



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Item No.: 08
Date: 18 2026 AUG

Sangguniang Panlalawigan
Province of Leyte
RECEIVED

Date: AUG 11 2026
By: Jennif

2nd INDORSEMENT
July 13, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2026-024 of the Sangguniang Bayan of Carigara, Leyte.

Issues/ concerns for review / recommendation / legal opinion is / are as follows:

- Ordinance No. 2026-024 entitled: **"The Revised Drug-Free Ordinance of Carigara, Leyte."**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)¹ of the Local Government Code of 1991 (R.A 7160) pursuant to RA 9165². Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.


ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (a) *The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code,*

² "Comprehensive Dangerous Drugs Act of 2002".

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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
02 July 2026

PROVINCE OF LEYTE
LEGAL OFFICE
RECEIVED
By: 
Date: 7-9-20 Time: 2:24

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2026-024** of the **Municipality of Carigara, Leyte**, entitled: **The Revised Drug-Free Ordinance in the Municipality of Carigara, Leyte.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



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BAGONG PILIPINAS

1st Indorsement
July 01, 2026

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: JUL 02, 2026
By: [Signature]

Respectfully forwarded to the Honorable Members of the Sangguniang Panlalawigan of Leyte, thru the Provincial Board Secretary, Florinda Jill S. Uyvico, the herein **Municipal Ordinance No. 2025-024** –“*The Revised Drug-Free Workplace Ordinance in the Municipality of Carigara, Leyte*”.

For your perusal and appropriate action.


RACHELYN A. SILVESTRE-CABALLES
MGDH – I (Secretary to the Sangguniang Bayan)



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EXCERPT FROM THE MINUTES/JOURNAL OF THE 43RD REGULAR
SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN
OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE
BUILDING, CARIGARA, LEYTE, ON APRIL 27, 2026

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: JUL - 02 2026
By: *[Signature]*

* * * * *

PRESENT:

Hon. Jimmy A. Camposano	-----	Mun. Vice Mayor-Pres. Officer
Hon. Fernando N. Moriel	-----	SB Member
Hon. Vilma M. Domus	-----	SB Member
Hon. Mildred C. Modesto	-----	SB Member
Hon. Carlo Angelo B. Go	-----	SB Member
Hon. Myia L. Aguilar	-----	SB Member
Hon. Guillermo I. Panal	-----	SB Member
Hon. Arvin. N. Urmeneta	-----	SB Member-LnB President
Hon. Daniel N. Ariaso, Jr.	-----	SB Member-SK Fed. Pres.

ABSENT:

Hon. Ulpiano U. Arpon Jr.	-----	SB Member – Sick Leave
Hon. Joenlee C. Larraga	-----	SB Member – Sick Leave

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MUNICIPAL ORDINANCE NO. 2025-024

**“THE REVISED DRUG-FREE WORKPLACE ORDINANCE IN THE
MUNICIPALITY OF CARIGARA, LEYTE”**

Introduced by: HON. MILDRED C. MODESTO

WHEREAS, the Municipality of Carigara, Leyte enacted Municipal Ordinance No. 2020-093, Series of 2020, entitled “An Ordinance Promoting a Drug-Free Workplace”, authored by Hon. Jimmy A. Camposano, to promote a drug-free environment among public officers, employees, and personnel of the local government unit;

[Signature] _____



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"THE REVISED DRUG-FREE WORKPLACE ORDINANCE IN THE
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WHEREAS, it is the policy of the State to safeguard the integrity of public service and protect the well-being of employees and the general public by preventing the use of dangerous drugs in workplaces;

WHEREAS, there is a need to strengthen the existing Drug-Free Workplace Policy by institutionalizing substance abuse awareness and prevention programs to ensure that municipal officials and employees are properly informed of the ill effects of dangerous drugs and the legal consequences of drug-related offenses;

WHEREAS, the conduct of regular lectures, seminars, and related activities, in coordination with agencies such as the Philippine Drug Enforcement Agency and the Department of Health, will enhance the preventive and educational components of the Municipality's anti-drug initiatives;

WHEREAS, the establishment of an Employee Assistance Program will provide a mechanism for confidential support, referral, and intervention services for officials and employees who voluntarily seek help for substance-related concerns prior to authorized drug testing;

