YOUTH SERVICES
POLICY

Title: Drug-Free Workplace	**Type:** A. Administrative **Sub Type:** 2. Personnel **Number:** A.2.7
	Page 1 **of** 15
References: La. R.S. Title 40, 49:1001 through 1015; 30:2173(2) and 32:1502(5); American Federation of Government Employees v. Roberts, 9 F.3d 1464 (9th Cir. 1993) and American Federation of Government Employees Local 2391 v. Martin, 969 F.2d 788 (9th Cir. 1992); Division of Administration, Office of State Purchasing Bid Laws; 69 FR 19644, Executive Order No. BJ 08-69 "State Employee Drug Testing Policy"; ACA Standards 2-CO-1C-20 (Administration of Correctional Agencies) and 4-JCF-6D-03 (Performance Based Standards for Juvenile Correctional Facilities; 2-7164-1(Standards for Juvenile Probation and Aftercare Services); YS Policy Nos. A.1.14 “Unusual Occurrence Reports”, A.2.1 "Employee Manual", A.2.5 "Family and Medical Leave of Absence", A.2.11 "Employee Assistance Program", A.2.12 "Personnel Records", A.2.19 “Commissioned Probation and Parole Officer – Juvenile Special Agents”, A.2.48 “Driver Safety Program”, C.1.8 “Firearms Training, Use and Revocation”	
STATUS: Approved	
Approved By: *William A. Sommers, Deputy Secretary*	**Date of Approval:** 09/30/2020

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish guidelines for employee drug screens and drug/alcohol testing, including post-accident drug testing and substance abuse training.

III. APPLICABILITY:

This policy applies to all staff employed by YS.

Unit Heads are responsible for ensuring the procedures set forth in the policy are adhered to and for conveying the contents of this policy to all YS employees.

IV. DEFINITIONS:

Adulteration (Tampering)- refers to the ingestion of a foreign substance or the addition of a foreign substance to a testing specimen to prevent the detection of drug use. Adulterants affect specimens in a variety of ways, such as, the temperature, the odor, the appearance, the specific gravity, and/or the pH. of the sample.

Confirmatory Test - Drug testing conducted by a CAP-FUDT. CAP-FDT or SAMHSA certified laboratory after a "positive" result on an initial screen for the presence of drugs.

Continuous Quality Improvement Services (CQIS) - The Central Office performance-based and results-driven competency and efficiency management system.

Contracted Health Care Provider (CHP) - Contracted licensed practitioners responsible for the physical and mental well-being of the secure care youth population. Services include medical, dental, and mental health services, nursing, pharmacy, personal hygiene, dietary services, health education, and environmental conditions.

Dilution - adding a liquid or powder substance directly to one's own urine specimen and/or the consuming of large quantities of lemonade, soft drinks, sports drinks, or water, hoping to mask or destroy evidence of drug use.

Drug Testing - For the purpose of this policy, drug testing programs will generally be comprised of two testing components: 1) initial drug screen; and 2) confirmatory test. Performing a confirmatory test may be contingent upon the results of the initial drug screen.

Employee Assistant Program (EAP) - A program designed to assist and support employees who are experiencing personal problems. The program operates as a peer referral service to any employee with a personal problem that is affecting or has the potential to affect the individual's work performance.

FMLA – Family and Medical Leave Act of 1993, as amended in 2008, 2010 and 2013.

Hazardous Materials -- Any gaseous, liquid, or solid material which because of its quantity, concentration, or physical, chemical, or biological composition poses a substantial present or potential hazard to human health, the environment, or property when transported in commerce, or which material is identified or designated as being hazardous by rules and regulations adopted and promulgated by the secretary of the Department of Public Safety and Corrections pursuant to the Louisiana Administrative Procedure Act.

Human Resources (HR) Liaison – For purposes of this policy, the staff person designated by the Unit Head with the responsibility for collecting and retaining documents pertaining to drug / alcohol screen/test results of employees.

