RESOLUTION
WHEREAS, the Civil Service Commission as the central human resource institution of the government, is mandated under Sec. 2 (c), Article III of the 1987 Philippine Constitution to adopt measures to promote morale, integrity, efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service;
WHEREAS, the Commission in Section 12 (3), Chapter 3, Book V of the Administrative Code of 1987 (Executive Order No. 292) is empowered to promulgate rules, standards and guidelines for the Civil Service and adopted programs to promote economical, efficient and effective human resource administration in the government;
WHEREAS, under Section 12 (10), Chapter 3, Book V of the same Administrative Code, the Commission is likewise directed to formulate, administer and evaluate programs relative to the development and retention of a qualified and competent workforce in the public service;
WHEREAS, Section 36(d) of Republic Act No. 9165, otherwise known as the “Comprehensive Dangerous Drugs Act of 2002” provides that officers and employees of public offices shall be subjected to a random drug test and 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 pertinent provisions of the Civil Service Law;
WHEREAS, the Dangerous Drugs Board (DDB), pursuant to its role as the premier agency responsible for formulating policies, standards and guidelines on drug prevention and control as mandated in Republic Act No. 9165, has issued DDB Regulation No. 2, s. 2004 (Guidelines for the Formulation and Implementation of a Drug-Free Workplace Program and the Conduct of Authorized Drug Testing by All Offices, Bureaus, Agencies, and the Local and National Government-Owned and Controlled Corporations and Other Institutes of Learning Including State Colleges and Universities);
WHEREAS, in support of said Drug-Free Workplace Program of the DDB, the Commission issued and adopted the Guidelines for a Drug-Free Workplace in the Bureaucracy (CSC Memorandum Circular No. 13, s. 2010) which provides for guidelines that shall guide the government service and enjoin all government agencies to conduct drug testing. The circular also emphasized that any officer or employee found positive for use of dangerous drugs shall be subjected to disciplinary/administrative proceedings;
WHEREAS, on December 17, 2015, the Office of the President issued Memorandum Circular No. 89, s. 2015 mandating all government offices, departments, agencies and offices/controlled corporations to formulate and submit to the DDB their respective five (5) Year Implementing and Operational Plans for the National Anti-Drug Plan of Action (NADPA). The DDB developed the NADPA, which outlines the efforts of the government to strengthen its campaign against drugs and contribute to international efforts to counter the drug problem. The Circular also mandated all government agencies to formulate and adopt their own drug-free workplace program and conduct authorized drug testing among officials and personnel;
WHEREAS, the drug problem, the destructive influence of drugs on society continues to remain as a serious social problem, which permeates both the public and private sectors, not only as a security issue but also as a health concern that permeates both the public and private sectors, not only as a security issue but also as a health concern that;
WHEREFORE, in compliance with R.A. No. 9165, and in order to ensure a drug-free workplace in the bureaucracy, the Civil Service Commission hereby authorizes and issues the following guidelines on the conduct of authorized drug testing for public officials and employees:

I. OBJECTIVE
These guidelines aim to ensure that government agencies render drug-free by subjecting public officials and employees to a random mandatory drug test, as a condition for continuous employment.
To this end, the government and the public will be ensured of effective and efficient service free from the hazards of drug use in the workplace.

II. SCOPE AND COVERAGE
These guidelines shall cover all public officials and employees in all constitutional departments and agencies, bodies, bureaus, and agencies of the national government, local government units, government-owned and/or controlled corporations, and state and local universities and colleges, including law enforcement officers, police and other law enforcement agencies who are required to undergo annual mandatory drug test, pursuant to R.A. No. 9165, are excluded from the coverage of these guidelines.

III. DEFINITION OF TERMS
Challenger Test – a drug test conducted as a result of a challenge filed by a public official or employee who tested positive for drug use in a confirmatory test.

