

I MINA'TRENTAI KUÂTTRO NA LIHESLATURAN GUÁHAN
RESOLUTION STATUS

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
218-34 (COR)	Dennis G. Rodriguez, Jr.	Relative to adopting a Drug-Free Workplace Policy for <i>I Liheslaturan Guáhan</i> by adding a new Section 14.11 to Rule XIV, Part E of <i>I Mina'Trentai Kuâtro Na Liheslaturan Guáhan Otden Areklamento</i> (the 34th Guam Legislature Standing Rules).	9/8/17 10:55 a.m.		10/25/17 2:30 p.m.					

I MINA'TRENTAI KUÁTTRO NA LIHESLATURAN GUÁHAN
2017 (FIRST) Regular Session

Resolution No. 218-34 (COR)

Introduced by:

Dennis G. Rodriguez, Jr.
FRANK B. AGUON, JR.
William M. Castro
B. J.F. Cruz
James V. Espaldon
Fernando Barcinas Esteves
Régine Biscoe Lee
Tommy Morrison
Louise B. Muña
Telena Cruz Nelson
Joe S. San Agustin
Therese M. Terlaje
Mary Camacho Torres

Relative to adopting a Drug-Free Workplace Policy for *I Liheslaturan Guáhan* by adding a new Section 14.11 to Rule XIV, Part E of *I Mina'Trentai Kuáttro Na Liheslaturan Guáhan Oden Areklamento* (the 34th Guam Legislature Standing Rules).

1 **BE IT RESOLVED BY *I MINA'TRENTAI KUÁTTRO NA***
2 ***LIHESLATURAN GUÁHAN*:**

3 **WHEREAS, *I Mina'Trentai Kuáttro Na Liheslaturan Guáhan Oden***
4 ***Areklamento* (the 34th Guam Legislature Standing Rules) establishes the rules and**
5 **procedures of *I Mina'Trentai Kuáttro Na Liheslaturan Guáhan*, and were duly adopted**
6 **by lawmakers on January 2017; and**

1 **WHEREAS**, illicit drug use and alcohol abuse has become a rampant medical
2 and social disease among the residents of Guam; and

3 **WHEREAS**, it is the will of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan*
4 that all personnel of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* maintain and
5 conduct business within a drug-free workplace; and

6 **WHEREAS**, the proposed Drug-Free Workplace Policy for *I Mina'Trentai*
7 *Kuåttro Na Liheslaturan Guåhan* is incorporated and appended to this Resolution as
8 EXHIBIT A; and

9 **WHEREAS**, *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* desires to further
10 ensure a drug-free workplace through the adoption of a Drug-Free Workplace Policy;
11 now therefore, be it

12 **RESOLVED**, that *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan* does hereby
13 *add* a new Section 14.11 to Rule XIV (Personnel Rules and Regulations), Part E of *I*
14 *Mina'Trentai Kuåttro Na Liheslaturan Guåhan Otden Areklamento* (the 34th Guam
15 Legislature Standing Rules), and adopts the Drug-Free Workplace Policy (attached as
16 EXHIBIT A); and be it further

17 **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to, the
18 adoption hereof, and that copies of the same be thereafter transmitted to the Executive
19 Director and all members of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan*; and to
20 the Honorable Edward J.B. Calvo, *I Maga'låhen Guåhan*.

DULY AND REGULARLY ADOPTED BY I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN ON THE 25TH DAY OF OCTOBER 2017.


BENJAMIN J.F. CRUZ
Speaker


RÉGINE BISCOE LEE
Legislative Secretary

I. Scope and Purpose:

In accordance with the Organic Act of Guam, the legislative power and authority of Guam shall be vested in *I Liheslaturan Guåhan* (the Guam Legislature).

Employees of *I Liheslaturan Guåhan* play a critical role in the legislative process and their health and safety is a serious concern. *I Liheslaturan Guåhan* will not tolerate illegal use of drugs or abuse of alcohol which imperils the health and well-being of its employees or threatens *I Liheslatura*'s ability to properly fulfill its obligation to the people of Guam.

The illegal use of drugs or abuse of alcohol, on or off-duty, is inconsistent with the law-abiding behavior expected of all employees of *I Liheslaturan Guåhan*. Employees who illegally use drugs or abuse alcohol, on or off-duty, may be less productive, less reliable, and prone to greater absenteeism. These behaviors threaten *I Liheslatura*'s ability to fulfill its professional responsibilities.

Employees have a reasonable expectation to work in a drug and alcohol free environment and to work with persons free from the effects of the illegal use of drugs or the abuse of alcohol. Employees who illegally use drugs or abuse alcohol may pose a danger to themselves, other employees, and the public. Illegal use of drugs or abuse of alcohol by employees may decrease *I Liheslatura*'s productive resources and the health and well-being of its workers and their families.

It is the duty and responsibility of *I Liheslatura* and its employees to maintain a safe and productive work environment, and to perform duties and responsibilities as safely, effectively, and efficiently as possible. In order to accomplish this goal, *I Liheslaturan Guåhan* and its employees shall not be adversely affected or impaired in any way by the illegal use of drugs, abuse of alcohol, or the presence of illegal drugs.

II. Objectives:

- a. To ensure a drug-free and alcohol-free work environment for *I Liheslaturan Guåhan* and its employees;
- b. To provide a safe and productive work environment for all employees;
- c. To provide a work environment free of any adverse effects on job performance caused by drug or alcohol related problems; and
- d. To provide reasonable awareness education related to drug and alcohol.

III. Policy:

It shall be the policy of *I Liheslaturan Guåhan* to maintain a workplace free of the illegal use of drugs and abuse of alcohol.

- a. Reporting to work or performing work for *I Liheslatura* while impaired by or under the influence of illegal drugs or alcohol is prohibited.



