Appendix A:
Drug Testing Requirements for Testing Designated Positions (TDPs)

In addition to compliance with the Georgia Institute of Technology Employee Alcohol and Drug Use Policy, the Department of Energy (DOE) has specific drug testing requirements for DOE contractors and subcontractors performing work at sites owned or controlled by DOE, and for all individuals with unescorted access to the control areas of certain DOE reactors. Where there is a difference between the additional requirements, as set forth in this Appendix, and Georgia Tech policies or state law, these requirements must be followed for employees in TDPs who work in these specific areas.

Within these DOE contracts and subcontracts, TDPs are generally positions that entail duties where failure of an employee to adequately perform his or her position could significantly harm the environment, public health or safety, or national security. These positions include:

- Personnel Security Assurance Program (PSAP) positions
- Protective force personnel (armed)
- Employees or individuals holding DOE, DHS, DOD clearances
- Personnel directly engaged in the production, use, storage, transportation, or disposal of hazardous materials sufficient to cause significant harm to the environment or the public health and safety
- Personnel assigned to ORNL Subcontracts who hold an L or Q security or work with reactor nuclear materials
- Employees or individuals having unescorted access to the control areas of one of the DOE reactors listed in 10 CFR §707.7(c)*
- Other positions determined by Georgia Tech after consultation with DOE, that have the potential to significantly affect the environment, public health and safety, or national security.

The requirements in this Appendix, in addition to the Georgia Tech Employee Alcohol and Drug Use Policy, will be distributed to all employees in TDPs who will be performing work under these DOE subcontracts prior to performing work under those subcontracts, and compliance with the policy and these requirements will be a condition of employment. Georgia Tech has chosen to include TDPs assigned to work at other DOE federally funded research and development centers (FFRDCs) in a random drug testing program if required under a written agreement between Georgia Tech and the DOE FFRDC. If required by written agreement, Georgia Tech will provide a list of all employees in TDPs to DOE and the applicable FFRDC, along with the required contact information of the TDP. The Georgia Tech Program Manager listed will be the point of contact in the event an employee cannot be contacted directly.

With respect to personnel assigned to ORNL subcontracts, Georgia Tech has chosen to include all TDPs in ORNL's random testing program. Georgia Tech will provide a list of all employees in TDPs to DOE and ORNL, and that list will include employee name, position title, phone number, pager number (if applicable). The Georgia Tech Program Manager listed will be the point of contact in the event an employee cannot be contacted directly. With respect to personnel assigned to ORNL subcontracts, an updated list of testing designated positions will be required January 15 and July 15 of each year.

*Georgia Tech does not have individuals with unescorted access to any of the DOE reactors listed in 10 CFR §707.7(c)
All employees in TDPs will be notified at least 60 days in advance of testing or as soon as they are designated as TDPs (whichever comes first in time) that they are subject to drug testing and must pass a drug test before assignment to work under the DOE subcontract. The time period before assignment within which a TDP must pass a drug test may be set forth in the written agreement between the applicable FFRDC and Georgia Tech.

Any employee in TDPs found to use illegal drugs will be prohibited from working under the DOE subcontract and is subject to sanctions as set forth in 10 CFR §707.14 and the Georgia Tech Employee Alcohol and Drug Use Policy.

All employees in TDPs will be subject to on-going random drug testing and are subject to being called without notice to undergo a drug test at any time during their period of employment in the TDP under the subcontract. All employees in TDPs who have been identified for random drug testing shall be provided a specific time to report for testing; such time shall be as soon as possible, but not later than two (2) hours after the individual receives notification to report.

Drug testing will also be conducted for the following:

(a) Reasonable suspicion of drug use. Reasonable suspicion of drug or alcohol abuse may be based upon, but not limited to, direct observation of the use or possession of illegal drugs, the physical symptoms of being under the influence of illegal drugs or a pattern of abnormal conduct or erratic behavior.
(b) Following an occurrence or accident, within 24 hours; and
(c) As a follow-up to drug rehabilitation.

An employee in a TDP may be exempted from this testing if the employee is within the scope of another comparable Federal drug testing program, as determined by DOE, to avoid unnecessary multiple tests.

The Georgia Tech Program Manager will notify the applicable DOE FFRDC and the DOE immediately when circumstances raise a drug or security concern, even if it is not clear that the individual has actually used an illegal drug.

As a condition of employment, all employees in TDPs performing work under a subcontract:

1) Will abide by the terms of the Georgia Tech Employee Alcohol and Drug Use Policy and this Appendix;
2) Will abide by the terms of the alcohol and drug testing policies of the applicable subcontract; and
3) Will notify Georgia Tech in writing of a conviction under a criminal drug statute for any violation occurring on a DOE-owned or controlled site within five (5) calendar days of such conviction.

The Georgia Tech Program Manager will notify the applicable DOE FFRDC in writing within ten (10) calendar days after receiving notice of conviction from a subcontract employee or otherwise receiving actual notice of a conviction of a drug-related offense.

With respect to any employee in a TDP who is convicted of a drug-related violation, one of the following actions will be imposed within 30 calendar days after receiving such notice of conviction:

(I) Taking appropriate personnel action against such employee, up to and including termination; or
(ii) Offering such employee, consistent with the contractor's policies, an opportunity to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency. If the employee does not participate in such a rehabilitation program, appropriate action will be taken up to and including termination.

In addition, employees in TDPs must provide written notice to Georgia Tech of any drug related arrest, conviction, or receipt of positive drug test result within five (5) calendar days of such arrest, conviction or receipt.

Georgia Tech offers education and training programs on substance abuse for employees in TDPs on a periodic basis. Training includes the health aspects of substance abuse, especially illegal drug use; safety, security, and other workplace-related problems caused by substance abuse, especially illegal drug use; the Georgia Tech Alcohol and Illegal Drug Use policy and procedures; and available employee assistance services.

For supervisors of employees in TDPs, Georgia Tech also offers supervisor and manager education and training programs which teach how to identify and appropriately handle employee substance abuse. These trainings include the same subjects as the employee trainings, as well as the following additional subjects: recognition of deteriorating employee job performance or judgment, or observation of unusual employee conduct which may be the result of possible illegal drug use; responsibility to intervene when there is deterioration in employee performance, or observed unusual conduct, and to offer alternative courses of action that can assist the employee in returning to satisfactory performance, judgment, or conduct, including seeking help through the Institute's FSAP; appropriate handling and referral of employees with possible substance abuse problems, especially illegal drug use; and the Georgia Tech policies and procedures for giving maximum consideration to the privacy interests of employees and applicants.