	Manual Title:  <b>HUMAN RESOURCE MANAGEMENT &amp; DEVELOPMENT</b>	Document No.:  HRMD-OSH-01	Effectivity Date:
	Business Process Title:  <b>DRUG-FREE WORKPLACE POLICY</b>	Version No.:  1.0	Page No.: 1/8

## 1. Objectives

- 1.1 To promote and support the government's campaign against illegal drugs and protect the employees from the harmful effects on the employees' physical and mental well-being geared towards a drug-free nation.
- 1.2 To secure a workplace or environment safe and free from any influence, use, or possession of illegal drugs.
- 1.3 To provide mechanisms or measures to re-integrate into society and workplace those employees who have been positively found and/or fallen victims to drug abuse or dangerous drug dependence through sustainable programs of referral, treatment and rehabilitation.

## 2. Scope and Limitations

This policy shall apply to all employees regardless of employment status of the following companies under the following affiliates of the Anflo Group, namely:

- 2.1 Anflo Construction Corporation (ANFLOCON)
- 2.2 Anflo Management and Investment Corporation (ANFLOCOR)
- 2.3 Damosa Land Inc.(DLI)
- 2.4 Don Antonio O. Floirendo Sr. Foundation Inc. (AOFF)
- 2.5 Kalayaan Broadcasting System Inc. (KBSI)
- 2.6 Kensington Ventures, Inc.
- 2.7 SECURUS Security Agency
- 2.8 Tagum Agricultural Development Company, Inc. - Davao-Based (TADECO – Davao)
- 2.9 United Finance Corporation (Unifinance)

## 3. Definition of Terms

Dangerous Drugs – is a type of drug that people take for pleasure wherein excessive intake causes harmful effect to the human body. In addition, it causes addiction, habituation and/or disorientation in the human mind which result to some crimes and illegal actions, thus, the law declares the use and intake of these drugs illegal and prohibited. "Dangerous Drugs" include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the attached annex of R.A. 9165.

## 4. Guidelines

In compliance with Article V of Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, and its Implementing Rules and Regulations, DOLE Department Order No. 53-03, (Guidelines for the Implementation of a Drug-Free Workplace Policies and Programs for the Private Sector), and Davao City Drug Free -Workplace Ordinance 05-06-13 with its Implementing Rules and Regulation under Executive Order 032 Series of 2018, the **ANFLO Group of Companies (Damosa-based)** hereby adopts the following policies and programs to achieve a drug-free workplace.

## **A. Policy on Drug-Free Workplace**

### **The Anflocor Group of Companies (Damosa-based) explicitly prohibits:**

1. The use, possession, solicitation, or sale of dangerous drugs in any form in any of the companies, and/or while performing an assignment, duties and responsibilities within or outside the premises of the company;
2. Being impaired or under the influence of dangerous drugs inside or away from any of the companies' premises;
3. Possession, use, solicitation, or sale of dangerous drugs away and/or within the companies' premises;
4. The presence of any detectable amount of dangerous drugs in the employee's system while at work, while on the premises of any of the companies, or while outside but performing company business. "Dangerous Drugs" include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the attached annex of R.A. 9165.

## **B. Organization of Companies' Assessment Team**

1. To address all aspects of drug abuse prevention, treatment and rehabilitation in the workplace, the companies' Assessment Team is hereby organized which shall be composed of the following:
  - a. HRSS Division Head
  - b. HRMD Manager
  - c. Employees Association President
  - d. Legal Department Manager
  - e. Company Safety Officer/s
  - f. Health Officer (Company Nurse)
2. Role of an Assessment Team
  - a. Responsible for the formulation and endorsement for adoption of the companies, a Drug Free Workplace (DFW) policy and DFW plan of action;
  - b. Convene regularly to discuss, formulate, review and evaluate plans and programs related to drug free workplace;
  - c. Report to the employer any development including issues and concerns and updates related to the implementation of the Drug free Workplace program;
  - d. Coordinate with City Anti-Drug Abuse Council any concerns related to the implementation of DFW program and if necessary to PDEA and DOLE;