Illegal Substances - Controlled dangerous substances as defined in La. R.S. Title 40, alcohol, over the counter drugs, or any substance declared contraband or prohibited by policy and/or practice.

Inconclusive - an inability to definitively conclude that a specimen tests positive or negative;

Initial Drug Screen - The first analytical procedure to detect the presence of drugs or metabolites using approved drug-testing instruments. (See Section VIII.A. for additional information.)

Louisiana Employees Online (LEO) – Statewide management system which includes the Comprehensive Public Training Program (CPTP) providing online courses accessible to all state employees and which can be accessed at: http://www.civilservice.louisiana.gov/Divisions/Training/Default.aspx.

Office of State Human Capital Management (OSHCM) - A system that captures transactions involving state funds which was formerly performed by the Integrated Statewide System (ISIS).

Medical Review Officer (MRO) - A licensed physician holding either a Doctor of Medicine (M.D.) or Doctor of Osteopathy (D.O.) degree who has:

- Knowledge about and clinical experience in controlled substance abuse disorders;
- Detailed knowledge of alternative medical explanations for laboratory "positive" drug test results;
- Knowledge about issues relating to adulterated and substituted specimens; and
- Knowledge about possible medical causes for specimens reported as having an invalid result.

Occupational Health Clinic (OHC) - Any general hospital, or any other medical facility which operates a corporate medicine program or an employee wellness program which includes any of the following: (1) Routine commercial activities, such as pre-employment examinations; (2) mandated examinations, such as Federal Occupational Safety and Health Administration examinations; (3) routine workers' compensation cases; (4) routine medical evaluations involving establishment of product liability; (5) evaluations consigned to independent medical Examiners; (6) employee physical programs; (7) employee wellness programs; or (8) employee drug testing programs.

"Positive" Results - Results at or above the concentration cutoff levels previously established by the Substance Abuse and Mental Health Services Administration ("SAMHSA"), in a publication entitled "Mandatory Guidelines for Federal Workplace Drug Testing Programs" located in the Federal Register. A table of the specific cutoff levels that will be used for initial and confirmatory tests appear on the attached "Initial and Confirmatory Test Cutoff Concentrations" [refer to Attachment A.2.7 (b)].

Safety/Security Sensitive Position - All positions within YS are considered to be safety/security sensitive positions.

Sample –Includes urine, blood, saliva or hair provided by an employee for purposes of drug testing.

Sample Collection –) A procedure meeting guidelines as dictated by state law. (La.R.S.49:1005)

Substitution - submitting someone else's urine or other substances as the staff or employee's own urine in an attempt to and/or successfully circumvent the testing.

Testing Instruments – Approved testing devices which include, but are not limited to, a urine "tox cup" or saliva swab.

Training Records Entry Completed (TREC) – The database used to track training hours of YS employees at some secure facilities.

Unit Head – For purposes of this policy, the Deputy Secretary, Facility Directors and Regional Managers.

Unusual Occurrence Report (UOR) – A form/document that must be completed by staff to report incidents or observations of events that may have an impact on any aspect of the agency. UOR forms shall be made available to all employees, working all areas at all times. Employees must complete and submit a UOR prior to the end of their tour of duty on the day an incident is observed or comes to the employee's attention in any way. If a UOR form is not available, the employee must use any paper available to report the pertinent information. UORs may also be submitted by email in any format. (Refer to YS Policy No. A.1.14)

Workplace - Any location including all property, offices and facilities (including all vehicles and equipment) whether owned, leased or otherwise used by Youth Services or by an employee on behalf of Youth Services in the conduct of its business in addition to any location from which an individual conducts Youth Services business while such business is being conducted.

