



**EXECUTIVE ORDER NO. 208,
Series 2023**

**AN ORDER UPDATING THE PANABO CITY ANTI-DRUG ABUSE POLICY FOR EMPLOYMENT
AND AMENDING THE COMPOSITION OF THE SELECTION AND POLICY BOARD**

WHEREAS, the City of Panabo supports the extensive campaign of the national government against illegal drugs particularly for those who are in the government service;

WHEREAS, such commitment requires that a government employee or personnel is fit for duty and is free from any adverse effects of illegal drug use;

WHEREAS, the people interacts daily with City Government employees, job order workers and other personnel and, therefore, the risk to public safety is real and substantial if any of the City Government employees, job order workers and other personnel uses illegal drugs;

WHEREAS, the Civil Service Commission (CSC) promulgated Memorandum Circular (MC) No. 13, S. 2017 through Resolution No. 1700653 dated March 15, 2017 to prescribe the Guidelines in the Mandatory Random Drug Test for Public Officials and Employees and for Other Purposes;

WHEREAS, the circular aim to ensure that government agencies remain drug-free by subjecting public officials and employees/ personnel to a random mandatory drug test, as a condition for continuous employment;

WHEREAS, the City Government of Panabo, as a Local Government Unit of the State, has a moral duty and stern obligation to maintain a healthful and safety workplace as part of its assurance to the Public to render an effective and efficient public service;

WHEREAS, the City Government of Panabo, as an employer, can accomplish this task by requiring pre-employment drug testing and random drug testing for all City officials and employees including job order workers and other personnel, thereby, adopting the CSC MC No. 13, S. 2017;

WHEREAS, the Dangerous Drugs Board (DDB) issued Board Regulation No. 13, Series 2018, which provides that public officials and employees/personnel found positive for drug use at first instance shall be subjected to disciplinary/administrative proceedings with a penalty of dismissal from the service;

WHEREAS, the CSC MC No. 05, S. 2019 dated March 26, 2019 emphasized through CSC Resolution No. 1900238 that the previously issued Resolution No. 1700653 shall remain as the general policy on the conduct of mandatory random drug testing for public officials and employees, job order workers and other personnel, while DDB Resolution No. 13, shall only be adopted by government agencies who are exempted from the coverage of CSC Resolution No. 1700653;

WHEREAS, Executive Order No. 55, Series of 2015 as amended by Executive Order Nos. 31, s. 2019 and 60, s. 2020 were issued establishing the City Government Anti-Drug Abuse Policy for Employment in the Local Government Unit of Panabo City and this executive order further updates the composition of the Selection and Policy Board of Panabo City Pre-Employment Drug Testing and Random Drug Testing and the policy through the adoption of provisions under CSC MC No. 05, S. 2019 on the exemptions from coverage to the amendment of CSC Resolution No. 1700653 (Guidelines in the Mandatory Random Drug Test for Public Officials and Employees and for Other Purposes);



NOW, THEREFORE, I, JOSE E. RELAMPAGOS, by virtue of the authority vested in me as the City Mayor of Panabo City, do hereby order the following:

SECTION 1. PURPOSE. This Executive Order is issued for the purpose of requiring pre-employment and random drug testing for all City officials and employees, including job order workers and other personnel and to provide guidelines and information on the conduct of the same, to ensure a safe, healthy, and efficient working environment and to detect and deter illegal drug use pursuant to RA 9165.

This policy complements the CSC MC No. 17 s. 1989 re: Physical and Mental Fitness for Continued Employment in the Civil Service, which provides that "*a healthy employee works more efficiently, more productively and possesses a better and more responsive work attitude than a sickly employee*" and adopts CSC MC No. 13, S. 2017 re: Guidelines in the Mandatory Random Drug Test for Public Officials and Employees and for Other Purposes;

SECTION 2. COVERAGE. All officials and employees as well as job order workers and other personnel shall be subject to the herein policies for drug testing as required by the City Government of Panabo and/or by the Civil Service Commission;

SECTION 3. CITY GOVERNMENT ANTI-DRUG ABUSE POLICY.

