality and the like and thereby declared the policy of the municipality to absolutely prohibit the use of dangerous drug in and outside the office by all officials and employees of the Municipal Government of Pinamalayan including the thirty-seven (37) barangays.

SECTION 3. Purpose, Scope and Coverage. The primary purpose of this Ordinance is to ensure the maintenance of a safe and healthy work environment free from use of dangerous drugs and free from other related activities as prescribed by Republic Act No. 9165, otherwise known as the Dangerous Drugs Act of 2002.

This Ordinance shall apply to all officials and employees of the Municipal Government of Pinamalayan including the thirty-seven (37) barangays without distinction as to rank, employment status or salaries and shall cover all stages employment.



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SECTION 4. Definition of Terms. As used in this Ordinance, the following terms shall be defined as follows:

- a) **Administer** – any act of introducing any dangerous drug into the body of any person, with or without his/her knowledge, by injection, inhalation, ingestion or other means or of committing any act of indispensable assistance to a person in administering a dangerous drug to himself/herself unless administered by a duly licensed practitioner for purpose of medication;
- b) **Authorized Drug Test** – the testing done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the Department of Health (DOH) to safeguard the quality of test results. It shall employ, among others, two (2) testing methods, the screening and confirmatory tests. The examination of a person's urine specimen to determine the presence of dangerous drugs shall be done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH;
- c) **Center** – any of the treatment and rehabilitation centers which undertake treatment, aftercare and follow up treatment of drug dependents. It includes institutions, agencies and the like whose purposes are: the development of skills, arts and technical know-how, counselling and/or inculcating civic, social and moral values to drug dependent patients, with the aim of weaning them away from dangerous drugs and keeping them drug-free, adapted to their families and peers and readjusted into the community as law abiding, useful and productive citizens;
- d) **Confirmatory Drug Test** – an analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific which will validate and confirm the result of the screening test. It refers to the second or further analytical procedure to more accurately determine the presence of dangerous drug in a specimen, which will likewise be done by any government laboratory or privately-owned and operated drug testing laboratories accredited and monitored by the DOH having confirmatory test capabilities;
- e) **Dangerous Drugs** – include those listed in the Schedules annexed to the 1991 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, which was an integral part of RA No. 9165;
- f) **Drug Dependence** – refers to a cluster of psychological, behavioural and cognitive phenomena of variable intensity, in which the use of psychoactive drug takes on a high priority thereby involving, among others, a strong desire or a sense of compulsion to take the substance and the difficulties in controlling substance-taking behaviour in terms of its onset, termination, or level of use;
- g) **Drug Testing Certificate** – a declaration/statement of the result of the drug test issued by accredited drug testing centers. It shall be valid for a one-year period from the date of issue and which may be used for other purposes, as referred to in Section 36, Article III of R.A. No. 9165;



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- h) **Employee Assistance Program or EAP** – a program that offers assistance to workers who have problems, primarily alcohol and related problems that may affect job performance. It shall be formulated as much as possible, jointly by the employer and the employees or employee's union;
- i) **"For Cause" or "Probable Cause" Drug Test** – drug testing required when there is "probable cause" or "reasonable ground" to believe that a person is using or is under the influence of drugs'
- j) **Mandatory Drug Test** – compulsory submission of an official and employee for drug testing as required by Republic Act No. 9165 and by this Ordinance;
- k) **Policy** – a definite course or method of action from among alternatives and in the light of given conditions to guide and usually determine decisions to be made;
- l) **Republic Act No. 9165** – refers to the Comprehensive Dangerous Drug Act of 2002;
- m) **Random Drug Test** – refers to subject personnel for drug testing as selected following no specific pattern and without prior notice/information;
- n) **Rehabilitation** – a dynamic process including aftercare and follow-up treatment directed toward the physical, emotional/psychological, vocational, social and spiritual change of drug dependents to enable him/her to live without dangerous drugs, enjoy the fullest life compatible with his capabilities and potentials and render him/her able to become a law abiding and productive member of the community;
- o) **Screening Drug Test** – a rapid drug test performed to establish potential or presumptive positive result. It refers to the immunoassay test to eliminate a "negative" specimen, i.e. one without the presence of dangerous drugs, from further consideration and to identify the presumptively positive specimen that requires confirmatory test;
- p) **Treatment** – medical service rendered to a patient for the effective management of physical and mental conditions arising from his/her drug abuse;
- q) **Unlawful Acts** – refer to any of the unlawful acts penalized under Article II of Republic Act No. 9165;
- r) **Workplace** – a place where work is usually performed. For this purpose, it shall mean all the offices of the Municipal Government of Pinamalayan and the thirty-seven (37) barangays.

