

# Office of the Sangguniang Panlungsod

An Ordinance approved by the Sangguniang Panlungsod of the City of Cauayan, Isabela in its Regular Session held on February 13, 2020 at the Sangguniang Panlungsod Session Hall.

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## ORDINANCE NO. 2020-274

### **AN ORDINANCE INSTITUTIONALIZING THE DRUG-FREE WORKPLACE POLICY IN THE CITY GOVERNMENT OF CAUAYAN, INCLUDING ITS ALL BARANGAYS, PROVIDING FUNDS THEREOF AND SANCTIONS THEREOF.**

(Sponsor: HON. DANILO B. ASIRIT)

**WHEREAS**, the 1987 Constitution and the Administrative Code of 1987 mandate the wide observance of morale, efficiency, integrity, responsiveness, progressiveness and courtesy in the Civil Service;

**WHEREAS**, Dangerous Drug Board (DDB) Board Regulation No. 13, Series 2018 aims to promote the establishment and institutionalization of drug-free workplace policies in all government agencies and to ensure that all public officers, both elective and appointive, remain drug-free through the conduct of authorized drug testing pursuant to Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, as amended and that the public will be ensured of effective and efficient service from the government, free from ill-effects of drugs use in the workplace;

**WHEREAS**, pursuant to the guidelines provided for by the Civil Service Commission's Memorandum Circular No. 13, Series of 2017, the City Government of Cauayan has already adopted Administrative Order No. 1, Series 2019 or the City Government of Cauayan Drug Free workplace Policy to ensure that the City Government of Cauayan remains Drug-Free and to promote the maintenance of a safe, healthy and efficient working environment by protecting its officers drug use in the work place.

**WHEREAS**, consistent with Sangguniang Panlalawigan Resolution No. 169, Series 2019, "A Resolution Directing Cities and Municipalities to Enact an Ordinance Establishing and Institutionalizing a Drug-Free Workplace Policies in their Respective Areas," and in the interest of the service, it is imperative for the City Government of Cauayan to provide effective strategies to strengthens its drive in establishing a drug-free workplace;

**NOW, THEREFORE**

**BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF CAUAYAN IN SESSION ASEMBLED THAT:**

**SECTION 1. TITLE V-**This Ordinance shall be known as the An Ordinance Institutionalizing the Drug-Free Workplace Policy in the City Government of Cauayan, including its all Barangays, providing funds thereof and sanctions thereof.

**SECTION 2. DECLARATION OF POLICY-** It is the policy of the City Government of Cauayan to maintain a safe, healthy and efficient working environment by protecting its offices and employees from the harmful effects of dangerous drugs and the threats created by illegal drug use in the workplace.

To this end, City Government of Cauayan shall promote a drug-free workplace through the adoption and implementation of an effective anti-illegal drug use program shall have activities to include, among others, advocacy, education, training, mental health and general welfare promotion and conduct of drug testing in the workplace.



**SECTION 3. COVERAGE-** This Ordinance shall cover the entire City Government of Cauayan, Isabela and its sixty-five (65) barangays with all its officials and employees without distinction as to rank, status, or position, whether elected or appointed, regular, permanent, casual or service provider under a job contract.