A. A Pre-Employment Drug Testing (PEDT) Policy is hereby mandated as a condition of employment/hiring under the following procedures:

1. All applicants for employment, including applicants under casual employment and contract of service (Job Order workers) and honorarium-paid personnel shall be subjected to Pre-Employment Drug Test (PEDT). Applicants must pass the PEDT to be considered for employment;
2. Any person subject in the preceding paragraph shall submit him/herself to a legitimate drug testing laboratories or center duly accredited by the Department of Health as determined by the City Government of Panabo, through the City Human Resources Management Office (CHRMO);
3. Test results shall be immediately forwarded to the CHRMO together with all the documentary requirements required for appointment;

B. A Random Drug Testing (RaDT) is hereby mandated as a condition for continued employment under the following procedures:

1. All incumbent public officials and employees, including Job Order workers and honorarium-paid personnel shall be subject to mandatory Random Drug Testing (RaDT) as a condition for retention in government service, in accordance with the selection process as determined by the Board and described in the succeeding paragraphs.
2. Drug testing shall be done as a collaborative activity by the CHRMO with the City Anti-Drug Abuse program, City Health Office and in coordination with the Philippine Drug Enforcement Agency (PDEA) or any government forensic laboratory or any of the drug testing laboratories accredited and authorized by the DOH to safeguard the quality of test results. The drug testing shall employ among others, two (2) testing methods; the Screening Test (ST), which will determine the positive results as well as the type of the drug used, and the Confirmatory Test (CT), which will confirm the positive Screening Test;
3. Procedure for the conduct of RaDT:
 - a. Random Drug Testing (RaDT) involves testing without prior notice;

- b. RaDT shall involve simple random sampling from the population of employees of not more than 60% of the total population of regular and co-terminus;
 - c. The City Health Office will facilitate the gathering of samples from the selected public officials and employees to be tested by PDEA or contracted drug center;
4. RaDT shall be conducted at least once (1) every year. However, owing to the nature of their functions, the following employees holding the following positions/functions maybe subjected to RaDT and following the same guidelines on such frequency as maybe determined by the Board. Their selection for RaDT is without prejudice to their compliance for PEDT as the case may be:
- a. Drivers;
 - b. Civil Security Unit;
 - c. Security Officers/Security Guards;
5. The City Mayor's Office (CMO) shall ensure that the funds are provided for these undertakings;

SECTION 4. COMPOSITION. The composition of the Selection and Policy Board for the Panabo City PEDT and RADT shall be amended as follows:

Chairperson:	PEDRITO A. MISOLES, MAED, DST City Administrator
Members:	JAN MARI G. CAFE, MBA City Human Resources Management Officer
	ATTY. CHERVIN C. PACULANANG City Legal Officer
	DR. ERANIE L. PANGILINAN Acting City Health Officer
	YOLANDA B. BALANA City Local Government Operations Officer, DILG
	ROQUEOS L. CIMA FRANCA Administrative Officer V, CMO-POSS
	EDWARD A. ALILIN President, PCHGEA
Secretariat:	RHEA ROSE S. ARCENO Human Resource Management Officer II, CHRMO
	ALMIRA D. GALAN Human Resource Management Assistant, CHRMO
	ALITHA V. CONSUEGRA Bookbinder II, CHRMO
	MARIVEL A. LAJERA Bookbinder II, CHRMO

SECTION 5. FUNCTIONS. The functions of the Selection and Policy Board shall be as follows:

- A. The Board shall be responsible for the formulation of the mechanics for the random selection of candidates for RaDT, guided by the following considerations:
 1. Strict confidentiality rule shall be the primary consideration in the determination of the sample population;
 2. The selection of candidates adopts the statistical concept of simple random sampling "where each individual is chosen randomly and entirely by chance, such that each individual has the same probability of being chosen at any stage during the sampling process, and each subset of individuals has the same probability of being chosen for the sample as any other subset of individuals." (*Yates, Daniel S; David S. Moore; Daren S. Starnes (2008). The Practice of Statistics, 3rd Ed*)
 3. The final list of candidates shall be confirmed unanimously by the Board. Owing to the sensitive nature of the functions of the Board, it shall keep detailed minutes of its proceedings and shall be deemed confidential;
- B. The Board shall also formulate policies and recommend the same to the Local Chief Executive, especially on the conduct of tests (before and after test); policies on early intervention and prevention; rehabilitation and reintegration; and other matters relative to the PEDT and RaDT as conditions for employment. The policies must be geared towards the improvement of the City's Anti-Drug Abuse Policy as a condition for employment.

SECTION 6. INTERVENTIONS. Public officials and employees, Job Order workers and other personnel who are found positive of dangerous drugs at the first instance after the challenge test, or after a positive drug test result from a confirmatory test, failed to challenge said result, shall undergo a Drug Dependency Examination conducted by the DOH/CHO or by any medical practitioner accredited by the DOH/CHO to conduct examination and shall be subjected to following treatment and rehabilitation program:

- A. Experimenter- Outpatient, guidance counseling for six (6) months.
- B. Occasional User - Outpatient, guidance counseling and regular monthly drug testing for six (6) months which shall be at the personal expense of the public official or employee/personnel concerned.
- C. Chronic User/Drug Dependent - Mandatory continuous treatment and rehabilitation for a minimum period of six (6) months in a government rehabilitation center, a DOH-accredited private rehabilitation center, or through a community rehabilitation program sanctioned under the rules of the Dangerous Drugs Board.