WHEREAS, Dangerous Drugs Board Regulation No. 13, Series of 2018 mandates the establishment and institutionalization of drug-free workplace policies in all government offices, including the conduct of authorized drug testing for elective local officials and appointive public officers;

WHEREAS, Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002) mandates the government to pursue an intensified campaign against the use, trafficking, and proliferation of dangerous drugs and provides for the conduct of drug testing among officers and employees in public and private offices;

WHEREAS, there is a need to strengthen and revise the existing Drug-Free





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Workplace Policy of the Municipality of Carigara to align with current national laws, guidelines, and programs of the Dangerous Drugs Board;

NOW, THEREFORE, be it ordained by the Sangguniang Bayan of the Municipality of Carigara, in session duly assembled, that:

SECTION 1. SHORT TITLE. This Ordinance shall be known as **"THE REVISED DRUG-FREE WORKPLACE ORDINANCE IN THE MUNICIPALITY OF CARIGARA, LEYTE"**.

SECTION 2. DEFINITION OF TERMS. When use in this Ordinance, the following terms shall be defined:

- a. **Officials** - refer to municipal elected or appointed working personnel with highest ranking position in public offices;
- b. **Employees** - refer to rank-and-file employee, in public regardless of their status of employment, it maybe regular, casual, job hired, contractual or temporary;
- c. **Random drug-test** - shall mean the conduct of drug testing to the concerned personnel without prior notice;
- d. **Confirmatory test**- shall mean an analytical test using a device, tool, or equipment which will validate and confirm the result of the screening test;
- e. **Challenge test** - A drug test conducted as a result of a challenge filed by a public official or employees who tested positive for drug use in a confirmatory test.
- f. **Refusal** - shall mean evading, escaping, refusing or making self-unavailable;
- g. **For-Course Drug Testing** - shall mean the conduct of drug testing to personnel who is suspiciously under the influence of illegal drugs.

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- h. **Screening test** - shall mean a rapid test performed to establish potential presumptive result.
- i. **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 to his/her capabilities and potentials, and become a law abiding and productive member of the community.
- j. **Experimenter** - a person whose drug use began through exploration with limited exposure and no development of regular use or any related harm.
- k. **Occasional User** - a person who indulges in drug use to create or enhance experience in any social setting
- l. **Chronic User/Drug Dependent** - a person identified for using drugs/other substances (mind-altering or not) without medical need, in amount large enough or over a period long enough to threaten the quality of life or health and safety of the user or other.

SECTION 3. PRE-EMPLOYMENT DRUG TESTING. Mandatory Drug testing shall be a requirement for applicant who seek entry in the Government Service at the LGU, whether regular, contractual or Job-Order status. Any applicant found positive for the drug use shall be denied employment of the LGU.

**SECTION 4. GENERAL GUIDELINES IN THE CONDUCT OF
RANDOM DRUG TESTING.**

a. Mandatory/Random. Drug Testing shall be:

- 1. Applicable to all public officers, both elective and appointive employees of the Municipal Government of Carigara, including all barangay elective and appointive officials, shall be

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implemented annually as a collaborative undertaking of the local government among all its elected and appointed officials and employees, whether regular, contractual or job order.

2. Implemented primarily for a drug-free workplace.

SECTION 5. CREATION OF DRUG FREE WORKPLACE COMMITTEE. A Drug Free Workplace Committee shall thereby be created by the Local Chief Executive, as Chairman, Municipal Administrator as Vice-Chairman and as members, Municipal Health Officer, Human Resource Management Officer I, Representative from Municipal Anti-Drug Abuse Council (MADAC), SB Committee on Health and SB Committee on Peace and Order Chairman, One (1) Rank and file representative and One (1) union representative.

The drug free workplace Committee shall formulate implementing rules and regulations for purposes of implementing this Ordinance.

SECTION 6. PROCEDURAL GUIDELINES IN THE CONDUCT OF RANDOM TESTING:

- a. Drug Testing shall be conducted by a drug testing laboratory accredited by the DOH, as required under DDB Regulation No. 13, series of 2018.
- b. The drug testing shall employ among others, two (2) testing methods:
 - b.1 The screening test which will determine the posture result, as well as the type of drug used; and
 - b.2 The confirmatory test which will confirm a positive screening test.

