

ORO CONTROL FORM - FINAL DIRECTIVE

PART A (To be completed by the Division of Primary Interest (DPI))

1. NUMBER AND TITLE OF DIRECTIVE: **ORO O 340, Chapter IV, Change 3, DRUG-FREE WORKPLACE TESTING IMPLEMENTATION PROGRAM**

2. PURPOSE OF TRANSMITTAL: New Directive Revised Directive

3. THIS DOCUMENT MAY AFFECT THE WORK PERFORMED BY THE FOLLOWING CONTRACTORS: (Check appropriate boxes)

No (all contractors)

Yes If yes, whom? Bechtel Jacobs Co. ORAU UT-Battelle ISOTEK (Bldg. 3019, ORNL)

Other contractors (list by type)

Many ORO contractors have approved Standards/Requirements Identification Documents (S/RIDs) or Work Smart Standards (WSS) Sets that may affect applicability of contractor requirements from this directive. Applicability of contractor requirements must take into account the approved standards set for each particular contract.

4. SIGNIFICANT PROVISIONS: Are there any significant changes or impacts? No Yes
If yes, describe: This ORO Chapter is part of the ORO sunset review process. Changes to the Chapter include updates to correlating Directives; organization titles; and references.

5. CONTACT POINT: Edward Dunbar Federal Human Resources Branch, AD-442 576-0670
Name Organization Telephone

PART B (To be completed by the Directives Management Group (DMG)):

6. FILING INSTRUCTIONS:

<u>Remove</u>	<u>Dated</u>	<u>Insert</u>	<u>Dated</u>
ORO Control Form	10/02/2002	ORO Control Form	10/13/2004
ORO O 340, Ch. IV, Chg. 2	10/02/2002	ORO O 340, Ch. IV, Chg. 3	10/13/2004

ORO Directives are available on the ORO Directives Management Group Home Page at http://www.ornl.gov/doe/doe_oro_dmg/oro_dir.htm. The ORO Directives will no longer be mailed in printed copy unless you do not have Internet capabilities.

7. APPROVED FOR DISTRIBUTION IN ACCORDANCE WITH THE OFFICIAL DIRECTIVES DISTRIBUTION LIST:

Original Signed By
Wayne H. Albaugh 10/13/2004
Signature: DMG Team Leader, AD-440 Date

INSTRUCTIONS TO ADDRESSEES: THIS FORM IS TO BE FILED WITH THE DIRECTIVE AND RETAINED

Rev. 06/14/2004

NNSA/YSO CONTROL FORM – FINAL DIRECTIVE

PART A (To be completed by the ORO DIRECTIVES MANAGEMENT GROUP, AD-440):

DIRECTIVE NUMBER, TITLE, AND DATE:

**ORO O 340, CHAPTER IV, CHANGE 3, DRUG-FREE WORKPLACE TESTING
IMPLEMENTATION PROGRAM, dated 10/13/2004**

PURPOSE OF TRANSMITTAL: _____ New Directive Revised Directive

DOES THIS DIRECTIVE CANCEL/REPLACE OR EXTEND ANY OTHER DIRECTIVES? Yes _____ No
If "Yes," list what action (cancel/replace or extend) and list the Directive(s), including the number(s), title(s), and date(s):

This Directive cancels and replaces ORO O 340, Chapter IV, Change 2, DRUG-FREE WORKPLACE TESTING IMPLEMENTATION PROGRAM, dated 10/02/2002.

The attached Directive is forwarded for review and action. Complete Part B and forward this form to ORO DMG, AD-440, by **10/28/2004**.

PART B (To be completed by the NNSA Y-12 SITE OFFICE, Y12-01):

CONTRACTOR APPLICABILITY:

Does this Directive affect the work performed by BWXT Y-12, L.L.C.? _____ Yes No

Does this Directive affect the work performed by BWXT Y-12, L.L.C., subcontractors? _____ Yes No

If "Yes," list the subcontractors:

Many contractors have approved Standards/Requirements Identification Documents (S/RID) or Work Smart Standards (WSS) Sets that may affect applicability of contractor requirements from this Directive. Applicability of contractor requirements must take into account the approved standards set for each particular contract.

SIGNIFICANT PROVISIONS: Are there any significant changes or impacts? Yes _____ No

List summary of Directive changes and, **if "Yes"** above, describe the significant changes or impacts:

See item No. 4, Control Form.

IMPLEMENTATION: Does the Directive contain special implementation requirements and/or dates? _____ Yes No

If "Yes," describe:

FOR DOE DIRECTIVE – SUPPLEMENTAL DIRECTIVE REQUIRED?