- e. Build awareness to the employees on the adverse effects of dangerous drugs and the drug-free workplace program of the companies through:
  - Training;
  - Education;
  - Symposia;
  - Forums;
  - Orientations;
  - Other similar activities to be determined by the Assessment Team.
- f. Ensure that mandatory drug testing is observed in the workplace in accordance with the companies' work rules and regulation (e.g. Data Privacy Act);
- g. Evaluate the results of the drug tests and determine the level of care and administrative intervention that can be extended to concerned employee;
- h. Provide in-house services to employees found positive with drugs such as, but not limited to counselling, physical/dental check-up and family education;
- i. On top of the drug test result, the Assessment Team shall administer screening process using available tools to assess the employee's level of exposure to illegal drugs.
- j. Ensure that confirmatory test is done for employees found positive in the mandatory drug testing conducted.
- k. Monitor the activities of the employees including work performance, attendance to treatment and rehab sessions, attendance at work, family relationship, etc.;
- l. In consultation with the head of the treatment facility for referral cases, the Assessment Team, following the rehabilitation, shall evaluate the status of the employee whether he/she is fit to work;
- m. Recommend to the employer the employee's resumption to work especially if he/she poses no serious danger to his/her colleague and the workplace;

#### C. Conduct of Drug Testing for a Drug-Free Workplace

1. Drug Test shall form part of the mandatory pre-employment requirements of all applicants intending to join the Anflo Group of Companies (Damosa-based). This is to ensure that only those qualified applicants will be screened and recruited to prevent the detrimental effects (e.g. lower productivity; poor decision making; increased accidents; more compensation claims; and reduced team effort) which drug use and abuse may cause in the workplace.
2. Unannounced Mandatory Drug Testing will be conducted to **ALL its employees** to ensure drug-free workplace **every three (3) years**. Should an employee refuse to undergo the mandatory drug testing, he/she shall be subject for disciplinary procedures as stipulated under our Employee Code of Discipline.



3. The Anflo Group of Companies (Damosa-based) shall avail of the services of a DOH Accredited Drug Testing Laboratory for its PDEA-Supervised Mandatory (unannounced) Drug Testing. PDEA and the DOH Accredited Drug Testing Laboratory will be assisted by the companies' Assessment Team.
4. The companies may also conduct drug testing under any of the following circumstances:
  - 4.1 **For-Cause Testing.** The companies may ask an employee to submit to a drug test at any time it feels that the employee may be under the influence of drugs, including, but not limited to, the following circumstances:
    - Evidence of drugs on or about the employee's person or in the employee's vicinity;
    - Unusual conduct on the employee's part that suggests impairment or influence of drugs and;
    - Negative performance patterns, or excessive and unexplained absenteeism or tardiness.
  - 4.2 **Post-Accident Testing:** Any employee involved in a "Near-Miss" incident or "Work Accident" under circumstances that suggests possible use or influence of drugs may be asked to submit to a drug test. As defined herein, "Near-Miss" means an incident arising from or in the course of work which could have led to injuries or fatalities of the workers and/or considerable damage to the employer had it not been curtailed. "Work Accident" refers to unplanned or unexpected occurrence that may or may not result in personal injury, property damage, work stoppage or interference or any combination thereof of which arises out of and in the course of employment.
5. All drug tests shall employ, among others, two (2) testing methods:
  - 5.1 **Screening Test** which determines the positive result as well as the type of the drug used.
  - 5.2 **Confirmatory Test** which will confirm a positive screening test. Where the confirmatory test turns positive, the company's Assessment Test shall evaluate the results and determine the level of the care and administrative interventions that can be extended to the concerned employee.
- D. **An Accredited Drug Testing Center by the Department of Health (DOH) will be designated as the companies' authorized drug testing laboratory for its employees and/or applicants.**
- E. **The companies shall inform the officers and/or employee who was subjected to a drug test of the test-results whether positive or negative.**
- F. **Referral, Rehabilitation, and Treatment**
  1. An employee who is found positive of drug use during testing (Screening and Confirmatory), shall be referred for treatment and/or rehabilitation in a DOH accredited center. For this purpose, the companies shall provide a list of at least three (3) accredited facilities which an employee who was tested positive for drugs may choose from, and will be treated/rehabilitated based on the following:



- a. **Low Risk** - In the event that an employee is identified in a low risk level, the Management shall refer the employee to the Barangay Based Programs specifically the Tabangan Ang Reformists Aron Naay Asenso (TARA NA) and Community-Based Rehabilitation and Aftercare Program (CBRAP).
  - b. **Moderate Risk** – In the event that an employee is identified in a moderate risk level, the Management shall refer him to a health facility-based outpatient intensive treatment and rehabilitation accredited by Department of Health (DOH).
  - c. **High Risk** – In the event that an employee is identified as a high risk level, the Company involved shall refer the employee to any DOH accredited in-patient treatment and rehabilitation facility or to an accredited treatment and rehabilitation center.
2. The Anflo Group of Companies (Damosa-based), through its assessment team, shall monitor all activities relating to the rehabilitation of employees found to be low to moderate risk level including but not limited to physical check-up and/or activities, attendance to drug rehabilitation seminars, training symposiums, education, forums and other similar activities to be required by the Barangay and/or City Government or the DOH accredited Rehabilitation Center. All expenses incurred by the employees shall be for their account and leave of absence shall be credited accordingly.
3. The Anflo Group of Companies (Damosa-based) shall give the employees found to be High Risk level a **six (6) months treatment/rehabilitation and recovery period**. During this period, the employee will remain an active employee of the Company but without pay except if the employee will utilize for purposes of timekeeping all his unused VL and SL until fully exhausted.
4. The Management may allow the employees to return for work after the employee has been treated, rehabilitated and recovered within a period of five (5) calendar days from his/her release. Provided that, he/she will present or submit a Medical Certificate duly issued by the accredited medical healthcare center certifying the employee's fitness to work. However, upon employee's return to work, he/she will be subjected to disciplinary actions based on the company's Employee Code of Discipline, the Labor Code of the Philippines, and of this policy.
5. If not rehabilitated or treated, the rehabilitation center should issue the corresponding recommendation which the Assessment Team will make a report together with the latter's recommendation to management for final decision. If the employee is recommended as unfit for work after the stipulated period of treatment and rehabilitation, the employee shall be dismissed from service, subject however to payment of separation pay based on the company's policies.
6. As part of the Anflo Group of Companies' (Damosa-based) Corporate Social Responsibility, the dismissed employee for use of high risk substance will be endorsed properly to City Anti-Drug Abuse Council (CADAC) for continuous treatment and rehabilitation. After the treatment and Rehabilitation period, the employee is required to secure a CADAC recommendation that he/she is fit, able, and ready to work. If the former employee is now found to be fit to work as recommended by CADAC, the employee can re-apply to the company and he/she will be

prioritized depending on the job availability or vacancy. The CADAC recommendation shall also be one of the basis for the company to accept or deny the subject employee in the event that he/she reapplies within the Anflo Group.

7. Employees found positive for use of illegal drugs shall be ground for his/her dismissal from service subject to observance of the requirements of the procedural due process.
8. All costs for the treatment and rehabilitation of the drug dependent employee shall be for his/her personal account. The period during which the employee is under treatment or rehabilitation shall be considered as authorized leaves. The employee may be allowed to utilize his/her available Vacation and Sick leaves.