V. POLICY:

The Office of the Governor and this state has a long-standing commitment of working toward a drug-free Louisiana. Since substance abuse is a major contributor to activity which results in adjudication and is particularly detrimental to the mission of providing safety for YS employees, youth and the public, it is the Deputy Secretary's policy to promote increased employee awareness of substance abuse and to achieve and maintain a workplace free of drugs and alcohol.

In addition, employees who engage in substance abuse are less likely to enforce policies and procedures effectively to control or to prevent illicit drug and alcohol use by other employees and youth.

Employees with personal problems, such as alcohol or drug dependency, mental or emotional disturbances, marital, family, financial or legal concerns, etc., that are affecting or might affect job performance are encouraged to seek help voluntarily through the EAP. Self-referrals may be made confidentially. Supervisors may also refer an employee to the EAP if they have reason to believe that a personal problem may be affecting work performance. All such referrals shall remain confidential. (Refer to YS Policy No. A.2.11)

YS Policy No. A.2.1, Attachment (b) “Employee Rules of Conduct”, Rule #2.c., prohibits employees from reporting for or being on duty under the influence of alcohol or other intoxicants. Each employee is responsible for refraining from illegal use, possession, sale or manufacture of controlled substances, and from reporting to work or working while under the influence of or impaired by alcohol or drugs.

VI. TYPES OF TESTING:

A. Drug Testing Types Performed by CHP for Secure Care:

1. Pre-employment;
2. Random;
3. Probable Cause/Reasonable Suspicion (includes Triggering Events);
4. Post-Accident/Incident; and
5. Promotional.

The CHP will utilize the saliva swab drug screening instrument when conducting random, probable cause/reasonable suspicion, post-accident/incident and testing of secure facility employees. A urine drug screening instrument will be utilized when there is a need to test for the presence of alcohol.

B. Drug Testing Types Performed by OHC for Secure Care:

1. Rehabilitative.

C. Drug Testing Types Performed by OHC for CO/CBS:

1. Pre-employment;
2. Random;
3. Probable Cause/Reasonable Suspicion
4. Post-Accident/Incident including Discharge of a Firearm (refer to YS Policy Nos. A.2.19 and C.1.8);
5. Rehabilitative;
6. Promotional; and/or
7. Triggering Events.

D. Description of each Drug Testing Type:

1. **Pre-employment**:

   Drug screening shall be conducted after a conditional offer of employment is made, but no later than the date work begins, by the CHP for secure care staff, and by an OHC for CBS and CO staff.

   For those individuals who are being screened / tested for pre-employment purposes, if the initial drug screen produces a "positive" result, the prospective employee will either be referred for additional confirmatory testing or not considered for the position. No individual whose confirmatory test is "positive" shall be considered for employment.

2. **Random**:

   All YS employees shall be subject to random drug screening / testing. On a quarterly basis, a list of first and last names and personnel numbers representing at least five percent (5%) of a Unit's employees shall be selected at random by a computer-generated selection process through the Department of Public Safety, Human Resources (PSS/HR). This list shall be forwarded directly to the Unit Head and the unit's HR Liaison for handling in accordance with the procedures outlined in Section VIII of this policy.

3. **Probable Cause/Reasonable Suspicion/Drugs**:

   These types of tests must be authorized and documented on an "Unusual Occurrence Report" (UOR) by the Unit Head/Regional Director. The UOR shall be maintained by the unit's HR Liaison (refer to YS Policy No. A.1.14).

   Probable Cause/Reasonable suspicion/Drug, initial screening/confirmatory testing may be based on any of the following:

a. Observable phenomena, such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug or alcohol, or when the odor of alcohol, marijuana smoke or other substance is present;

b. Abnormal conduct or erratic behavior;

c. Arrest or conviction for a drug or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking (the term "trafficking" shall also mean "distribution");

d. Information provided by reliable and credible sources that are independently corroborated;

e. Newly discovered evidence that the employee tampered with a previous drug screen; and/or

f. Credible allegation or confirmation of involvement in a significant violation of policy which suggests drug/alcohol abuse.