Is a new or revised supplemental Directive required? _____ Yes No

If "Yes," target date for submission of YSO Directive is _____.

IDENTIFY CONTACT POINT: S. L. Gaines 576-0401
Name Telephone

APPROVED BY COR FOR DIRECTIVES: Diane McCarten 11/05/2004 576-9330
Signature Date Telephone

PART C (To be completed by the ORO DIRECTIVES MANAGEMENT GROUP, AD-440):

DOE Directives are available on the DOE Directives Portal at <http://www.directives.doe.gov/>. ORO Directives are available on the ORO Directives Management Group Home Page at http://www.ornl.gov/roe/roe_oro_dmg/oro_dir.htm. Directives will no longer be mailed in printed copy unless you do not have Internet capabilities.

APPROVED FOR DISTRIBUTION IN ACCORDANCE WITH OFFICIAL DIRECTIVE DISTRIBUTION LIST:

Original Signed By
Wayne H. Albaugh, AD-440 11/09/2004
Name Date

INSTRUCTIONS TO ADDRESSEES: THIS FORM IS TO BE FILED WITH THE DIRECTIVE AND RETAINED.

(Revised 11/06/2003)

U.S. Department of Energy

Oak Ridge Operations

ORO O 340 Chapter IV Change 3

DATE: 10/13/2004

SUBJECT: DRUG-FREE WORKPLACE TESTING IMPLEMENTATION PROGRAM

1. PURPOSE. This Chapter correlates to DOE 3792.3, Change 1, DRUG-FREE FEDERAL WORKPLACE TESTING IMPLEMENTATION PROGRAM, dated August 21, 1992, 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 2, DRUG-FREE WORKPLACE TESTING IMPLEMENTATION PROGRAM, dated October 2, 2002.
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 Management, DOE Headquarters (ME-50), before requiring an employee to undergo a test under the "reasonable suspicion" provision (as defined in DOE 3792.3, Change 1, 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, Change 1, Chapter III, subparagraph 5d(2)(b).
 - (5) Request approval of exceptions to DOE 3792.3, Change 1.
 - b. Assistant Managers, ORO and OSTI, concur in a determination by a supervisor that the "reasonable suspicion" criteria, as defined in DOE 3792.3, Change 1, subparagraph 4f, for drug testing has been met.
 - c. Assistant Manager for Environment, Safety, and Health (AMESH) determines when an occurrence, as defined in DOE 3792.3, Change 1, 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 (HRD).
 - (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, Change 1, are carried out in accordance with the provisions of this Directive.
 - (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, Change 1, Chapter III, subparagraph 5d(2).
- f. Assistant Manager for Safeguards, Security, and Emergency Management, (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, Change 1, Chapter III, subparagraph 5d(2), with the prior concurrence of the ORO HRD. 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, Change 6, WORK FORCE DISCIPLINE, and ORO O 330, Chapter III, Change 3, 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, Change 1, 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, Change 1, subparagraph 4i) for drug testing have been met.
 - (3) Consult with the ORO HRD 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 472.1C, 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, Change 1, Chapter II, subparagraph 6a.
 - (10) Respond to grievances related to the DOE Drug Testing Program in accordance with DOE 3777.1, Change 3, GRIEVANCE POLICY AND PROCEDURES, and ORO O 340, Chapter II, Change 3, same title, or negotiated agreements if the employee is in a bargaining unit.
5. REQUIREMENTS AND PROCEDURES. None.
6. REFERENCES.
- a. DOE O 472.1C, PERSONNEL SECURITY ACTIVITIES, dated March 25, 2003.
 - 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 320, Chapter XI, PAY AND LEAVE ADMINISTRATION AND HOURS OF DUTY, dated June 12, 2003 and any subsequent revisions.
 - e. ORO O 330, Chapter III, Change 3, WORK FORCE DISCIPLINE, dated April 21, 2003, 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.

- f. ORO O 340, Chapter II, Change 3, GRIEVANCE POLICY AND PROCEDURES, dated September 28, 2004, and any subsequent revisions, which establishes procedures and responsibilities for the administration of the Departmental grievance procedure.
 - g. ORO O 340, Chapter III, Change 3, EMPLOYEE HEALTH AND ASSISTANCE PROGRAM, dated August 12, 2004, and any subsequent revisions, which establishes procedures and responsibilities for the conduct of the ORO Employee Assistance Program.
- 7. DEFINITIONS. None.
 - 8. CONTRACTOR REQUIREMENTS DOCUMENT. None.
 - 9. ATTACHMENTS. None.