



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 13
Series of 2016

AN ORDINANCE PROMOTING A DRUG FREE WORKPLACE IN THE CITY OF PASIG PROVIDING SANCTIONS THEREOF AND FOR OTHER PURPOSES.

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WHEREAS, the Dangerous Drugs Act provides that it is the policy of the State to safeguard the integrity of its territory and the well-being of its citizenry from the harmful effects of dangerous drugs on their physical and mental well-being, and to defend the same against acts or omissions detrimental to their development and preservation;

WHEREAS, the City Government of Pasig in its continuous pursuit of a comprehensive and an intensive campaign against the drug problem, aims to strengthen the implementation of anti-drug abuse policies in the workplace;

WHEREAS, drug abuse in the workplace may cause significant physical or mental dysfunction among the workers resulting to lower productivity, poor decision-making and reduced team effort and impaired work relationships among others;

WHEREAS, under Civil Service laws, heads of government agencies shall ensure a healthy and optimum workplace environment characterized by being drug-free which will include a program on random and mandatory drug testing, as the cases warrant, among all employees regardless of age, rank, salary or employment status to safeguard their health and well-being.

NOW, THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG PANLUNGSOD, in session duly assembled that:

Section 1. **TITLE.** – This Ordinance shall be known as “A Drug-free Workplace in the City of Pasig”.

Section 2. **PURPOSE** – this Ordinance primarily aims to achieve and maintain a safe and healthy work environment free from use of dangerous drugs in local government workplaces of Pasig City.

Section 3. **SCOPE AND COVERAGE.** This Ordinance shall apply to all officials and employees of the City Government of Pasig, regardless of age, rank, salary or employment status. It shall likewise apply to barangay officials and employees.

Section 4. **DEFINITION OF TERMS.**

1. Employee – For purposes of this Ordinance, this is any person who works for the city and barangay governments offices for wages or a salary as well as those who receive any kind of regular remuneration like honorarium or allowance.



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 13
Series of 2016

-page 2-

AN ORDINANCE PROMOTING A DRUG FREE WORKPLACE IN THE CITY OF PASIG PROVIDING SANCTIONS THEREOF AND FOR OTHER PURPOSES.

2. Authorized Drug Testing – Testing done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH to safeguard the quality of test results. It shall be composed of two (2) testing methods, the screening and the confirmatory tests.
3. Random Drug Test – subsection of personnel for drug testing as required by R.A. 9165.
4. Mandatory Drug Test – compulsory submission of an employee for drug testing as required by the agency's internal rules and regulations.
5. Probable Cause – "reasonable ground" to believe that a person is using or under the influence of dangerous drugs.
6. Screening Drug Test – a rapid drug test performed to establish potential or presumptive positive result. It refers to the immunoassay test to eliminate "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.
7. 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 drugs in a specimen, which shall likewise be done by any government laboratory or by privately-owned and operated drug testing laboratories accredited and monitored by DOH having confirmatory capabilities.

Section 5. **GUIDELINES.** The local government offices shall adopt the guidelines set by the Dangerous Drugs Board (DDB), particularly those found in its Board Regulation No. 2, Series of 2004 where the guidelines in the formulation of a Drug Abuse Policy in the workplace and the conduct of authorized drug testing, are set. There shall be two (2) types of authorized drug testing to be conducted by the offices: mandatory and random.

Mandatory drug testing shall be conducted for the following reasons:

- a. Pre employment,
- b. Persons in high risk/top decision-making positions,
- c. Past history of drug use,
- d. Involvement in accidents,
- e. Discovery of dangerous drugs paraphernalia,
- f. Detention by police or filing of charges in court for drug-related causes,
- g. As a requirement for promotion, and
- h. Employees to work after rehabilitation in a treatment and rehabilitation center.



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 13
Series of 2016

-page 3-

AN ORDINANCE PROMOTING A DRUG FREE WORKPLACE IN THE CITY OF PASIG PROVIDING SANCTIONS THEREOF AND FOR OTHER PURPOSES.

Random drug testing shall be conducted on selected employees without prior notice of the date and place of drug test or for "cause" or "probable cause" or when there is a reasonable ground to believe that a random test is necessary such as:

- Frequent unauthorized absences, repeated tardiness and truancy in the job.
- Personal appearance – slurred speech, bloodshot eyes, drastic change in appearance.
- Mental factor – hot headedness, irritability, increased difficulty in handling assignments.
- General performance – missed deadlines, low productivity, increased wastage, public complaints, frequent accidents, carelessness.
- Peer relations – isolation, frequent quarrels with officemates/co-workers, heavy money borrowing, frequent mood swings.