ARTICLE II

GUIDELINES IN THE CONDUCT OF THE AUTHORIZED DRUG TEST

SECTION 5. Who May Conduct Drug Testing. Drug testing shall be done by any government forensic laboratory or by any of the drug testing laboratories accredited and monitored by the Department of Health (DOH). For this purpose, the Municipal Government of Pinamalayan shall enter into an agreement with government drug testing laboratories.



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Likewise, the municipality shall develop a program to capacitate the Municipal Health Office for drug testing.

SECTION 6. Drug Test Methods. The following methods, as defined above, are adopted as the authorized drug testing methods:

- a. Screening Drug Test
- b. Confirmatory Drug Test

SECTION 7. Drug Testing When Mandatory. Drug testing is mandatory in the following cases:

- a. Pre-employment;
- b. Person in high-risk/decision-making positions;
- c. Past history of drug abuse;
- d. Involvement in vehicular accidents during working hours;
- e. Discovery of Dangerous drugs paraphernalia;
- f. Detention by police/filing of charge on court for drug-related cases;
- g. As a requirement for promotion; and
- h. Employees reporting to work after undergoing rehabilitation in a treatment and rehabilitation centers.

SECTION 8. Random Drug Testing When Conducted. Random drug test may be done without prior notice of the date and venue of the drug test on selected officials and employees chosen by the Drug-Free Workplace Assessment Committee until all officials and employees have undergone the test. The Drug-Free Workplace Committee shall formulate a random selection process or procedure for this purpose.

SECTION 9. Random Drug Testing "for cause" or probable cause". Random Drug Test may also be conducted when there is reasonable ground to believe that the official or the employee is using illegal drugs based on the following indicators.

- a) **Attendance** - frequent unauthorized absences, repeated tardiness, and truancy from the job.
- b) **Personal Appearance** - slurred speech, bloodshot eyes, drastic change in appearance, and other alarming change in physical attributes.
- c) **Mental Factor** - hot-headedness, irritability, increased difficulty in handling assignments, and other drastic change in his dispositions.
- d) **General Performance** - missed deadlines, low productivity, increased wastages, public complaints, frequent accidents, carelessness, and other drastic decrease in work productivity.
- e) **Peer Relations** - isolation, frequent quarrels with officemates, heavy borrowing, frequent mood swings and other relevant change in social relations.

SECTIONS 10. Procedures of the Conduct of the Random Drug Test in the Workplace. The following procedures shall apply in case of random drug testing:

- a) The Drug-Free Workplace Committee will notify the randomly selected officials or employees to go for a urine test to the municipal health office, who in turn, will accompany them to the place where the test will be conducted.
- b) The selected officials/employees must immediately report for the drug test.



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- c) The test shall only be conducted by any government Drug Testing Laboratory or by any drug testing laboratory duly authorized and accredited by the Department of Health for the screening test, which shall be conducted in the following manner:
- The selected officials/employees will fill up and sign the consent and chain of custody form issued to them.
 - The urine specimen bottles must be properly labeled to contain the name, signature, ID number, employment number position, date and the time when the urine sample was taken.
 - The taking of urine sample must be done in an area where manipulation (e.g. adding water) is not possible.
 - The urine specimen/sample which tested positive after the screening test must be properly labeled and must be kept separately from the samples that tested negative dangerous drugs.
 - All urine samples tested positive must be submitted for confirmatory testing to a laboratory having the confirmatory capability using the same urine sample.
 - After the confirmatory test, the urine sample must be kept for the purpose of challenging the result.
 - After the test is conducted, a drug test result shall be issued by the drug testing laboratory directly to the office of the Municipal Mayor or his duly authorized representative and not to the person tested. The same result must be signed by the authorized signatory of the laboratory, the officials/employees concerned and a witness.

Section 11. Action on Negative Result. Should the drug test yield a negative result for the official or employee tested, no further action is needed other than the issuance of a Drug Test Certificate. The Drug Test Certificate is good for one (1) year and could be used for other purposes.