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- c. Random testing shall include, either all or certain number of employees – the means of selection shall always remain confidential.
- d. All information related to drug-testing a identification of person/s as users shall be treated as confidential, unless otherwise when the law so requires, as overriding public health and safety concerns, or authorized in writing by the person concerned.
- e. A positive drug test result from the challenge test is deemed final and the public official or employee shall be immediately subjected to the provisions in the succeeding paragraphs.
- f. The drug test result shall be attached to the 201 file of the public official or employee. All drug test results records must strictly be held confidential as provided for under the pertinent provisions of R.A. No. 9165.

SECTION 7. TESTING FOR PROBABLE CAUSE OR REASONABLE GROUND. Random Testing shall be conducted when certain employee/s display/s misconduct, such as

- a. **Attendance-** frequent unauthorized absences, repeated tardiness, truancy from the job.
 - b. **Personnel appearance-** slurred speech, bloodshot eyes, drastic change in appearance, etc.
 - c. **Mental Factor-** hot headedness, irritability, increased difficulty in handling assignments, etc.
- General Performance-**missed deadlines, low productivity, increased wastage, public complaints and other signs;

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- d. **Peer relation**-isolation, frequent quarrels with officemates, heavy furrowing, frequent mood swings, etc.

SECTION 8. CONDUCT SUBSTANCE ABUSE AWARENESS AND PREVENTION PROGRAMS. The Municipality of Carigara shall institutionalize the regular conduct of substance abuse awareness and prevention programs for all municipal officials and employees as part of its Drug-Free Workplace Policy.

For this purpose, the Municipality may invite qualified resource persons from the Philippine Drug Enforcement Agency, the Department of Health, and other competent government or accredited private institutions to conduct lectures, seminars, workshops, and similar activities on the prevention of dangerous drug use, the ill effects thereof, relevant laws and regulations, and related topics.

SECTION 9. INTERVENTION. The appropriate intervention for personnel found to be positive for drug use shall depend on the recommendation of the physician who conducted the Drug Dependency Examination Report.

SECTION 10. ADMINISTRATIVE LIABILITY

1. Public officials and employees found to have used dangerous drugs during the prescribed period of their intervention or rehabilitation shall be charged with the administrative offense of Grave Misconduct, which shall cause dismissal from employment.
2. 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

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offense of Grave Misconduct, which shall cause dismissal from employment.

3. Any public officials and employees 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 the administrative offense of Grave Misconduct. 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.
4. Any public officials or employees who refuses, without any valid reason, to submit himself/herself for drug testing, shall be charged with the administrative offense of Gross Insubordination.
5. Public officials and employees who for the second time have tested positive in random drug test after completion of his/her treatment and/or rehabilitation program or 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.
6. Any public officials and employees 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 results shall be charged with the administrative offense of Grave Misconduct, without prejudice to filing of appropriate criminal charges for violations under the Revised Penal Code for falsification of public documents.
7. Officials and employees caught using or peddling drugs shall be charged with the administrative offense of Grave Misconduct, without prejudice to the filing of appropriate criminal charge/s under R.A. No. 9165 and other pertinent laws.
8. The Department of Interior and Local Government shall cause the filling of cases for the Municipal Elected Officials.





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SECTION 11. EMPLOYEE ASSISTANCE PROGRAM (EAP). An Employee Assistance Program is hereby established to provide confidential assistance to any public officer or employee who voluntarily seeks help for substance-related concerns prior to the conduct of authorized drug testing.

The EAP shall provide appropriate referrals, counseling support, and coordination with accredited treatment and rehabilitation facilities, subject to existing laws and regulations.

SECTION 12. ROLE OF THE BARANGAY. The Barangays through their respective Sanggunians shall likewise promulgate a policy or an ordinance to implement a Drug-Free Workplace and shall allocate funds intended for this purpose or in the Health and Wellness Development Program which shall be included in the Annual Budget of the Barangay.