Section 6. IMPLEMENTING PROCEDURES. – There shall be a Drug-Free Workplace Committee at the City Government of Pasig and in each Barangay Government Office with the following composition: (1) Head of Office or representative, (2) Representative of the Employees, (3) Head of Personnel Office or representative, and (4) Head of the Health Office or representative.

The Committee will have the following duties and responsibilities:

- To oversee the formulation and implementation of the drug abuse policy and program of the workplace,
- Initiate continuing education and awareness program on dangerous drugs for the employees,
- Plan and supervise the drug testing program for employees.

The City Health Office of Pasig and Super Health Centers in coordination with accredited drug testing laboratories and the Philippine Drug Enforcement Agency shall conduct mandatory and random drug testing through screening and confirmatory tests on a quarterly basis.

Section 7. SANCTIONS. – Any official or employee who refuses to undergo drug testing shall be subjected to disciplinary and/or administrative sanctions; those found positive for drug use shall be subjected to disciplinary and/or administrative proceedings, dismissal from service subject to Civil Service laws, rules and regulations.

Section 8. FUNDING. – Funding for the random drug testing shall be taken from any available funds in the City Treasury, subject to existing COA rules and regulations.

Section 9. SEPARABILITY CLAUSE. – If, for any reason, any part or provision of this Ordinance shall be declared unconstitutional or invalid, other parts or provisions not affected thereby shall continue to be in full force and effect.



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 13
Series of 2016

-page 4-


AN ORDINANCE PROMOTING A DRUG FREE WORKPLACE IN THE CITY OF PASIG PROVIDING SANCTIONS THEREOF AND FOR OTHER PURPOSES.

Section 10. **REPEALING CLAUSE.** – All Ordinances or issuances of the City or parts thereof that are modified accordingly.

Section 11. **EFFECTIVITY.** – This Ordinance shall take effect immediately upon approval.

APPROVED, this 15th day of **September 2016** at Pasig City.

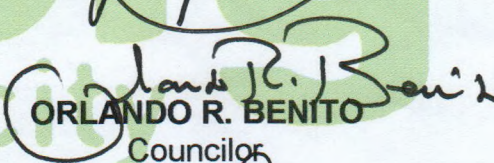

VICTOR MA. REGIS N. SOTTO
Councilor

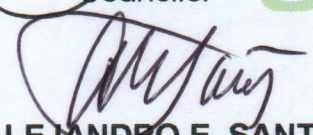

RODRIGO B. ASILO
Councilor

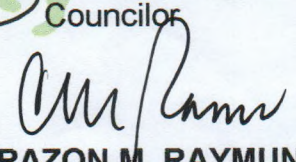

GREGORIO P. RUPISAN JR.
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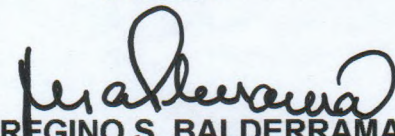

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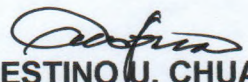

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Councilor


CELESTINO U. CHUA
LIGA President


FERDINAND A. AVIS
Councilor
Minority Floor Leader

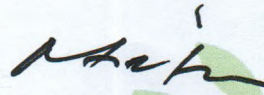


Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

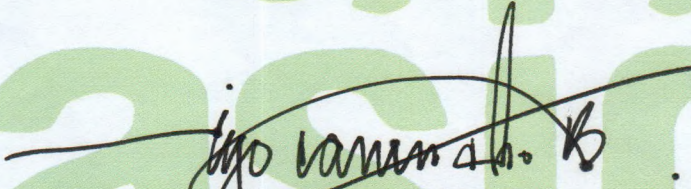
Ordinance No. 13
Series of 2016

-page 5-

AN ORDINANCE PROMOTING A DRUG FREE WORKPLACE IN THE CITY OF PASIG PROVIDING SANCTIONS THEREOF AND FOR OTHER PURPOSES.


WILFREDO F. SITYAR
Councillor
Majority Floor Leader

Attested by:


IYO CHRISTIAN C. BERNARDO
City Vice-Mayor
Presiding Officer

APPROVED:


ROBERT C. EUSEBIO
City Mayor

Attested by:


REYNALDO R. SAN BUENAVENTURA III
Acting City Council Secretary

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Stand P.S. Bond