Section 12. Procedures in Handling a Positive Result after Confirmatory Test. Should the drug test yield positive result for the official or employee tested, the following procedures shall apply:

- Upon discovery that a urine sample is tested positive for dangerous drugs after confirmatory test, such result shall immediately be made known to the Chairman of the Drug-Free Workplace Committee and the Municipal Mayor or his duly authorized representative.
- After receipt of such information, the same shall be made known to the official/employee.
- The Municipal Mayor shall then take the appropriate action in accordance with this ordinance.

ARTICLE III SANCTIONS

SECTION 13. Violation of Officials and Employees. Any official or employee found to have violated this ordinance may suffer any or a combination of the following sanctions:



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- a) Failure on the part of the Local Chief Executive to implement this Ordinance within a reasonable period after its effectivity shall be dealt with in accordance with Republic Act No. 9165.
- b) Any official/employee who, without any valid reasons after being tested positive of drug use who refuses to undergo the recommended rehabilitation program will be administratively dealt with in accordance with the existing rules and regulations without prejudice to suspension or dismissal from the service as provided for under Section 36 (d) of Republic Act No. 9165 which states that "Officers and employees of public and private offices. – Officers and employees of public and private offices, whether domestic or overseas, shall be subjected to undergo a random drug test as contained in the company's work rules and regulations, which shall be borne by the employer, for purposes of reducing the risk in the workplace. Any officer or employee found positive for use of dangerous drugs shall be dealt with administratively which shall be a ground for suspension or termination, subject to the provision of Article 282 of the Labor Code and pertinent provisions of the Civil Service Law".
- c) Any official/employee who without any valid reasons refuses to submit himself/herself for random/mandatory drug test, whichever is applicable, will be administratively dealt with in accordance with the existing rules and regulations without prejudice to Sections 32 of Republic Act No. 9165 which states that "Liability to a person violating any regulation issued by the Board. – the penalty of imprisonment ranging from six (6) months and one (1) day to Four (4) years and fine ranging from Ten Thousand Pesos (Php10,000.00) to Fifty Thousand pesos (Php50,000.00) shall be imposed upon any person found violating any regulation duly issued by the Board pursuant to this Act, in addition to the Administrative Sanctions imposed by the Board".
- d) Subject to the existing Employees' Assistance Program, official/employee who is found to be positive for drug use and after undergoing a drug Dependency Examination conducted by the Department of Health (DOH) or by any medical practitioner accredited by the said Office to conduct the drug dependency test as:
 - 1) Experiment – outpatient, guidance counselling;
 - 2) Occasional User – outpatient, guidance counselling and urine surveillance;
 - 3) Chronic User/Drug Dependent – mandatory 6-month treatment and rehabilitation in any of the government rehabilitation centers.
- e) Officials or employees who for the second time have been detected to be using dangerous drugs after completion of his/her treatment and/or rehabilitation program or while undergoing treatment and/or rehabilitation may either be suspended or dismissed from the service subject to the Civil Service Commission Laws, Rules and Regulations
- f) Officials or Employees who are found arrested/apprehended or charged in court for commission of any of the unlawful acts provided for under Article II of Republic Act 9165 will either be suspended/dismissed from the service depending on the gravity of the offense committed, subject to existing laws, rules and regulations of the Civil Service, and without prejudice to further criminal prosecution.



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ARTICLE IV
CONTINUING COMMITMENT TO A DRUG-FREE WORKPLACE

SECTIONS 14. Responsibilities of the Municipality. In pursuance with the purpose of this ordinance, the Municipality of Pinamalayan through the Office of the Municipal Mayor in coordination with the Pinamalayan Anti-Drug Abuse Advisory Council (MADAC) mandates the following Responsibilities of the Office/Agency under the Policy to wit:

1. Adopt a continuing and sustainable substance abuse awareness program to inform its employees about:
 - a) Its policy of maintaining a drug-free workplace;
 - b) The dangers posed by the abuse of dangerous drugs;
 - c) The availability of 'employees assistance program;
 - d) The consequences, penalties and administrative sanctions in violation thereof;
2. Distribute a copy of this Ordinance to all Municipal offices and 37 Barangays;
3. Create a committee that will implement, to the fullest, the contents of this Ordinance;
4. To display a billboard message at a strategic place/s in the office with the words
"This is a Drug-Free Workplace. Let's keep it That Way"