IV. INTERVENTIONS
1. Public officials and employees who are found positive of dangerous drugs at the first instance after the challenge test or after positive test result from a confirmatory test should the concerned public official or employee fail to challenge said result, shall undergo a Drug Dependency Examination conducted by the DOH or by any medical practitioner accredited by the DOH or any said examination and shall be subjected to following treatment and rehabilitation program:
   a. The randomly selected public officials and employees will fill up and sign a chain of custody form issued to them.
   b. The specimen bottles must be properly labelled and taking of specimen samples for screening test must be done in an area where manipulation (e.g. adding of water) is not possible.
   c. Specimen samples found positive in the screening test shall be submitted for confirmatory testing within the same day.
   d. A positive drug test result from the confirmatory test shall immediately be made known to the Head of the office/agency, or to the person designated by the Head of the office/agency, who shall then notify the concerned public official or employee. Said public official or employee shall have fifteen (15) days from receipt of notice to challenge the result of the confirmatory test. The challenge test shall be conducted by a testing laboratory accredited by the DOH or by a drug testing laboratory duly authorized and accredited by the DOH. Failure to file a challenge within the prescribed period shall make the positive drug test result from the confirmatory test final and the office/agency shall take the appropriate actions in the succeeding section.
   e. A positive drug test result from the confirmation test is deemed final and the public official or employee shall be immediately subjected to the provisions in the succeeding section.

2. The drug test result shall be attached to the 201 file of the public official or employee. All drug testing results and records must strictly be held confidential as provided for under the pertinent provisions of R.A. No. 9165.

V. DEFINITION OF TERMS
Challenger Test – a drug test conducted as a result of a challenge filed by a public official or employee who tested positive for drug use in a confirmatory test.

Confirmatory Test – an analytical testing 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. Contract of Service/Job Order – refers to employment covered by a contract pertaining to lump sum work or services such as janitorial, security, or consultancy services where no employee-employer relationship exists; piece work or intermittent job of short duration not exceeding six months on a daily basis, and all officers of the military, police and other law enforcement agencies who are required to undergo annual mandatory drug test, pursuant to R.A. No. 9165, are excluded from the coverage of these guidelines.

VII. RESPONSIBILITIES OF AGENCIES
1. All constitutional bodies, departments, bureaus and agencies of the national government, local government units, government-owned and/or controlled corporations, and state and local universities and colleges are required to submit a regular report to the DDB on the conduct of drug tests and number of officials and employees who tested positive for drug use.

2. The DOH shall conduct the necessary trainings for physicians in the government agencies administering the Drug Dependency Examinations.

3. Internal rules may be issued by government agencies pertaining to: restrictions in reporting to work while undergoing treatment or intervention, and enforcement of a no work no pay policy for public officials and employees who do not earn leave credits. Provided, that said rules should be without prejudice to the provisions on offenses and penalties provided in these guidelines.

FUNDs
The concerned government agencies/offices shall bear the expenses for the conduct of the screening and confirmatory drug test of its employees, subject to existing budgeting, accounting and auditing rules and regulations. The said funds for the conduct of the screening and confirmatory drug test shall be sourced from the concerned government agencies/offices budget for employee health and wellness.

The agencies shall include the funds for the conduct of subsequent drug tests in their annual budget proposal for employee health and wellness.

However, drug test conducted as a result of a challenge as a result of a positive drug test result from the confirmatory test shall be charged to the personal expense of the concerned public official or employee.

VI. EFFECTIVENESS
These guidelines shall take effect fifteen (15) days following its publication in a newspaper of general circulation in Quezon City.

(Sgd.) ALICIA dela ROSA-BALA
Chairperson
(Sgd.) ROBERT S. MARTINEZ
VACANT
Commissioner

Attested by:
(Sgd.) DOLORES B. BONIFACIO
Director IV
Commission Secretariat and Liaison Office

1 As defined under R.A. No. 9165
2 Rule X, CSC Memorandum Circular No. 40, s. 1998 (as amended by CSC Memorandum Circular No. 15, 2 s. 1999)
3 As defined under DB Regulation No. 2, s. 2. 2004
4 ibid

Date, Newspaper