**SECTION 4. DEFINITION OF TERMS-** As used in this Ordinance, the following terms shall be defined as follows:

- a. **Authorized Drug Testing** – the examination of a person's urine or blood serum specimen to determine the presence of dangerous drugs. The testing shall be done by drug testing laboratories accredited by the Department of HEALTH ("DOH"). It shall employ, among others, two (2) testing methods, the screening test, which will determine the positive result as well as the type of the drug used, and the confirmatory test, which will confirm a positive screening test.
- b. **Center-** any of the treatment and rehabilitation centers which undertake treatment, aftercare and follow-up treatment of drug dependents. It includes institutions, agencies the like whose purposes are, the development of skills, arts and technical know-how, counseling and/or inculcating civic, social and moral values to drug dependent patients, with the aim of weaning them away from dangerous drugs and keeping them drug-free, adapted to their families and peers and readjusted into the community as law abiding, useful and productive citizens.
- c. **Challenge Test-** a drug test conducted as a result of a challenge field by a public official or employee who tested positive for drug use in a confirmatory test. The testing shall be done by any government forensic laboratory or by any other drug testing laboratory accredited and monitored by the DOH to safeguard the quality of test results.
- d. **Chronic User/drug Dependent-** a person identified for using drugs/other substances (mind altering or not) without medical need, in an amount large enough over a period long enough to threaten the quality of life or health and safety of the user or others.
- e. **Confirmatory Test-** an analytical test using a device, tool or equipment with a different chemical or physical principal 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 the DOH having confirmatory test capabilities.
- f. **Contract of Service/Job order-** refers to employment covered by a contract pertaining to lump sum work or services such as janitorial, security, or consultancy services where no employer-employee relationship exists; piece of work or intermittent job of short duration not exceeding six (6) months on a daily basis; all of which are not covered by Civil Service law, rules and regulations, but covered by Commission on Audit rules ; and the public officials or employees, including, but not limited to, personal economic relief allowance, cost of living allowance, and representation and travel allowance.
- g. **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 schedules attached annex which is an integral part of Republic Act No.9165 or the Comprehensive Dangerous Drugs Act of 2002, as amended (the "Act").
- h. **Drug Dependency Examination-** refers to the examination conducted by a physician accredited by the DOH to evaluate the extent of drug use of a person and to determine whether he/she is a drug dependent or not, which includes history taking, intake interview, determination of criteria for drug dependency, mental and physical status, and the detection of dangerous drugs in body specimens through laboratory procedures.



- i. **Drug Test Certificate** – a declaration/statement of the result of the drug test issue by accredited drug testing centers. It shall be valid for a period of one-year from the date issue and which may be used for other purposes, as a referred to in Section 36, Article III of RA 9165.
- j. **Employee Assistance Program** – a program that offers assistance to government officials or employees who have alcohol or drug-related issues and problems that may affect work performance. It shall be jointly implemented by the agency, the employees and employees' union.
- k. **Experimenter**- a person whose drug use began through exploration with limited exposure and no development or regular use or any related harm.
- l. **Mandatory Drug Testing** –compulsory submission of a public officer or prospective employee to drug testing as mandated by the Act or by the drug-free workplace program of the City Government of Cauayan and its all barangays.
- m. **Occasional User** – a person who indulges in drug use to create or enhance experience in any social setting.
- n. **Public Officer**- any person holding any public office in the Government of the Republic of the Philippines, by virtue of an appointment, election, or contract.
- o. **Random Drug Testing**- drug testing where the selection process results in equal probability that any employee from a group of employees will be tested, and without any prior notice of the date and venue.
- p. **Rehabilitation**- a dynamic process including aftercare and follow-up treatment directed towards the physical, emotional/psychological, vocational, social and spiritual change of a drug dependent to enable him/her to live without dangerous drugs, enjoy the fullest life compatible with his capabilities and potentials and render him/her able to become law abiding the productive member of the community.
- q. **Screening Test**- a rapid drug test performed to establish potential or presumptive positive result. It refers to the immunoassay test to eliminate a "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.
- r. **Substance Use Disorder ("SUD")**- term which combines categories of substance use, abuse and dependence into a single disorder measured on a continuum form from mild to severe. Each specific substance is addressed as a separate disorder (e.g. alcohol use disorder, shabu use disorder) and are diagnosed based on the same overarching eleven (11) behavioral criteria. Clinicians can also add "in early remission," "in sustained remission," "on maintenance therapy" and in controlled environment" in describing their diagnosis which could either be the following:
- i. **Mild SUD**- a minimum of two (2) to three (3) criteria has been met. Similar to experimental and occasional users;
  - ii. **Moderate SUD**- four (4) or five (5) criteria met which would be similar to regular and habitual users; and
  - iii. **Severe SUD** – if six (6) or more symptoms/ criteria have been met which is about the equivalent to an abuser and substance dependent individual
- s. **Treatment** – medical service rendered to a patient for the effective management of physical and mental conditions arising from his/her drug use.
- t. **Use**- any act of injecting, intravenously or intramuscularly, or consuming, either by chewing smoking, sniffing, eating, swallowing, and drinking or otherwise introducing into the physiological system of the body, any of the dangerous drugs.
- u. **Work accident** – an unplanned or unexpected occurrence that 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.
- v. **Workplace**-a place where work is usually performed. For this purpose, it shall mean all the offices of this City and the 65 barangays.