SECTION 15. Responsibilities of the Officials and Employees. The officials and employees shall have the following responsibilities:

- 1) All officials or employees must never possess and/or use dangerous drugs and other substance of abuse.
- 2) All officials or employees must not directly or indirectly sell, give, provide or administer any dangerous drugs and/or other substance of abuse to his/her co-officials and co-employees or other and/or to commit or abet/aide in the commission of any unlawful acts penalized under RA 9165.
- 3) The official and employees must faithfully abide by the terms of this ordinance as a condition of his/her continued employment.
- 4) The officials and employees must voluntarily seek treatment and rehabilitation if they have problems related to dangerous drugs.
- 5) The officials and employees must advocate against drug abuse.
- 6) The officials and employees must help maintain a drug-free workplace.

SECTION 16. Confirmation/Affirmation and Commitment to this ordinance. In pursuance with the purpose of this Ordinance all officials and employees of the municipal government of Pinamalayan, Oriental Mindoro shall personally sign the following:

CONFIRMATION / AFFIRMATION AND COMMITMENT TO A DRUG-FREE WORKPLACE

As an official /employee of the Municipal Government of Pinamalayan, Oriental Mindoro, I hereby certify that I have read the provisions of Municipal Ordinance No. 03-2019, entitled:

"AN ORDINANCE IMPLEMENTING THE DRUG-FREE WORKPLACE PROGRAM, MANDATING THE CONDUCT OF AUTHORIZED DRUG TESTING BY ALL OFFICES OF THE LOCAL GOVERNMENT OF PINAMALAYAN, ORIENTAL MINDORO INCLUDING THE OFFICES OF ITS THIRTY SEVEN (37) BARANGAYS, PROVIDING FUNDS THEREFOR AND PROVIDING PENALTIES FOR VIOLATION THEREOF" and



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affirm and confirm my commitment to unconditionally abide to all that is provided therein and I shall be answerable to the Municipal Government for whatever violation that I may commit.

Name and Signature of Officials/Employee

Date

Attested by:

Name

Designation

Date

ARTICLE V
THE DRUG-FREE WORKPLACE COMMITTEE

SECTION 17. Creation of the Drug-free Workplace Committee. The Drug-Free Workplace Committee is hereby established which shall formulate and put in place the Municipality's Drug Testing Program which shall be in accordance with the pertinent provisions of RA No. 9165 and this ordinance. The program must be made known to all officials and employees stressing the fact that the purpose is not to harass but rather to prevent the entry of illegal drugs and the abuse thereof. The program to be implemented must be developed through a process where consensus is achieved regarding its contents. The committee shall be composed of the following:

- a) The Municipal Mayor or his representative;
- b) Sangguniang Bayan Chairman, Committee on Public Order and Safety and Human Rights;
- c) The President of the Liga ng mga Barangay;
- d) Representative of Municipal Anti-Drug Abuse Council (MADAC);
- e) Municipal Budget Officer;
- f) Human Resource Management Officer;
- g) Municipal Health Officer;
- h) Employees Association Representatives (1st and 2nd Level Ranking Positions)

The Committee shall create an Assessment Team composed of personnel with educational and training backgrounds on medicine, psychology, social work and human resources administration. The team shall assist in the conduct of substance abuse awareness and prevention program. The agency or local government unit shall ensure that members of the team undergo regular training.

SECTION 18. Duties and Function of the Committee. The Committee shall undertake the following duties and responsibilities:

- 1) To oversee the information and implementation of the drug abuse policy of the agency;
- 2) Initiate training programs for supervisors;
- 3) Initiate continuing education and awareness program for Municipal/Barangay officials and employees in coordination with the Barangay Anti-Drug Abuse Council (BADAC);
- 4) Initiate and adopt value formation, family enhancement and such other related and relevant programs.



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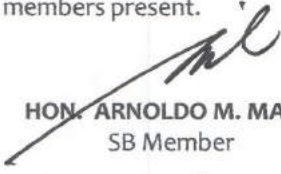
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SECTION 19. Employees Assistance Program. The Committee is likewise mandated to establish an Employees Assistance Program within thirty (30) days from the effectivity of this ordinance which shall address the needs of officials or employees undertaking guidance counselling or rehabilitation as mandated by the provisions of this Ordinance. The employee assistance program to be implemented must be developed through a process where consensus is achieved regarding its contents.