#### **G. Advocacy, Education and Training**

- a. The Anflo Group of Companies (Damosa-based) undertakes to increase the awareness and education of its employees on the adverse effects of dangerous drugs through continuous advocacy, education and training programs/activities to all its employees. The program shall include the following topics:
  - i. Salient features of R.A. 9165;
  - ii. Adverse effects of abuse and/or misuse of dangerous drugs on the person
  - iii. Workplace, family and the community;
  - iv. Preventive measures against drug abuse; and
  - v. Steps to take when intervention is needed, as well as available services for treatment and rehabilitation.
- b. All employees are encourage to lead a healthy lifestyle while at work and at home, the company undertakes to conduct the following activities as often as possible:
  - i. Lifestyle assessment programs on health nutrition, weight management, stress management, alcohol abuse, smoking cessation, and other indicators of risk diseases;
  - ii. Health wellness screenings (e.g. blood pressure and heart rate, cholesterol test, blood glucose, etc.);
  - iii. Sports, recreational and fun-game activities; and
  - iv. Other activities promoting health and wellness.

#### **H. Roles, Rights and Responsibilities of Employer and Employees**

- a. The Company shall ensure that the workplace policies and programs on the prevention and control of dangerous drugs, including drug testing, shall be disseminated to all employees through posting of the policy in the Bulletin Boards and sending on the company's email portal.
- b. The Company shall maintain the confidentiality of all information relating to drug tests or to the identification of drug users/abusers in the workplace; exceptions may be made only when required by law, in case of overriding public health and safety concerns; or where such exceptions have been authorized in writing by the person concerned.

- c. All employees shall enjoy the right to due process, the absence of which will render the referral procedure ineffective.

## I. Sanctions

- a. Any employee who uses, possesses, distributes, sells or attempts to sell, tolerates, or transfers dangerous drugs or otherwise commits other unlawful acts within or outside the company premises as defined under Article II of RA 9165 and its Implementing Rules and Regulations shall be subject to the pertinent provisions of the said Act.
- b. Any employee found positive for use of dangerous drugs shall be dealt with administratively in accordance with the provisions of Article 297 of Book VI of the Labor Code, RA 9165, under this Policy, and the Employees Code of Discipline, to wit:

### I. Class A Offenses

- a. Non-cooperation in any company or group work or activity.
  - i. First Offense – Counseling
  - ii. Second Offense – Written Reprimand
  - iii. Third Offense – Suspension for three (3) working days
  - iv. Fourth Offense – Suspension for fifteen (15) working days
  - v. Fifth Offense – Dismissal

### II. Class C Offenses

- a. Refusing or neglecting to follow and obey company orders or to perform assigned work.
  - i. First Offense – Suspension for seven (7) working days
  - ii. Second Offense – Suspension for fifteen (15) working days
  - iii. Third Offense – Dismissal

### III. Class D Offenses

- a. Committing any act, whether in private capacity or in representation of the company, whether within or outside of the company time or premises, and whether personally or through another which jeopardizes or puts to bad light the reputation of goodwill of the company.
- b. Commission of any crime within or outside of company premises (pertaining to drugs).
  - i. First Offense – Dismissal

### IV. Labor Code of the Philippines

- a. Serious Misconduct or Willful Disobedience by the employee of the lawful orders of his employer or representative in connection to his work.
  - i. First Offense – Dismissal



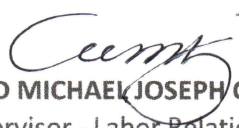
#### J. Monitoring and Evaluation

The implementation of these policies and programs shall be monitored and evaluated periodically by management to ensure a drug-free workplace. For this purpose, an Assessment Team shall be constituted in accordance with D.O. 53-03.


#### K. Implementation

The provisions of these policies and programs shall be immediately effective after its approval by the management and the employee's representatives and it's posting in the company's bulletin board.

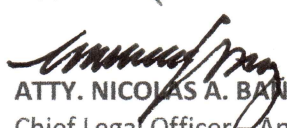
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