**SECTION 5. OBJECTIVE**—The City Government of Cauayan Drug-Free Workplace Program aims to maintain a safe, secure and healthy working. Its purpose is not to harass but rather to prevent the entry of illegal drugs and abuse thereof in the City Government of Cauayan and its 65 barangay, thus, ensuring protection of its workers, properties and reputation.

**SECTION 6. MANDATORY DRUG TEST**—Mandatory drug test is the compulsory submission of an official or employee for drug testing which is a condition for retention in the government service. It is conducted in any of the following instances, to wit:

- a. **PRE-EMPLOYMENT DRUG TESTING.** Drug testing shall remain a requirement for initial entry to government service for appointive public officials and employees. Any applicant found positive for drug use shall be denied entry to government service. The cost of which shall be shouldered by the applicant.
- b. **TEST OF PERSONS IN HIGH-RISK/ DECISION-MAKING POSITIONS.** This include among others, the following:
  1. Department Heads
  2. S Assistant Department Heads
  3. Division Chiefs
  4. Assistant Division Chiefs
- c. **PAST HISTORY OF DRUG ABUSE**
- d. **INVOLVEMENT IN ACCIDENTS**
- e. **DISCOVERY OF DRUG PARAPHERNALIA IN THEIR PERSONS OR WORK STATIONS**
- f. **DETENTION BY POLICE/FILING OF CHARGE IN COURT FOR DRUG-RELATED CASES**
- g. **EMPLOYEES REPORTING TO WORK AFTER UNDERGOING REHABILITATION IN A TREATMENT AND REHABILITATION CENTER; and**
- h. **AS REQUIREMENT FOR PROMOTION**

**SECTION 7. RANDOM DRUG TEST** — It is mandatory to require all personnel to random sampling done in such a way as to allow equal chance for all employees to be selected. The schedule and venue of the drug test is allowed to be set, even without prior notice.

Subsequent random testing shall be periodically conducted in an interval not to exceed two (2) years. The frequency of subsequent random drug tests shall be prescribed by the City Government of Cauayan taking into consideration, among others, the number of employees, nature of work being discharge, funding and other logistics.

**SECTION 8. TESTING FOR "PROBABLE CAUSE" OR REASONABLE GROUND**—Random drug testing may also be conducted when there is a reasonable ground to believe that the official or employee is using illegal drugs based on the following indicators:

- a. **Attendance**— frequent unauthorized absences, repeated tardiness and truancy from the job
- b. **Personal Appearance**— slurred speech, bloodshot eyes, drastic change in appearance, etc.
- c. **Mental Factor**—hot-headedness, irritability, increased difficulty in handling assignments, etc.
- d. **General Performance**— missed deadlines, low productivity, increased wastage, public complaints, frequent accidents, carelessness, etc.
- e. **Peer-Accidents**—Any officer/employee involved in a "Near-Miss" incident or "Work Accident" under circumstances that suggest possible use or influence of drugs.
- f. **Peer Relations**— isolation, frequent quarrels with officemates, heavy borrowing, frequent mood swings, etc.



**SECTION 9. PROCEDURE IN THE CONDUCT OF DRUG TESTING-** The following procedure shall apply in case of random testing:

a. Random Selection

- a.1 The Drug-free Workplace Committee should have the current list of the employees employed by the City Government of Cauayan.
- a.2 The employees shall be assigned a number or a similar scheme, which shall be randomly selected using any of the various means to create a statistical random sample.
- a.3 A minimum of 20% of the employees in the City Government of Cauayan shall be included in the random sampling.
- a.4 Previously selected employees shall be excluded from the sampling pool during each round of random drug testing until all personnel has been tested in a span of two years.
- a.5 Newly hired employees who have submitted their drug test results to the human Resource Management Office shall not be included in the list of employees for drug testing.