4. **Post-Accident/Incident**:

a. Only If one or more of the six factors listed below apply, then any employee directly involved in an on-duty accident or incident, and whose action or inaction may have been a causative factor of same, shall be required to immediately submit to drug and alcohol testing.

i. Reasonable Suspicion: Circumstances give rise to a reasonable suspicion of the employee's drug or alcohol use or impairment; or

ii. Fatality: The accident or incident resulted in a fatality; or

iii. Hazardous Materials Release: The accident or incident resulted in or caused the release of hazardous was as defined in La. R.S. 30:2173(2) or hazardous materials as defined in La. R.S. 32:1502(5); or

iv. Involves an accidental and/or purposeful discharge of a firearm (refer to YS Policy Nos. A.2.19 and C.1.8);

v. Following an accident/incident that results in property damage; or

vi. While driving a state vehicle or personal vehicle [as authorized by the Undersecretary per YS Policy A.2.48] on state business and being involved in an accident/incident resulting in bodily injury or property damage.

NOTE: Employees should be aware of the legal presumption of impairment under La. R.S. 23:1081 if an employee refuses, after being so directed, to submit to drug or alcohol testing as a result of an on-duty accident or incident. As a consequence of such refusal, benefits under the workers' compensation laws of State of Louisiana may be denied. Employees and supervisors may also be subject to discipline, up to and including dismissal for failing to cooperate with, or to follow, these post-accident drug testing requirements.

b. Additional requirements for post-accident drug testing:

   i. The employee shall submit to the testing whether or not prior notification of the testing is provided and shall occur as soon as practicable after the accident.

   ii. As required, YS shall coordinate post-accident drug testing activities with the State's Third Party Administrator.

   iii. Each unit's HR Liaison shall perform the functions of post-accident testing.

5. **Rehabilitative**:

   An employee who has gone into a rehabilitation program as a result of a work related incident or confirmatory "positive" drug test result must agree to and participate in a 48 month program consisting of periodic drug screens or drug/alcohol testing, at the employee's own expense.

   Additionally, medical professionals who are in an impaired program or who have a documented substance abuse history must agree to periodic drug screens or drug/alcohol testing throughout the course of their employment.

6. **Promotional**:

   Drug screening/testing shall be conducted prior to any promotion.

7. **Triggering Events**:

   When events occur in a secure care unit or sub-unit that indicate illegal substances have been or are present, screening/testing of all staff who might have contact with that unit (or any of its subdivisions) shall be conducted by order of the Unit Head, Regional Director, Assistant Secretary or Deputy Secretary, and Investigative Services.

VII. SUBSTANCES TO BE TESTED FOR:

As provided by statute, drug screening/testing may be performed for any of the following classes of drugs:

A. Amphetamine (AMP);
B. Barbiturates (BAR);
C. Benzodiazepines (BZO);
D. Cocaine (COC);
E. Marijuana (THC);
F. Methadone (MTD);
G. Methamphetamine (METH);
H. MDMA (Ecstasy);
I. Opiate (OPI 300, MOP, MOR and OPI 2000);
J. Oxycodone (OXY);
K. Phencyclidine (PCP); and
L. Alcohol (ETG).

This does not preclude testing for any other drugs or alcohol.

VIII. GENERAL PROCEDURES OF THE DRUG TESTING PROGRAM:

Random Screening/Testing List –

A. PSS/HR shall generate the random employee selection list at the prescribed interval and ensure the lists are distributed directly to the Unit Heads and the unit HR Liaisons on Monday morning of the week the screens/tests for the quarter are to occur.

B. If on the week the quarterly screen/test list is distributed an employee is on leave and his name appears on the list, the unit's HR Liaison shall email the PSS/HR contact and request a replacement employee name be provided which shall be selected using the random computer-generated selection process as described in Section VI.E of this policy.

