



DEPARTMENT OF THE NAVY  
NAVAL FACILITIES ENGINEERING COMMAND  
1322 PATTERSON AVENUE, SE SUITE 1000  
WASHINGTON NAVY YARD DC 20374-5065

IN REPLY REFER TO

NAVFACINST 12792.1A  
FAC CPP  
21 January 2003

NAVFAC INSTRUCTION 12792.1A

Subj: DRUG-FREE WORKPLACE PROGRAM FOR CIVILIAN EMPLOYEES

Ref: (a) Executive Order 12564  
(b) Public Law 100-71  
(c) SECNAV Instruction 12792.3  
(d) OCPMINST 12792.3

Encl:(1) OPNAVINST 5355.4

1. Purpose. To prescribe procedures for implementing requirements of enclosure (1) following regulatory requirements of references (a) through (d).
2. Cancellation. NAVFACINST 12792.1 OF 29 May 1996
3. Background. Basic requirements for a Federal Drug-Free Workplace Program (DFWP) were established by references (a) and (b). As stated in enclosure (1), within the Chief of Naval Operations (CNO), the DFWP will be standardized to the greatest degree possible. Definitions and additional guidance may be found in enclosure (1).
4. Applicability. This instruction applies to all civilian employees. Incumbents of and tentatively selected applicants for positions identified as being Testing Designated Positions (TDPs), as described in reference (c), and individuals who have volunteered to be included in the TDP pool are subject to mandatory drug testing.
5. Action. All management officials and supervisors of civilian personnel are required to comply with enclosure (1) and the following procedures in administering the DFWP:
  - a. Naval Facilities Engineering Command (NAVFAC) Drug Program Coordinator (DPC). The Navy Public Works Center (PWC), Washington has been designated as NAVFAC's DPC and has the authority to administer NAVFAC's DFWP in accordance with references (a) through (d) and enclosure (1). The PWC DPC can be reached at (202) 685-8122 and located at the Washington Navy Yard, Building 175.
  - b. Voluntary Testing. Employees not identified in the TDP pool as subject to mandatory testing may volunteer to be included in the program by submitting a written request to the PWC DPC. A written acknowledgment, as prescribed in Appendix G of enclosure (1), will be returned to such voluntary applicants.

c. Reasonable Suspicion Testing. First level supervisors or above are authorized to request reasonable suspicion tests. Approval of testing must be received from at least one level above the supervisor requesting the test. The decision to conduct a test will normally be made the same day the event or behavior occurred. After the decision to test has been made, the DPC will be contacted immediately to schedule testing for the same day, if possible, but not later than 24 hours after the event which caused the decision.

d. Applicant Testing. Tentative selectees for TDPs will be tested prior to employment, as appropriate under the provisions of enclosure (1). Those who test positive for illegal drugs will be barred from consideration for placement in any position within a CNO command or activity for a period of six months from the date of the positive drug test. Records of positive results will be maintained by the CNO and the Human Resources Office (HRO) Washington. Tentative selectees of any TDP must be cleared with HRO Washington DPC before a final offer of employment may be extended.

e. Compensatory Time and/or Overtime. The PWC DPC is authorized to approve up to one hour of compensatory time or overtime to complete collection procedures for employees who experience problems in providing a sample. Up to four hours of compensatory time or overtime may be approved by the PWC DPC to complete collection procedures in the case of a reasonable suspicion test. All time in excess of the above must be approved by the Commander, NAVFAC.

f. Transportation. Transportation to the testing site will be provided to individuals selected for testing, if necessary.

g. Testing Site. Individuals will normally be tested at the PWC Washington testing site, which is located in Building 175, Washington Navy Yard. The site may vary depending upon such factors as availability of facilities, work locations of individuals being tested, or mission concerns.

h. Accident/Unsafe Practice Testing. References to this type of testing which are included in paragraphs 6D (14) and Chapter I, Section B.3 of enclosure (1) have been revised. The Department of the Navy policy on post-accident testings in accordance with reference (d) is as follows:

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(1) Employees may be subject to testing when, based upon the circumstances of the on-the-job accident or unsafe, on-duty, job-related activity, their actions are reasonably suspected of having caused or contributed to an accident or unsafe practice that meets either of the following criteria:

(a) The accident or unsafe practice results in a death or personal injury requiring hospitalization.

(b) The accident or unsafe practice results in damage to government or private property estimated to be in excess of \$10,000 dollars.

(2) If a supervisor or manager suspects that an employee has caused or contributed to an on-the-job accident or unsafe, on-duty, job-related activity that meets either of the criteria stated above, he or she will gather all information, facts, and circumstances leading to and supporting this requirement. Approval for testing must be received from at least one level above the supervisor or manager requesting the test. If practicable, the decision to conduct a test will be made the same day the event or behavior occurs, or as soon as management becomes aware of the event or behavior. The PWC DPC will then be notified of the requirement to arrange for a test.

(3) Once approval has been obtained for testing, the supervisor will prepare written documentation which, at a minimum, will include the appropriate dates and times, circumstances surrounding the incident, the reasons leading to the test, the second-level concurrence, findings of the test, and any action taken.



P.H. DALBY  
Assistant Commander for  
Engineer Resources

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