b. Notification of Employees

- b.1 The drug-free workplace Committee or Assessment Team shall notify the randomly selected officials or employees to undergo a urine test using the notice of Drug-testing form (Annex A).
- b.2 The randomly selected officials/employees must immediately report for the drug test. Thus, the date of the drug testing in the notice shall be the same date the notice will be tendered to the official/s or employee/s.
- b.3 If the concerned official or employee refuses to acknowledge receipt of the Notice, the notice server shall leave a copy of the said Notice to the said official or employee and execute an affidavit (Annex B) attesting to the fact that the notice was served but the official or employee refused to acknowledge its receipt.

c. Drug Test Proper

- c.1 The drug test shall only be conducted by any government Drug Testing Laboratory or by any drug-testing laboratory duly authorized and accredited by the Department of Health.
  - c.2 The selected officials/employees will fill up and sign the consent and chain of custody form issued to them.
  - c.3 The urine specimen bottles must be properly labeled to contain the name, ID number, employment number, position, date and the time when the urine sample was taken.
  - c.4 The taking of the urine sample must be done in an area where manipulation (e.g. adding water) is not possible.
  - c.5 The urine specimen/sample which tested positive after the screening test must be properly labeled and must be kept separately from the samples that tested negative for dangerous drugs.
  - c.6 All urine samples tested positive must be submitted for confirmatory testing to a laboratory having the confirmatory capability using the same urine sample.
  - c.7 After the confirmatory test, the same urine sample must be kept for the purpose of challenging the result.
- 4.3.2
- C.8 After the test is conducted, a drug test result shall be issued by the drug testing laboratory directly to the Local Chief Executive and not to the person so tested. The same result must be signed by the authorized signatory of the laboratory, the employee/officials concerned and a witness.

c.9 No further action is needed when the result is negative. The Drug Test Certificate is good for one (1) year and could be used for other purposes.

c.10 The drug Test results shall be attached to the employee 201 file as required by the Civil Service Commission.

**SECTION 10. PROCEDURES IN HANDLING A POSITIVE RESULT AFTER CONFIRMATORY TEST** – Should the drug test yield a positive result for the official or employee tested, the following procedures shall apply:

- a. If a urine sample has tested positive for dangerous drugs after a confirmatory test, such result shall immediately be made known to the Committee or Assessment Chairman or to the Local Chief Executive.
- b. Upon receipt of the result, the same shall be made known to the employees/ Official concerned.
- c. All records must strictly be held confidential as provided for under the pertinent provisions of RA 9165 and its implementing Rules and Regulations.
- d. The concerned employee has the right to challenge the result of the confirmatory test.
- e. The same specimen shall be used in the conduct of the challenge test by the government drug testing laboratory or by DOH accredited drug testing laboratory.
- f. The Official / employee who failed to challenge the result of a confirmatory test within fifteen (15) days from receipt or is found positive of dangerous drugs after the challenge test, shall undergo a Drug Dependency Examination conducted by DOH or by any medical practitioner accredited by the DOH to conduct the said examination.
- g. The concerned official/employee who failed to undergo a Drug Dependency Examination shall be subject to appropriate administrative action.
- h. A positive drug test result from the challenge test is deemed final and the public officer shall be subjected to administrative proceedings. Failure to file a challenge within the prescribed period shall make the positive drug result from the confirmatory drug test final. The City Government of Cauayan shall then take the appropriate action.

**SECTION 11. DRUG DEPENDENCY EXAMINATION** – (a) Public officials and employees who are found positive of dangerous drugs at the first instance after the challenge test, or after positive drug test result from a confirmatory test should the concerned public official or employee fail to challenge said result, shall undergo a Drug Dependency Examination conducted by the DOH or by any medical practitioner accredited by the DOH to conduct said examination and shall be subjected to the following treatment and rehabilitation program:

- i. Experiment – Outpatient, guidance counseling for six (6) months
- ii. Occasional User – Outpatient , guidance counseling and regular monthly drug testing for six (6) months which shall be at the personal expense of the public official or employee concerned.
- iii. Chronic User/Drug Dependent –Mandatory continuous treatment and rehabilitation for a minimum period of Six (6) months in a government rehabilitation center, a DOH-accredited private rehabilitation center, or through a community rehabilitation program sanctioned under the rules of the Dangerous Drugs Board.