SECTION 20. Repealing Clause. All other issuances, rules and regulations inconsistent relating to the Ordinance Implementing the Drug-Free Workplace Program are hereby repealed and modified accordingly.

SECTION 21. Effectivity. This ordinance shall become effective upon completion of its publication for three (3) consecutive days in a newspaper of general circulation and posted in at least three (3) conspicuous places in Pinamalayan, Oriental Mindoro pursuant to the Local Government Code of 1991.

ENACTED UNANIMOUSLY this 3rd day of June 2019 on motion of Hon. Rio S. Mercene and seconded by all members present.


HON. ARNOLDO M. MADRID
SB Member


HON. JOSEPH TIROL
SB Member


HON. NAPOLEON M. MANGARING
SB Member


HON. ANTONIO VICTOR R. OLYMPIA
ABC Pres./SB Member


HON. RIO S. MERCENE
SB Member


HON. SEVERINO J. NARITO
SB Member

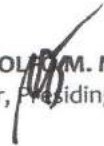

HON. LEONARDO L. PEDRAZA
SB Member


HON. JOVEN S. VELASCO
SKMF Pres./SB Member

Attested:


ARNEL G. ABRENICA
Secretary to the Sanggunian

Certified Correct:


HON. RODOLFO M. MAGINO
Vice Mayor, Presiding Officer

Approved:


HON. ARISTEO A. BALDOS, JR.
Municipal Mayor

JUL 01 2019



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- h) **Employee Assistance Program or EAP** – a program that offers assistance to workers who have problems, primarily alcohol and related problems that may affect job performance. It shall be formulated as much as possible, jointly by the employer and the employees or employee's union;
- i) **"For Cause" or "Probable Cause" Drug Test** – drug testing required when there is "probable cause" or "reasonable ground" to believe that a person is using or is under the influence of drugs'
- j) **Mandatory Drug Test** – compulsory submission of an official and employee for drug testing as required by Republic Act No. 9165 and by this Ordinance;
- k) **Policy** – a definite course or method of action from among alternatives and in the light of given conditions to guide and usually determine decisions to be made;
- l) **Republic Act No. 9165** – refers to the Comprehensive Dangerous Drug Act of 2002;
- m) **Random Drug Test** – refers to subject personnel for drug testing as selected following no specific pattern and without prior notice/information;
- n) **Rehabilitation** – a dynamic process including aftercare and follow-up treatment directed toward the physical, emotional/psychological, vocational, social and spiritual change of drug dependents to enable him/her to live without dangerous drugs, enjoy the fullest life compatible with his capabilities and potentials and render him/her able to become a law abiding and productive member of the community;
- o) **Screening Drug Test** – a rapid drug test performed to establish potential or presumptive positive result. It refers to the immunoassay test to eliminate a "negative" specimen, i.e. one without the presence of dangerous drugs, from further consideration and to identify the presumptively positive specimen that requires confirmatory test;
- p) **Treatment** – medical service rendered to a patient for the effective management of physical and mental conditions arising from his/her drug abuse;
- q) **Unlawful Acts** – refer to any of the unlawful acts penalized under Article II of Republic Act No. 9165;
- r) **Workplace** – a place where work is usually performed. For this purpose, it shall mean all the offices of the Municipal Government of Pinamalayan and the thirty-seven (37) barangays.

ARTICLE II

GUIDELINES IN THE CONDUCT OF THE AUTHORIZED DRUG TEST

SECTION 5. Who May Conduct Drug Testing. Drug testing shall be done by any government forensic laboratory or by any of the drug testing laboratories accredited and monitored by the Department of Health (DOH). For this purpose, the Municipal Government of Pinamalayan shall enter into an agreement with government drug testing laboratories.



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Likewise, the municipality shall develop a program to capacitate the Municipal Health Office for drug testing.

SECTION 6. Drug Test Methods. The following methods, as defined above, are adopted as the authorized drug testing methods:

- a. Screening Drug Test
- b. Confirmatory Drug Test

SECTION 7. Drug Testing When Mandatory. Drug testing is mandatory in the following cases:

- a. Pre-employment;
- b. Person in high-risk/decision-making positions;
- c. Past history of drug abuse;
- d. Involvement in vehicular accidents during working hours;
- e. Discovery of Dangerous drugs paraphernalia;
- f. Detention by police/filing of charge on court for drug-related cases;
- g. As a requirement for promotion; and
- h. Employees reporting to work after undergoing rehabilitation in a treatment and rehabilitation centers.