C. The unit's HR Liaison shall present the randomly selected employees with the "YS Random Employee Drug Screen/Test Notification" form [refer to Attachment A.2.7 (a)]. Employees shall sign, date and note the time on the form indicating they have been notified to immediately report to the secure care infirmary or the identified OHC for screening/testing prior to the end of their tour of duty. The notification form shall be maintained by the unit's HR Liaison as described in Section XI of this policy.

D. The unit's HR Liaison shall provide to staff reporting to an OHC with the attached and completed "Employee Health Referral Form" [refer to Attachment A.2.7 (d)] authorized by the Unit Head, which shall include any special instructions.

E. Once notified to report for a drug screen, a secure care employee shall not be allowed to leave the facility prior to reporting to the infirmary for a random drug screen by the CHP, unless the departure is work related and cleared by the Facility Director/Regional Director. Departure from the facility without reporting may subject the employee to disciplinary action.

   Secure care staff shall be screened initially using a saliva swab drug screening instrument supplied by the CHP.

   Once notified to report for a drug screen, regional and CO staff must report to the OHC prior to the end of the business day unless the employee's inability to report is job related and cleared by the Regional Manager/Regional Director, Undersecretary/designee, in which case the employee must report the following work day.

   During collection of urine specimens, medical or non-medical personnel, regardless of gender, may stand directly outside the bathroom door while the employee provides the specimen, as this helps ensure that the sample is not diluted or tampered with. If there is reason to believe that the employee may alter or substitute the specimen, then the specimen collection is directly observed and the observer, medical or non-medical personnel, should be the same gender as the person providing the sample.

   All employee drug screens/tests must be completed the week the random computer-generated lists are issued to the Units.

F. Employees shall provide a list of all prescription medications they are taking at the time of the test to the Medical Review Officer (MRO) at the OHC. <u>Failure of an employee to list a prescribed or non-prescribed medication prior to the testing, which results in a positive drug screening may result in disciplinary action.</u>

G. All screens/tests shall be conducted during the selected employees' work hours; no employee shall be called in on his day/night off or while on approved leave specifically for the purpose of a random drug screen/test.

H. Results of drug screens conducted by the CHP shall be delivered directly to the Facility Director in a sealed envelope.

   Results of drug tests conducted by an OHC shall be delivered to the Unit Head on a dedicated Fax line located in the Unit Head's office for confidentiality purposes.

   If the results of a drug screen or drug test are "negative", the results shall be hand-delivered by the Unit Head to the unit's HR Liaison, for record keeping in a secured location and for reporting requirements in accordance with Section XI of this policy.

If the results of a drug screen or drug test are “positive”, the Unit Head shall adhere to the procedures outlined in Section IX of this policy. The “positive” results shall be hand-delivered by the Unit Head to the unit’s HR Liaison, for record keeping in a secure location and for reporting requirements in accordance with Section XI of this policy.

IX. POSITIVE DRUG SCREEN/DRUG TEST RESULTS:

A. If the result of a secure care employee’s drug screen is “positive”, the Unit Head/designee shall immediately contact the employee to advise them of the following:

1. To report immediately to the unit’s HR Liaison to retrieve the “Employee Health Referral Form” [refer to Attachment A.2.7 (d)].

2. The employee will be kept under direct observation at all times until the confirmatory test is conducted. The employee shall not be allowed to drink fluids or ingest substances before the confirmatory test has been conducted. The employee must be escorted and observed at all times. If the employee must use the restroom, the escort shall stay in direct observation of the employee to ensure that he/she does not ingest any substance while in the restroom.

3. The employee will be escorted off the premises and transported by a staff member, designated by the Unit Head, to the nearest confirmatory testing site. The transporting staff shall ensure that the employee does not ingest any substances, including any fluids before the confirmatory test is completed. The transporting staff shall report any observed conduct indicating impairment and/or statements related to drug usage made by the employee during and after the escort to the confirmatory test. Transporting staff shall report any observations and/or statements on an Unusual Occurrence Report which shall be turned in immediately upon return from the confirmatory testing.