(b) A public official or employee found to be an Experimenter shall shoulder the express of his/her guidance counseling. The same rule shall also apply to a public official or employees found to be an Occasional User, who shall undergo the guidance counseling and regular monthly testing. Time spent for the counseling and regular monthly drug testing. If done during office hour, shall be charged against the public official or employee's leave credits. For this purpose, the public official or employee's leave credits shall be utilized and when exhausted, vacation leave credits may be utilized for the purpose. If all leave credits are used, absences shall be on leave without pay.



(c) Any public official or employee found to be a Chronic User/Drug dependent, based on the results of the Drug Dependency Examination, and who will undergo the mandatory rehabilitation program for a minimum period of six months shall be considered on sick leave for the entire period of his/her rehabilitation. When the concerned public officials or employee's sick leave is exhausted, his/ her vacation leave credits may be utilized for the purpose. If all leave credits are used, his/her absence shall be on leave without pay.

(d) The Public official or employee shall undertake the processing of his admission to a rehabilitation center in accordance with the provisions of R.A. No. 9165 and existing rules of the Dangerous Drugs Board.

(e) The public official or employee concerned shall shoulder the expenses of his/her rehabilitation which shall commence within fifteen (15) days from receipt of drug Dependency Examination results, to give way to the processing of the necessary clearances.

**SECTION 12. ISSUANCE OF CLEARANCE UNDERGOING REHABILITATION PROGRAM** – The public official or employee concerned shall secure the certificate of completion of his/her rehabilitation program and clearance from his/her attending physician or guidance counselor that he/she has been successfully rehabilitated and is now fit to return to work and poses no serious danger to his/her co-employees and/or the workplace. Said public official or employee shall not be allowed to report back to work without first submitting said certification and clearance to his or her agency.

**SECTION 13.SANCTIONS** – any officer or employee found to have violated this Ordinance may suffer any or a combination of the following sanctions:

- a. Failure on the part of the Head of Office to implement this Ordinance within a reasonable period after its effectivity shall be dealt with in accordance with Republic Act No. 9165.
- b. Public officials and employees found to have used dangerous drugs during the prescribed period of their intervention or rehabilitation shall be charged with administrative offenses of Grave Misconduct.
- c. Public officials and employees who are not issued a certificate of completion (in the case of experimenter and occasional user) or a certificate of completion with clearance (in the case of a chronic user/drug dependent), shall be charged with the administrative offenses and Grave Misconduct.
- d. Any official or employee who, after being tested positive of drug use, shall refuse to undergo treatment or rehabilitation, or fails to complete his/her treatment or rehabilitation program shall be charged with administrative offence of Grave Misconduct.
- e. The charge of Grave Misconduct shall be grounded on the fact that said public official or employee was tested positive of drug use and not on his/her refusal to undergo or failure to complete his/her treatment.
- f. Any public official and employee who refuses without any valid reason, to submit himself/herself for drug testing, shall be charged with the administrative offense of Gross Insubordination.
- g. Public Officials and employees who for the second time have tested positive in a random drug test after completion of his/her treatment and/or rehabilitation program o shall be found to have used dangerous drugs during the prescribed period of intervention or rehabilitation shall be charged with the administrative offense of Grave Misconduct.
- h. Any public official and employee found to have tampered the result of a drug test or interfered in the conduct of the drug test or in the release of drug test result shall be charged with the administrative offenses of Grave Misconduct.

