

To:

\_\_\_\_\_  
Employee/Applicant/Appointee Name (Print)

\_\_\_\_\_  
Position Title

\_\_\_\_\_  
Agency

It is the policy of the District government to provide a drug-free workplace and for all employees to abide by this policy. In accordance with Chapter 4 of the District Personnel Manual (DPM), *Suitability*, this notice informs you that you have been appointed to, or occupy, a protection sensitive position that makes you subject to drug and alcohol testing. If you are detailed, temporarily promoted, or temporarily reassigned to a protection sensitive position, you are also subject to the types of drug and alcohol testing below while assigned to that protection sensitive position. Protection sensitive positions are positions with duties or responsibilities that involve caring for patients or other vulnerable persons. **Protection sensitive positions, including those for which testing is specifically required by law, are subject to the following drug and alcohol tests: (1) pre-employment, (2) reasonable suspicion, (3) post-accident or incident, and (4) return-to-duty and follow-up. Except as described below, drug testing includes testing for the presence of cannabis (marijuana).**

In general, testing for drugs shall be conducted by urine sample from the individual being tested, and testing for alcohol shall be conducted utilizing an evidentiary breath-testing device or EBT, commonly referred to as a "breathalyzer."

**An appointee or employee in a protection sensitive position who tests positive for drugs or alcohol, fails or otherwise refuses to submit to a required drug or alcohol test, or fails or otherwise refuses to follow instructions given during a required drug or alcohol test, may be deemed unsuitable for their protection sensitive position.** If an employee is deemed unsuitable, at the discretion of the employing agency, the employing agency may move the employee to a non-covered position for which they are qualified and otherwise suitable, or take appropriate administrative action, up to and including termination, pursuant to the appropriate adverse action procedures, such as the procedures specified in Chapter 16 of the DPM or any applicable collective bargaining agreement. If you are an appointee to a protection sensitive position at a District government agency, you must pass a pre-employment drug test upon appointment. You will not be disqualified from employment based on a positive pre-employment drug test result showing the presence of cannabis only, unless you are found to be in possession of or under the influence of cannabis at the time of testing. Otherwise, if an appointee has a positive drug or alcohol test, fails or otherwise refuses to submit to a required drug or alcohol test, or fails or otherwise refuses to follow instructions given during a required drug or alcohol test, any conditional offer of employment will be rescinded, and no final offer of employment will be made. Each personnel authority is required to provide you with notice and information on the requirements for drug and alcohol testing. This constitutes the required notice and provides you with general information about the requirements for drug and alcohol testing. You are required to acknowledge receipt of this document by signing your name at the bottom of this document.

## NOTICE OF RIGHTS

Through this document, you are being notified as to your designation as a protection sensitive employee. You have a number of rights relating to this designation, including that you may file an appeal of your protection sensitive designation by submitting an electronic form to <https://forms.office.com/g/vaz7tyfY8d> no later than forty-five (45) business days after your designation changes, or no later than 45 days after a significant change in circumstances occurs, such as becoming actively registered in a medical cannabis program run by the District or your jurisdiction of residence.

## ACKNOWLEDGEMENT OF RECEIPT

I have read the **Individual Notification of Requirements Drug and Alcohol Testing** form and, by signing my name below, I acknowledge that I will or currently occupy a protection sensitive position that is subject to drug and alcohol testing, and that I have been notified and provided general information about the requirements for drug and alcohol testing. I acknowledge that, should I test positive for drugs or alcohol on any of the above-mentioned drug and alcohol tests, I may be subject to administrative action, up to and including termination of my employment.

\_\_\_\_\_  
Employee/Applicant/Appointee Name (Print)

\_\_\_\_\_  
Employee/Applicant/Appointee (Signature)

\_\_\_\_\_  
Date Acknowledged

\_\_\_\_\_  
Serving Official Name (Print)

\_\_\_\_\_  
Serving Official (Signature)

\_\_\_\_\_  
Date Served