   Upon return to the facility from the OHC, if the employee appears to be impaired and does not have available transportation, the Unit Head/designee shall designate an employee to transport the impaired employee to their residence. If the impaired employee has an automobile at the Unit, the keys shall be retrieved by the Unit Head/designee until it is safe for the employee to retrieve the vehicle.)

4. The employee will be placed on “forced annual leave” if their leave balance is more than 240 hours; if less than 240 hours, the employee will be placed on “leave pending investigation” until the results of the confirmatory drug test are received from the OHC.

In the event the OHC is not open for confirmatory testing due to the time/day the screening results are received by the Unit Head, the Unit Head/designee shall inform the employee they are being placed on leave status as outlined in Section IX A.3 of this policy, until such time as the OHC is open during regular business hours (Monday-Friday / 8:00 a.m. – 5:00 p.m.) and the test results are received.

AFTER HOURS / EXTENDED OHC HOURS:
Secure Care Facility Staff will be escorted to the following OHCs for after hours and weekend confirmatory testing:

Acadiana Center for Youth:
SouthStar Urgent Care
863 Tunica Dr. W
Marksville, LA 71351
Phone 318-717-1175
Hours: Monday - Friday
8:30 AM - 8:00 PM
Saturday and Sunday
9:00 AM – 5:00 PM

Bridge City Center for Youth:
West Jefferson Industrial Medicine, L.L.C - Marrero Location
4475 West Bank Expw. Suite A
Marrero, LA 70002
Phone 504-347-8471
Fax 504-340-2885
Hours: Monday - Friday
7:30 AM - 5:00 PM
After Hours Call 504-433-5070

Swanson Center for Youth and Columbia Center for Youth:
Monroe Medical Clinic & Occupational Medicine (Progressive Healthcare)
100 South 2nd Street
Monroe, LA 71201
Phone 318-322-7836
Hours: Monday - Friday
8:30 AM – 8:00 PM
Saturday
9:00 AM to 5:00 PM

The employee shall not be allowed to return to work until the impaired condition is resolved and no earlier than the next scheduled work day if the Unit Head/ Regional Director approves the return to work.

B. If the results of a CBS or CO employee's confirmatory drug test from the OHC are "positive", the Unit Head/designee shall immediately notify the employee of the test results and of their continued placement on "leave", as outlined in IX.A.3 of this policy, with YS until further notice.

C. The Unit Head/designee shall immediately notify the Assistant Secretary, appropriate Regional Director, and Legal Services of a "positive" confirmatory drug test, and shall schedule a meeting within 48 hours to discuss the employee's future status with YS.

D. A confirmatory test may be utilized in lieu of the initial drug screen at the discretion of the Facility Director / Regional Director, Undersecretary/designee, and may result in disciplinary action (refer to YS Policy No. A.2.1).

E. In the event any test result is inconclusive, applicants or employees shall be required to submit to an unannounced retest as soon as reasonably practicable after the inconclusive results or obtained. A second inconclusive result will result in withdrawal of a conditional offer to hire or termination, except where limited by law.

F. In the event a test result is diluted, the individual will be subject to a retest as soon reasonably practicable after the diluted results are obtained. If the individual cannot produce a non-diluted sample in two attempts, and there is no documented medical reason for the diluted sample, it will be treated as a refusal to test.

G. In all cases, tampering with or adulterating a test specimen, taking any action to circumvent or avoid testing authorized by this policy, failing to cooperate with the investigation of a violation of this policy, and/or refusal or failure to comply with conditions imposed by corrective action will be grounds for withdrawing a conditional job offer or termination of current employment.

H. Employees are responsible for complying with this policy and for cooperating with any testing or investigation conducted in support of this policy.

