

U.S. Department of Energy

Oak Ridge Operations

ORO O 340 Chapter IV Change 2

DATE: 10/02/2002

SUBJECT: DRUG-FREE WORKPLACE TESTING IMPLEMENTATION PROGRAM

1. PURPOSE. This chapter correlates to DOE 3792.3, DRUG-FREE FEDERAL WORKPLACE TESTING IMPLEMENTATION PROGRAM, dated July 29, 1988, by assigning responsibility and accountability and providing administrative guidance to Oak Ridge Operations (ORO) and Office of Scientific and Technical Information (OSTI). Nothing in this issuance changes any requirements contained in any Department of Energy (DOE) directive.
2. CANCELLATION. This chapter cancels and replaces ORO O 340, Chapter IV, Change 1, DRUG-FREE WORKPLACE TESTING IMPLEMENTATION PROGRAM, dated November 17, 1998.
3. APPLICABILITY. The provisions of this chapter apply to all ORO and OSTI employees.
4. RESPONSIBILITIES.
 - a. Manager, ORO, and Manager, OSTI.
 - (1) Concur in a determination by a supervisor that an employee who has been determined to have used illegal drugs will be returned to sensitive duties.
 - (2) Request approval from the Office of Human Resources, DOE Headquarters (ME-50), before requiring an employee to undergo a test under the Reasonable suspicion@ provision (as defined in DOE 3792.3, subparagraph 4f) more than once in a 12-month period.
 - (3) Concur in the submission of position nominations for testing designated positions.
 - (4) Request concurrence from ME-50 for the use of administrative leave in excess of 10 days in accordance with DOE 3792.3, Chapter III, subparagraph 5d(2)(b).
 - (5) Request approval of exceptions to DOE 3792.3.
 - b. Assistant Managers, ORO and OSTI, concur in a determination by a supervisor that the "reasonable suspicion" criteria, as defined in DOE 3792.3, subparagraph 4f, for drug testing has been met.

- c. Assistant Manager for Environment, Safety, Health, and Emergency Management (AMESH) determines when an occurrence, as defined in DOE 3792.3, subparagraph 4i, requiring notification within 72 hours will lead to drug testing of involved employees.
- d. Chief Counsel provides legal advice and assistance as needed regarding actions taken relating to the DOE drug testing program.
- e. Director, Human Resources Division.
 - (1) Designates an ORO Program Coordinator and site coordinators as necessary, who receive notices of employees to be tested, test results, and serve as liaison with the Departmental Drug Testing Program Manager.
 - (2) Designates the Employee Assistance Coordinator(s) and ensures that the responsibilities described in DOE 3792.3, DRUG-FREE FEDERAL WORKPLACE TESTING IMPLEMENTATION PROGRAM, are carried out in accordance with the provisions of this Order.
 - (3) Provides day-to-day advice and guidance to managers and supervisors on matters relating to the DOE drug testing program.
 - (4) Performs all phases of technical and staff support to organizational units within ORO and OSTI on matters relating to the implementation of this chapter and related directives.
 - (5) Concurs in the decision to approve administrative leave up to 10 days in accordance with DOE 3792.3, Chapter III, subparagraph 5d(2).
- f. Director, Office of Safeguards and Security, (OSS).
 - (1) Concurs in determinations that an employee who has been determined to have used illegal drugs should be returned to sensitive duties.
 - (2) Provides advice and guidance to managers and supervisors on matters relating to security aspects of the DOE drug testing program.
- g. ORO and OSTI Principal Staff.
 - (1) Approve administrative leave up to 10 days in accordance with DOE 3792.3, Chapter III, subparagraph 5d(2), with the prior concurrence of the ORO Human Resources Division. This authority only applies to administrative leave during the abbreviated notice period for an adverse action where the "crime provision" is invoked for a drug-related offense.
 - (2) Propose or decide on disciplinary and adverse actions related to the DOE drug testing program in accordance with the requirements of DOE 3750.1, WORK FORCE DISCIPLINE, and ORO O 330, Chapter III, same title.
- h. Supervisors

- (1) Direct an employee to submit a urine specimen for testing if, in the view of the supervisor and after concurrence by the appropriate manager (and, if more than once in a 12-month period, by ME-50) the "reasonable suspicion" criteria (as defined in DOE 3792.3, subparagraph 4f) for drug testing has been met.
 - (2) Direct an employee to submit a urine specimen for testing if the AMESH has determined that the "occurrence" criteria (as defined in DOE 3792.3, subparagraph 4i) for drug testing have been met.
 - (3) Consult with the ORO Human Resources Division prior to taking actions following the determination of an employee's use of illegal drugs.
 - (4) Notify the OSS when an employee holding a DOE security clearance has been determined to be a user of illegal drugs, as required by DOE O 472.1B, PERSONNEL SECURITY ACTIVITIES.
 - (5) Nominate positions for inclusion in the random drug testing pool.
 - (6) Make and implement a series of decisions on removal from sensitive duties, leave, and discipline subsequent to a first-time determination of an employee's use of illegal drugs.
 - (7) Initiate action to separate from Federal service any employee who has been determined on the basis of a second confirmed positive drug test to have used illegal drugs.
 - (8) Recommend to the appropriate Manager when an employee who has been removed from sensitive duties should be returned to those duties, if in the judgment of the supervisor the employee's performance of those duties will not result in harm to the employee, co-workers, or the public, and will not jeopardize national security or the quality of the work.
 - (9) Decide whether direct observation will be required, as provided for in DOE 3792.3, Chapter II, subparagraph 6a.
 - (10) Respond to grievances related to the drug testing program in accordance with DOE 3777.1, GRIEVANCE POLICY AND PROCEDURES, and ORO O 340, Chapter II, same title, or negotiated agreements if the employee is in a bargaining unit.
5. REQUIREMENTS AND PROCEDURES. None.
6. REFERENCES.
- a. DOE O 472.1B, PERSONNEL SECURITY ACTIVITIES, dated March 24, 1997.
 - b. DOE 3750.1, Change 6, WORKFORCE DISCIPLINE, dated August 21, 1992.
 - c. DOE 3777.1, Change 3, GRIEVANCE POLICY AND PROCEDURES, dated August 21, 1992.

- d. ORO O 340, Chapter II, Change 1, GRIEVANCE POLICY AND PROCEDURES, dated November 17, 1998, and any subsequent revisions, which establishes procedures and responsibilities for the administration of the Departmental grievance procedure.
 - e. ORO O 340, Chapter III, Change 2, EMPLOYEE ASSISTANCE PROGRAM, dated June 29, 2000, and any subsequent revisions, which establishes procedures and responsibilities for the conduct of the ORO Employee Assistance Program.
 - f. ORO O 320, Chapter V, Change 2, LEAVE ADMINISTRATION, dated May 18, 1999, and any subsequent revisions, which establishes procedures and responsibilities for the use of leave.
 - g. ORO O 330, Chapter III, Change 2, WORK FORCE DISCIPLINE, dated February 5, 2001, and any subsequent revisions, which assigns responsibilities and accountability and provides administrative guidance for executing disciplinary actions based on conduct and/or performance and nondisciplinary adverse actions.
7. DEFINITIONS. None.
8. CONTRACTOR REQUIREMENTS DOCUMENT. None.
9. ATTACHMENTS. None.