SECTION 8. Random Drug Testing When Conducted. Random drug test may be done without prior notice of the date and venue of the drug test on selected officials and employees chosen by the Drug-Free Workplace Assessment Committee until all officials and employees have undergone the test. The Drug-Free Workplace Committee shall formulate a random selection process or procedure for this purpose.

SECTION 9. Random Drug Testing "for cause" or probable cause. Random Drug Test may also be conducted when there is reasonable ground to believe that the official or the employee is using illegal drugs based on the following indicators.

- a) **Attendance** - frequent unauthorized absences, repeated tardiness, and truancy from the job.
- b) **Personal Appearance** - slurred speech, bloodshot eyes, drastic change in appearance, and other alarming change in physical attributes.
- c) **Mental Factor** - hot-headedness, irritability, increased difficulty in handling assignments, and other drastic change in his dispositions.
- d) **General Performance** - missed deadlines, low productivity, increased wastages, public complaints, frequent accidents, carelessness, and other drastic decrease in work productivity.
- e) **Peer Relations** - isolation, frequent quarrels with officemates, heavy borrowing, frequent mood swings and other relevant change in social relations.

SECTIONS 10. Procedures of the Conduct of the Random Drug Test in the Workplace. The following procedures shall apply in case of random drug testing:

- a) The Drug-Free Workplace Committee will notify the randomly selected officials or employees to go for a urine test to the municipal health office, who in turn, will accompany them to the place where the test will be conducted.
- b) The selected officials/employees must immediately report for the drug test.



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- c) The test shall only be conducted by any government Drug Testing Laboratory or by any drug testing laboratory duly authorized and accredited by the Department of Health for the screening test, which shall be conducted in the following manner:
- The selected officials/employees will fill up and sign the consent and chain of custody form issued to them.
 - The urine specimen bottles must be properly labeled to contain the name, signature, ID number, employment number position, date and the time when the urine sample was taken.
 - The taking of urine sample must be done in an area where manipulation (e.g. adding water) is not possible.
 - The urine specimen/sample which tested positive after the screening test must be properly labeled and must be kept separately from the samples that tested negative dangerous drugs.
 - All urine samples tested positive must be submitted for confirmatory testing to a laboratory having the confirmatory capability using the same urine sample.
 - After the confirmatory test, the urine sample must be kept for the purpose of challenging the result.
 - After the test is conducted, a drug test result shall be issued by the drug testing laboratory directly to the office of the Municipal Mayor or his duly authorized representative and not to the person tested. The same result must be signed by the authorized signatory of the laboratory, the officials/employees concerned and a witness.

Section 11. Action on Negative Result. Should the drug test yield a negative result for the official or employee tested, no further action is needed other than the issuance of a Drug Test Certificate. The Drug Test Certificate is good for one (1) year and could be used for other purposes.

Section 12. Procedures in Handling a Positive Result after Confirmatory Test. Should the drug test yield positive result for the official or employee tested, the following procedures shall apply:

- Upon discovery that a urine sample is tested positive for dangerous drugs after confirmatory test, such result shall immediately be made known to the Chairperson of the Drug-Free Workplace Committee and the Municipal Mayor or his duly authorized representative.
- After receipt of such information, the same shall be made known to the official/employee.
- The Municipal Mayor shall then take the appropriate action in accordance with this ordinance.

ARTICLE III
SANCTIONS

SECTION 13. Violation of Officials and Employees. Any official or employee found to have violated this ordinance may suffer any or a combination of the following sanctions:



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ARTICLE IV

CONTINUING COMMITMENT TO A DRUG-FREE WORKPLACE

SECTIONS 14. Responsibilities of the Municipality. In pursuance with the purpose of this ordinance, the Municipality of Pinamalayan through the Office of the Municipal Mayor in coordination with the Pinamalayan Anti-Drug Abuse Advisory Council (MADAC) mandates the following Responsibilities of the Office/Agency under the Policy to wit:

1. Adopt a continuing and sustainable substance abuse awareness program to inform its employees about:
 - a) Its policy of maintaining a drug-free workplace;
 - b) The dangers posed by the abuse of dangerous drugs;
 - c) The availability of 'employees assistance program;
 - d) The consequences, penalties and administrative sanctions in violation thereof;
2. Distribute a copy of this Ordinance to all Municipal offices and 37 Barangays;
3. Create a committee that will implement, to the fullest, the contents of this Ordinance;
4. To display a billboard message at a strategic place/s in the office with the words

"This is a Drug-Free Workplace. Let's keep it That Way"

SECTION 15. Responsibilities of the Officials and Employees. The officials and employees shall have the following responsibilities:

- 1) All officials or employees must never possess and/or use dangerous drugs and other substance of abuse.
- 2) All officials or employees must not directly or indirectly sell, give, provide or administer any dangerous drugs and/or other substance of abuse to his/her co-officials and co-employees or other and/or to commit or abet/aide in the commission of any unlawful acts penalized under RA 9165.
- 3) The official and employees must faithfully abide by the terms of this ordinance as a condition of his/her continued employment.
- 4) The officials and employees must voluntarily seek treatment and rehabilitation if they have problems related to dangerous drugs.
- 5) The officials and employees must advocate against drug abuse.
- 6) The officials and employees must help maintain a drug-free workplace.

SECTION 16. Confirmation/Affirmation and Commitment to this ordinance. In pursuance with the purpose of this Ordinance all officials and employees of the municipal government of Pinamalayan, Oriental Mindoro shall personally sign the following:

CONFIRMATION / AFFIRMATION AND COMMITMENT TO A DRUG-FREE WORKPLACE

As an official /employee of the Municipal Government of Pinamalayan, Oriental Mindoro, I hereby certify that I have read the provisions of Municipal Ordinance No. 03-2019, entitled:

"AN ORDINANCE IMPLEMENTING THE DRUG-FREE WORKPLACE PROGRAM, MANDATING THE CONDUCT OF AUTHORIZED DRUG TESTING BY ALL OFFICES OF THE LOCAL GOVERNMENT OF PINAMALAYAN, ORIENTAL MINDORO INCLUDING THE OFFICES OF ITS THIRTY SEVEN (37) BARANGAYS, PROVIDING FUNDS THEREFOR AND PROVIDING PENALTIES FOR VIOLATION THEREOF" and



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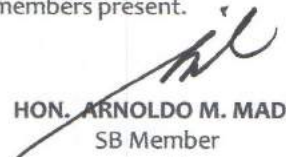
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SECTION 19. Employees Assistance Program. The Committee is likewise mandated to establish an Employees Assistance Program within thirty (30) days from the effectivity of this ordinance which shall address the needs of officials or employees undertaking guidance counselling or rehabilitation as mandated by the provisions of this Ordinance. The employee assistance program to be implemented must be developed through a process where consensus is achieved regarding its contents.

SECTION 20. Repealing Clause. All other issuances, rules and regulations inconsistent relating to the Ordinance Implementing the Drug-Free Workplace Program are hereby repealed and modified accordingly.

SECTION 21. Effectivity. This ordinance shall become effective upon completion of its publication for three (3) consecutive days in a newspaper of general circulation and posted in at least three (3) conspicuous places in Pinamalayan, Oriental Mindoro pursuant to the Local Government Code of 1991.

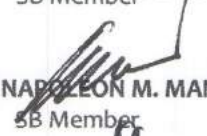
ENACTED UNANIMOUSLY this 3rd day of June 2019 on motion of Hon. Rio S. Mercene and seconded by all members present.

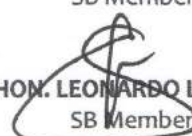

HON. ARNOLDO M. MADRID
SB Member

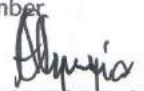

HON. RIO S. MERCENE
SB Member


HON. JOSEPH TIRODIL
SB Member


HON. SEVERINO J. NARITO
SB Member


HON. NAPOLEON M. MANGARING
SB Member


HON. LEONARDO L. PEDRAZA
SB Member


HON. ANTONIO VICTOR R. OLYMPIA
ABC Pres./SB Member


HON. JOVEN S. VELASCO
SKMF Pres./SB Member

Attested:


ARNEL G. ABRENICA
Secretary to the Sanggunian

Certified Correct:


HON. RODOLFO M. MAGINO
Vice Mayor, Presiding Officer

Approved:


HON. ARISTED A. BALDOS, JR.
Municipal Mayor

JUL 03 11 2019