**SECTION 14. RESPONSIBILITIES OF THE CITY**– In pursuance with the purpose of this Ordinance, the City and its barangays are committed to the performance of the following responsibilities:

- a. Adopt a continuing and sustainable substance abuse awareness program to inform its employees about:
  - i. Its policy of maintaining a drug-free workplace;
  - ii. The dangers posed by the abuse of dangerous drugs;
  - iii. The availability of employees Assistance Program; and
  - iv. The consequences, penalties, and administrative sanctions in violation thereof.
- b. Conduct various activities to encourage their respective employees to lead a healthy lifestyle while at work and at home, such as:
  - i. Lifestyle assessment programs on health, nutrition, weight management, stress management, alcohol abuse, smoking cessation and other indicator of risk diseases;
  - ii. Health wellness screenings such as 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.
- c. Distribute a copy of this Ordinance to each employee
- d. Create a Drug Free Workplace Committee that shall oversee the formulation and full implementation of the Policy
- e. Increase awareness of the Drug menace fostered through trainings, posters and articles message: **"This is a Drug-Free Workplace. Let's Keep It That Way."**
- f. Conduct mandatory and random drug testing; and
- g. Ensure adequate funding for the implementation of the policy.

**SECTION 14. RESPONSIBILITIES OF THE EMPLOYEES AND THE OFFICIALS OF THE CITY GOVERNMENT OF CAUAYAN AND ITS BARANGAYS-**  
The officials and employees shall have the following responsibilities:

- a. Faithfully abide by the terms of the policy as a condition for continued employment;
- b. Never possess and/or use drugs and other substances of abuse;
- c. Prohibited to sell, give, provide, or administer directly or indirectly any drugs and/or other substances of abuse to his/her co-employees or others and /or to commit or abet/aid in the commission of any unlawful acts penalized under RA 9165;
- d. Voluntarily seek treatment and rehabilitation if they have problems related to dangerous drugs;
- e. Advocate actively against drug abuse; and
- f. Help maintain a drug-free workplace

**SECTION 15. AFFIRMATION AND COMMITMENT TO THIS ORDINANCE-** All officials and employees of the City Government of Cauayan and its barangays shall read this Drug-Free Workplace Ordinance and shall personally sign the Confirmation/Affirmation and Commitment to the Ordinance (Annex C).

**SECTION 16. THE CITY GOVERNMENT OF CAUAYAN DRUG FREE WORKPLACE COMMITTEE-** The City Government of Cauayan Drug-free Workplace Committee is hereby established which shall formulate and put in place the City's Drug Testing Program which shall be in accordance with the pertinent provisions of RA 9165 and this Ordinance. The program must be made to all employees and officers stressing the fact that the purpose is not to harass but rather to prevent the entry of illegal drugs and the abuse thereof. The program to be implemented must be developed through a process where consensus is achieved regarding its contents. The Committee shall be composed of the following:

- a. The City Mayor or his duly authorized representative
- b. Representative of the Employee's union or representative
- c. Head of the Personnel Department or representative
- d. Head of the Medical Department or representative



**SECTION 17. DUTIES AND FUNCTIONS OF THE COMMITTEE-** The Committee shall undertake the following duties and responsibilities:

- a. To oversee the formulation and implementation of the Policy in the City Government of Cauayan;
- b. Initiate continuing education and awareness program for the employees; and
- c. Initiate and adopt value formation, family enhancement and such other related and relevant programs.

**SECTION 18. EMPLOYEE ASSISTANCE PROGRAM-** The Committee is likewise mandated to establish an Employees Assistance Program within Thirty (30) days from the effectivity of this Ordinance which shall address the needs of officials or employees undertaking guidance counseling or rehabilitation as mandated by the provisions of this Ordinance.

A public officer, prior to the conduct of authorized drug testing, may seek proper intervention in coordination with the employee Assistance Program, which shall provide referrals and additional services to the public officer concerned. A drug dependency examination shall be conducted in order to determine the level of substance Use Disorder and the applicable intervention.

**SECTION 19. MONITORING-** The City Government of Cauayan and its barangays through the Committee shall submit annually to the Dangerous Board work programs and reports to the Dangerous Drugs Board (DDB) and Department of Interior and Local Government (DILG), such as, but not limited to:

- a. Number of officials and employees subject to drug testing;
- b. Those found positive for drug use; and
- c. Action taken by the Committee on those found positive for drug use.