I. Employees refusing to submit or failing to promptly submit to screening/testing where applicable, or testing positive may be subject to discipline, up to and including dismissal.

X. GENERAL PROCEDURES FOR ALCOHOL TESTING:

A. Alcohol testing shall be conducted by the CHP for secure care staff, and by an OHC for CBS and CO staff. Alcohol testing must be conducted utilizing a urine drug screening instrument. Confirmatory testing is not applicable.

B. In order for an employee to be tested, a supervisor and at least one other person must be a witness to and write a UOR about what objective signs they observed, to include:

1. The odor of alcohol on the employee's breath or about his person;
2. Red and/or bloodshot eyes;
3. Impaired balance;
4. Impaired speech; and
5. Admissions the employee makes about when and how much alcohol he has consumed.

C. The procedures in Section IX of this policy shall be adhered to relative to the following:

1. Reporting to a CHP/OHC;
2. Escort off the premises;
3. Placement on leave;
4. Notifications to appropriate staff; and
5. Consultation with Legal Services.

XI. RECORD KEEPING AND REPORTING REQUIREMENTS:

A. The unit's HR Liaison is required to maintain records of the following:

1. Each employee who has submitted to a drug screen or drug/alcohol test;
2. The date of such screen/test;
3. The name of the person or OHC performing the screen/test;
4. The number of screens/tests performed; and
5. Results of the screens/test.

B. The Deputy Undersecretary shall provide CQIS with a secure care facility quarterly report of random employee drug screening/alcohol testing activities for quality assurance purposes on the 10th day of the month following the quarter (October/January/April/July). The report shall include the following indicators:

1. The categories of screenings/tests conducted;
2. The number of screenings/tests conducted by category;
3. The number of "positives;
4. The percentage of "positives; and
5. The number of "negatives".

C. All drug screens and drug/alcohol test results, including post-accident drug testing results, shall be retained for a minimum of five (5) years by the unit's HR Liaison in a secured location pursuant to YS Policy No. A.2.12.

Legal Services shall be consulted prior to the destruction of these records due to possible pending litigation.

E. All information, interviews, reports, statements, memoranda and/or test results received through the unit's drug testing program are confidential communications pursuant to La. R.S. 49:1012, and may not be used or received in evidence, obtained in discovery or disclosed in any public hearing or private proceedings, except in an administrative or disciplinary proceeding or hearing or civil litigation where drug use by the tested individual is relevant.

   All such confidential information shall be maintained in a secure manner by the unit's HR Liaison.

F. By November 1st of each year, each Unit Head shall submit a report to PSS/HR detailing the following:

   1. Number of employees affected by the drug testing program;
   2. The categories of screens/tests conducted;
   3. The associated costs of screening/testing; and
   4. The effectiveness of the program.

G. By December 1st of each year, in conjunction with the Deputy Secretary/ designee, PSS/HR shall compile the attached "YS Annual Drug Testing Report" for submission to the Office of the Governor through the Division of Administration.

XII. STAFF DEVELOPMENT:

A. All new hires shall receive pre-service/orientation training within 90 days of hire by Legal Services.

B. All employees shall receive annual in-service training.

C. Records of compliance shall be documented in TREC and/or LEO.

Previous Regulation/Policy Number: A.2.7
Previous Effective Date: 04/26/2019
Attachments/References: A.2.7 (a) Random Employee Drug Screen Notification July2014.doc
A.2.7 (b) Test Cutoff Concentrations Jan 2019.doc
A.2.7 (c) Drug Testing Report Nov 2017.doc
A.2.7 (d) Employee Health Referral Form September 2020

YOUTH SERVICES

RANDOM EMPLOYEE DRUG SCREEN NOTIFICATION

UNIT _____

DATE: _____

TO: _____

FROM: _____
(Facility Director / Regional Director, Undersecretary/designee)

RE: NOTIFICATION OF RANDOM DRUG SCREEN SELECTION

This shall serve as your official notification that you have been randomly selected by Public Safety Services Human Resources computer-generated selection process to participate in a random drug screen in accordance with YS Policy No. A.2.7 "Drug-Free Workplace", effective July 8, 2014.