SECTION 13. SANCTIONS, VIOLATIONS OF OFFICIALS AND EMPLOYEES. Any officer or employee found to have violated this ordinance may be subjected for the following interventions and sanctions:

A positive drug test result from the confirmatory test shall immediately be made known to the Head of the office/agency, or to the person designated office/agency who shall then notify the concerned public official or employee. Said public official or employee shall have fifteen (15) days from receipt of notice to challenge the result of the confirmatory test. The challenge test shall be conducted, using the same specimen, by the government drug testing laboratory or by a drug testing laboratory duly authorized and accredited by the DOH. Failure to file a challenge within the prescribed period shall make the positive drug test result from the confirmatory test final and the drug-free workplace committee shall then take the appropriate action as provided in the

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succeeding paragraphs.

Any official or employee found to have violated Article II of Republic Act No. 9165 shall be subject to the penalties provided therein, without prejudice to the institution of appropriate administrative charges pursuant to civil service laws, rules, and regulations.

SECTION 14. APPROPRIATION. To effectively implement this ordinance the Municipal Government of Carigara shall allocate funds intended for this purpose or in the Health and Wellness Development Program which shall be included in the Annual Budget of the municipality.

SECTION 15. SEPARABILITY CLAUSE. If for any reason, any portion or provision, section or part of this Ordinance is declared not valid by a Court of competent jurisdiction or suspended or revoked by the Sangguniang Panlalawigan, such judgement shall not affect or impair the remaining provisions, sections or parts thereof which shall remain or continue to be in full force and affect.

SECTION 16. APPLICABILITY CLAUSE. All other matters relating to the impositions or regulations provided in this Ordinance shall be governed by the pertinent provisions of existing laws or other ordinances. This ordinance shall apply to all elective and appointive barangay officials in the Municipality of Carigara.

SECTION 17. REPEALING CLAUSE. All ordinances, resolutions, local executive orders and/or administrative regulations which are inconsistent with or contrary to any of the provisions of this ordinance are hereby repealed or modified accordingly.



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SECTION 18. EFFECTIVITY. This Ordinance shall take effect upon its approval and after due compliance with publication requirements.

APPROVED UNANIMOUSLY this 27th day of April 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte

* * * * *

I HEREBY CERTIFY that this is a true and accurate copy of the ordinance duly enacted by the Sanggunian on 27 April 2026.


PAULINO T. MARQUEZ
Legal Assistant I

OIC-Secretary to the Sanggunia

Attested:


JIMMY A. CAMPOSANO
Municipal Vice Mayor/Presiding Officer

Concurred:


FERNANDO N. MORIEL
SB Member


VILMA M. DOMUS
SB Member

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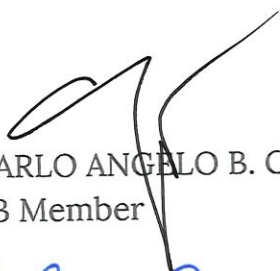
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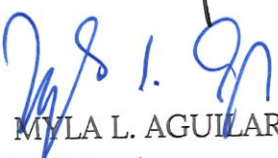
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CARLO ANGELO B. GO
SB Member


MILDRED C. MODESTO
SB Member


MYLA L. AGUILAR
SB Member


GUILLERMO I. PANAL
SB Member


ARVIN N. URMENETA
SB Member-LnB Pres.


DANIEL N. ARIASO JR.
SB Member-SK Fed. Pres.

Approved:


EDUARDO T. ONG, JR.
Municipal Mayor

Date Approved:

07/01/2026



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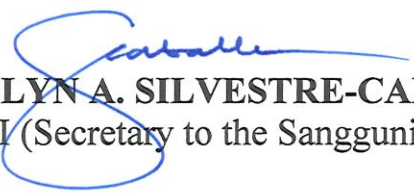
Telephone No. (053) 530-5144 E-mail Address: sangguniangbayancarigara@gmail.com



CERTIFICATION

THIS IS TO CERTIFY Municipal Ordinance No. 2025-024 –“*The Revised Drug-Free Workplace Ordinance in the Municipality of Carigara, Leyte*”, was posted last, July 01, 2026 in accordance with R.A. 7160, otherwise known as the Local Government Code of 1991.

ISSUED this 1st day of July, 2026.


RACHELYN A. SILVESTRE-CABALLES
MGDH – I (Secretary to the Sangguniang Bayan)