The report would include the number of personnel who have already undergone testing, the dates and names of drug testing laboratories and programs shall be monitored and evaluated periodically by management to ensure a drug-free workplace.

**SECTION 20. CONFIDENTIALITY OF RECORDS-** All results of the drug test conducted by drug testing laboratories shall remain strictly confidential. Government officials, employees and/or any person who breach the confidentiality of any drug test result shall be charged in accordance with Section 72 of RA 9165.

**SECTION 21. FUNDING/COST REQUIREMENT -** The City Government of Cauayan shall bear the expenses for the conduct of the screening and confirmatory drug test of its employees, which may be sourced from the budget for employees' health and wellness. It shall include the funds for the conduct of subsequent drug tests in the annual budget proposal of employees' health and wellness.

Drug test conducted as a result of a challenge to a positive drug test result from the confirmatory test shall be charged to the personal expense of the concerned employee.

**SECTION 22. REPEAL-** All ordinances, rules and regulations, other issuances or parts thereof which are inconsistent with this Ordinance are hereby repealed, or modified accordingly.

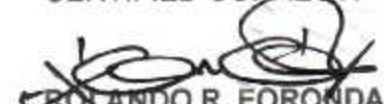
**SECTION 23. SEVERABILITY-** If, for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions not affected thereby, shall remain in full and effect.

**SECTION 24. EFFECTIVITY-** This Ordinance shall take effect after 15 days following its publication in the Cauayan City Website and in Bamboo, the Official Gazette of Cauayan City, and its posting in at least three (3) conspicuous places in Cauayan City, Isabela.

**RESOLVED, FINALLY**, to furnish copy of this Ordinance to the Office of the Hon. Bernard Faustino M. Dy, City Mayor; Mr. Carlito B. Andres, City Treasurer; PLC Gerald P. Gamboa, Chief of Police, PNP, Atty. Reina Consorcia M. Santos, City Information Technology and Communications Officer, all the 65 Punong Barangays, DILG Raul Melegrito, DILG Officer, Dr. Bernadynn Bengie Reyes, City Health Officer, Mr. Pilarito R. Mallillin, POSD Chief, Director II Agnes D. Mandap, Acting Director Compliance Service, PDEA the Sangguniang Panlalawigan, Provincial Capitol, Ilagan City, Isabela, and all of City of Cauayan, Isabela for their information and guidance

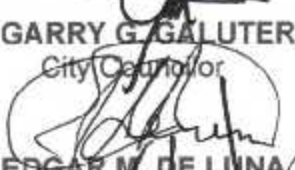
**ENACTED AND APPROVED:** February 13, 2020.

CERTIFIED CORRECT:


  
**ROLANDO R. FORONDA**  
Secretary to the Sanggunian

  
**HON. CYNTHIA Q. UY-BALAYÁN**  
City Councilor

**HON. DANILO B. ASIRIT**  
City Councilor

  
**HON. GARRY G. GALUTERA**  
City Councilor

  
**HON. RUFINO C. ARCEGA**  
City Councilor

  
**HON. EDGAR M. DE LUNA**  
City Councilor

  
**HON. ARIEL KENNETH V. UY**  
City Councilor

  
**HON. EDGARDO A. ATIENZA, JR.**  
City Councilor

  
**HON. VICTOR H. DY, JR.**  
City Councilor/LNB President

  
**HON. TELESFORO R. MALLILLIN**  
City Councilor

  
**HON. CAESAR S. DY, JR.**  
City Councilor/Sectoral Representative

  
**HON. PAUL VINCENT R. MAURICIO**  
City Councilor

  
**HON. FAUSTINO M. GAPASIN, JR.**  
City Councilor/Sectoral Representative


  
**HON. BAGNOS R. MAXIMO, JR.**  
City Councilor

  
**HON. CHARLENE JOY B. QUINTOS**  
City Councilor/SKF President

ATTESTED:

  
**HON. LEONCIO A. DALIN, JR.**  
City Vice Mayor/Presiding Officer

APPROVED:

  
**HON. BERNARD FAUSTINO M. DY**  
City Mayor  
May 20, 2020