You are to report to the secure care facility infirmary or the Occupational Health Center prior to the end of your tour of duty this date for the random drug screen, unless other arrangements have been cleared by the Facility Director/Regional Director or Undersecretary/designee.

Secure care facility staff is prohibited from leaving the facility prior to the drug screen. Doing so may result in disciplinary action. Failure to participate in the drug screen may also result in disciplinary action in accordance with YS Policy No. A.2.1 (b) "Employee Rules of Conduct".

If you have any questions, please contact the Facility Director / Regional Manager. Thank you in advance for your continued cooperation in meeting the mission of the Office of Juvenile Justice.

_____	_____	_____
Employee Signature	Date	Time

c: PSS HR Office

YOUTH SERVICES
"Initial and Confirmatory Test Cutoff Concentrations"

Drug Name / Identification	Initial / Screen Test Cutoff Concentration Orla Fluid Drug Screen Device	Confirmatory Test Cutoff Concentration Urine Drug Screen Device
Marijuana metabolites (THC)	50 ng/ml	15 ng/ml
Cocaine metabolites (COC)	300 ng/ml	100 ng/ml - 150 ng/ml
Opiates (OPI)	2000 ng/ml	200ng/ml
Amphetamines (AMP)	1000 ng/ml	250 ng/ml - 500 ng/ml
Phencyclidine (PCP)	25 ng/ml	25 ng/ml
Methamphetamines (METH)	1000 ng/ml	250 ng/ml – 500 ng/ml

State of Louisiana
Employee Drug Testing Report

Agency: _____

Contact:

Executive Order BJ2008-69 directs state departments, agencies, boards, commissions, and entities of state government to promulgate a written policy which mandates drug testing of employees, appointees, prospective employees, and prospective appointees, pursuant to R.S. 49:1001, et seq. The Executive Order mandates drug testing under the certain circumstances, including: pre-employment/appointment; reasonable suspicion, post accident/injury and random testing for safety and security sensitive positions. Each executive agency shall submit to the Office of the Governor, through the Commissioner of Administration, a report on its written policy and drug testing programs by **December 1.**

Types of Testing	Total Employees in Position	Number of Tests	Number of Positive Results	% of Positive Results	Number of Negative Results
Pre-employment/appointment					
Post Accident/Injury					
Random: Safety or Security Sensitive Positions					
Reasonable Suspicion					
Random: Rehabilitation Program					
Other					
TOTAL					
ASSOCIATED COSTS:					
Collection					
Testing					
MRO					
Random Selector					
Other					
TOTAL:					

Narrative Description of Program (please attach policy)

Comments on Program Effectiveness:

Suggestions for Office of the Governor/Division of Administration:

Please submit report to Chief of Staff, DOA - Commissioner of Administration; P.O. Box 94095, Baton Rouge, LA 70804-9095; Fax (225) 342-1057; email: doacommissioner@la.gov

Employee Health Referral Form

Agency Info:
State of Louisiana/Office of Juvenile Justice
Referring Facility / Regional Office / Central Office:

_____

Address: _____

Contact: _____Phone:_____Fax:_____

Employee Info:
Employee Name: _____

Employee #:_____

Name and Location of Occupational Health Center Requested

_____

Services to be performed today (check all that apply):

- ☐ Pre-Employment Physical Examination
- ☐ Non-Dot Physical Examination
- ☐ Other_____
- ☐ Urine Drug Screen
- ☐ Confirmatory Drug Test
- ☐ Breath Alcohol Test
- ☐ TB Skin Test
- ☐ Chest X-Ray
- ☐ Hepatitis B Vaccine

SPECIAL INSTRUCTIONS:

Authorized by: _____ Date: _____