- b. The illegal use, possession, dispensation, distribution, manufacture, or sale of a controlled substance by an employee at the workplace, during normal work hours, while an employee is on duty, or conducting official business for *I Liheslaturan Guåhan*, is prohibited.
- c. A violation of Sections III (a) and (b) is considered conduct detrimental to the ability of *I Liheslaturan Guåhan* to perform its duties and will result in appropriate actions in accordance with the Standing Rules of *I Liheslaturan Guåhan*.
- d. Employees are required to inform the Executive Director within five (5) working days of any criminal drug or alcohol related conviction where such conviction was due to an occurrence at the workplace, during normal work hours, while an employee is on-duty, or conducting official business for *I Liheslaturan Guåhan*.
 - (1) An employee who is convicted of violating any criminal drug or alcohol statute in such workplace situations as stated above will be subject to appropriate actions in accordance with the Standing Rules of *I Liheslaturan Guåhan*.
 - (2) A conviction means a finding of guilt (including a plea of *nolo contendere*) or the imposition of a sentence by a judge or jury in a court of law.
- e. All employees of *I Liheslaturan Guåhan* will be given a copy of *I Liheslaturan Guåhan's* Drug Free Workplace policy and amendments thereafter. Employees are hereby informed that they must abide by the terms of the policy as a condition of employment and of the consequences of any violation of such policy.

Notification and receipt of this policy will be required as part of a new employee orientation. Employees must read and sign the Drug Free Workplace Affirmation Form, which will be made a part of their confidential file.

IV. Drug and Alcohol Abuse Awareness Program:

I Liheslaturan Guåhan will endeavor to educate employees about the dangers of the illegal use of drugs and alcohol abuse. *I Liheslaturan Guåhan* will provide a drug and alcohol abuse awareness program (subject to the availability of resources) to assist employees to understand and avoid the perils of drug and alcohol abuse. Training will be given to employees at least once a year; attendance of employees at such training will be mandatory. *I Liheslaturan Guåhan* will use the program in an ongoing educational effort to prevent and eliminate illegal drug use and alcohol abuse.

The drug and alcohol abuse awareness program shall provide information to employees as follows:

- The dangers of illegal use of drugs and abuse of alcohol;
- The Drug Free Workplace Policy of *I Liheslaturan Guåhan*;
- The appropriate actions *I Liheslaturan Guåhan* will take for violations of its Drug Free Workplace Policy.



V. Drug and Alcohol Screening Program:

I Liheslaturan Guåhan will undertake reasonable efforts to establish a drug and alcohol screening program for employees as well as those individuals who have received a conditional offer of employment. Employees will be notified when the testing will begin. This program will be implemented and maintained by the Executive Director of *I Liheslatura* or any other person designated by the Chairperson of the Committee on Legislative Operations.

VI. Types of Drug and Alcohol Testing:

1. Pre-employment testing – conditional offer of employment;
2. Reasonable suspicion testing; and
3. Voluntary testing.

VII. Applicability:

The Drug Free Workplace Policy applies to all employees of *I Liheslaturan Guåhan*.



Senator Thomas C. Ada,
Vice Chairperson

Speaker Benjamin J.F. Cruz,
Member

Vice Speaker Therese M. Terlaje,
Member

Senator Frank B. Aguon, Jr.,
Member

Senator Telena C. Nelson,



Senator Dennis G. Rodriguez, Jr.
Member

Senator Joe S. San Agustin
Member

Senator Michael F.Q. San Nicola
Member

Senator James V. Espaldon
Member

Senator Mary Camacho Torres
Member

COMMITTEE ON RULES

SENATOR RÉGINE BISCOE LEE, CHAIR

SIKRITARIAN LIHESLATURAN GUÅHAN
I MINA'TRENTAI KUÅTTRO NA LIHESLATURAN GUÅHAN
LEGISLATIVE SECRETARY • 34TH GUAM LEGISLATURE

COMMITTEE VOTING SHEET

Resolution No. 218-34 (COR) – Dennis G. Rodriguez Jr., – “Relative to adopting a Drug-Free Workplace Policy for *I Liheslaturan Guåhan* by adding a new Section 14.11 to Rule XIV, Part E of *I Mina'Trentai Kuåttro Na Liheslaturan Guåhan Oden Areklamento* (the 34th Guam Legislature Standing Rules).”

	SIGNATURE	DATE	TO ADOPT	TO NOT ADOPT	TO ABSTAIN
Senator Régine Biscoe LEE	<i>[Signature]</i>		✓		
Senator Thomas "Tom" ADA					
Senator Frank B. AGUON, Jr.	e-vote		✓		
Senator William M. CASTRO	<i>[Signature]</i>		✓		
Speaker Benjamin J.F. CRUZ	e-vote		✓		
Senator James V. ESPALDON					
Senator Fernando Barcinas ESTEVES					
Senator Thomas "Tommy" MORRISON	e-vote		✓		
Senator Louise B. MUÑA	<i>[Signature]</i>		✓		
Senator Telena Cruz NELSON	<i>[Signature]</i>		✓		
Senator Dennis G. RODRIGUEZ, Jr.	e-vote		✓		
Senator Joe S. SAN AGUSTIN	e-vote		✓		
Senator Michael F.Q. SAN NICOLAS					
Vice Speaker Therese M. TERLAJE					
Senator Mary Camacho TORRES					
For Sponsor's Office Use Only					
Sponsor Signature: <i>[Signature]</i>					
Staff Contact Person: <i>[Signature]</i>					
For COR/Clerk's Office Use Only					
9 Certified Returned					
Name: <i>[Signature]</i> <i>[Signature]</i>					
Date: _____					
Notes: _____					

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