SECTION 7. SANCTIONS. Any government employee/personnel found positive for illegal drug use shall be subjected to disciplinary/administrative proceedings and shall undergo the recommended treatment and rehabilitation program:

- A. **Positive for Use of Dangerous Drugs.** Names of the public officials and employees/personnel with positive results shall be submitted to the Board with a copy furnished to the CHRMO, subject to the strict confidentiality rule. Employees/personnel who are tested positive shall be dealt with administratively and referred for treatment and rehabilitation pursuant to Sec. 15 of RA 9165;
- B. **Challenge Result.** The public official or employee/personnel with positive drug test result shall have fifteen (15) days from receipt of notice, to challenge the result of the confirmatory test. The challenge test shall be conducted using the same specimen. Failure to file a challenge within the prescribed period shall make the positive drug test

result from the confirmatory test final. The challenge test shall be charged to the personal expense of the concerned public official or employee.

C. Employee Assistance Program

1. Employee/personnel concerned shall be informed by the CHRMO if found positive. Remedies under the Civil Service rules and regulations shall be afforded to the concerned employee/personnel;
2. Screening and assessment shall be done on employees/personnel with positive results to determine the level of care needed by the employee/personnel. This shall be carried out by trained occupational health personnel or by a DOH/CHO accredited physician;
3. The City Government of Panabo will help employees/personnel who tested positive for drugs to access appropriate intervention facilities. Counseling and programs for rehabilitation shall be provided assuring the affected employees/personnel productive re-integration;
4. Employees/personnel undergoing intervention shall be allowed to utilize their leave credits;

D. Strict Confidentiality Rule. All information relating to PEDT and RaDT or the identification of persons as users of drugs will be treated by the City Government as strictly confidential unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the person in question. Violation of this Rule shall be dealt with administratively.

E. Administrative Liability. Under item vii of CSC MC No. 13, S. 2017, public officials and employees/personnel shall be charged with an offense of Grave Misconduct or Gross Insubordination which shall be slapped with dismissal from office on its first offense, when:

1. Found to have used dangerous drugs during the prescribed period of their intervention or rehabilitation.
2. Are not issued a certificate of completion (in the case of experimenter and occasional user) or a certificate of completion with clearance (in the case of a chronic user/drug dependent).
3. After being tested positive for drug use and shall refuse to undergo treatment or rehabilitation, or fails to complete his/her treatment or rehabilitation program.
4. Without any valid reason, refuses to submit himself/herself for drug testing.
5. For the second time have tested positive in a random drug test after completion of his/her treatment and/or rehabilitation program of intervention or rehabilitation.
6. Found to have tampered the result of a drug test or interfered in the conduct of the drug test or in the release of drug test results.
7. Caught using or peddling drugs; and, without prejudice to the filing of appropriate criminal charge/s under R.A. No. 9165 and other pertinent laws.

F. Exemptions. Under CSC Resolution No. 1900238, elective officials are excluded from the coverage of CSC Resolution No. 1700653 and shall be subjected to appropriate disciplinary proceedings as may be provided under applicable governing laws and rules.

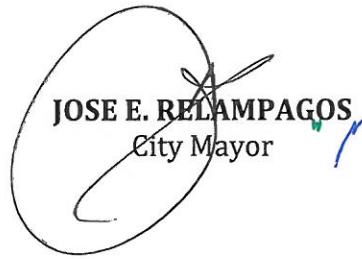
SECTION 8. ADVOCACY AND INFORMATION CAMPAIGN. The City Human Resource Management Office shall facilitate the conduct of briefing/orientation, to educate the potential applicants and employees/personnel about the negative consequences of drug abuse in coordination with CHO and CADAC.

SECTION 9. MONITORING, EVALUATION AND SUPPORT SERVICES. Monitoring and evaluation shall be done by the City Human Resources Management Office. Said office shall also provide a comprehensive program of support services, including counseling and rehabilitation, in order to ensure that drug dependents will re-integrate into society as productive members;

SECTION 10. REPEALING CLAUSE. All other issuances, orders, and directives which are inconsistent with this Order are hereby repealed and/or modified accordingly.

SECTION 11. EFFECTIVITY. This Executive Order shall take effect immediately.

Done this 16th day of June, 2023 at Panabo City, Davao del Norte, Philippines.


JOSE E. RELAMPAGOS
City Mayor