Plans

MSC-PLN-SEC-27556

Human Reliability Program Management Plan

Revision 1, Change 0

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Human Reliability Program Management Plan

CHANGE SUMMARY

JHA:
Periodic Review Due Date: 10/01/2020
Rev. 1, Chg. 0
USQ Screen Number:

Description of Change

Removed OUO stamp as it no longer applies. No change to document content.
1.0 INTRODUCTION

Mission Support Alliance (MSA) Safeguards and Security is responsible for management of the Human Reliability Program (HRP) as required by the U.S. Code of Federal Regulations (CFR), Title 10, Volume 4, Chapter III, U.S. Department of Energy (DOE), Part 712, *Human Reliability Program*. This program has been developed, implemented, and is maintained, to ensure that individuals afforded access to Category I Special Nuclear Materials (SNM) and other criteria meet the highest standards of reliability and physical and mental suitability. This objective is accomplished through a system of continuous evaluation and monitoring.

Before an individual is certified under HRP, and annually thereafter, a supervisory review, medical assessment, management evaluation and a DOE personnel security determination are required. Annual requirements for drug and alcohol testing and training are also provided through this program.

The drug and alcohol testing requirements of the HRP are accomplished in conjunction with the requirements of, and in compliance with, the 10 CFR, Part 707, *Workplace Substance Abuse Programs at DOE Sites*.

This plan in conjunction with MSC-PRO-27564, *Human Reliability Program Certification and Maintenance*, provides documented implementation of the program as required by 10 CFR, Part 712, *Human Reliability Program*.

2.0 ROLES AND RESPONSIBILITIES

The HRP Management Official oversees the Human Reliability program and ensures the program meets 10 CFR, Part 712 and locally established requirements. HRP disqualifications, temporary removals and return to work (from same) are performed or approved at this level. The HRP Management Official supervises the operation of the MSA Reliability Programs office and reports through the Personnel Security Manager.
The HRP Certifying Official is the DOE designated individual who approves placement, certification, reinstatement, and recertification of individuals into HRP positions. In addition, the Certifying Official reviews the circumstances of an individual’s removal from an HRP position, and may direct reinstatement.

An HRP Work Position is defined under 10 CFR, Part 712.10 as a position that:

1. Affords access to Category I quantities of SNM or has responsibility for transportation or protection of Category I quantities of SNM.

2. Involves nuclear explosive duties or has the responsibility for working with, protecting, or transporting nuclear explosives, nuclear devices, or selected components. (Does not apply to Hanford site)

3. Affords access to information concerning vulnerabilities in protective systems when transporting nuclear explosives, nuclear devices, selected components, or Category I quantities of SNM; or

4. Positions that are not included in 1-3 above, but affords the potential to significantly impact national security or cause unacceptable damage, and have been nominated by the HRP management official and submitted to and approved by either the NNSA Administrator, his or her designee, the Director, Office of Security, or the appropriate Lead Program Secretarial Officer, or his or her designee.

HRP certification is required for each individual assigned to, or applying for a position that meets the above criteria. These positions will be referred to as “HRP designated positions.” A list of current positions will be maintained by the HRP Management Official. Certification is accomplished through a formal process outlined in MSC-PRO-27564, Human Reliability Program Certification and Maintenance.

3.0 PROGRAMMATIC INTERFACES
The MSA Reliability Programs office interfaces with the Occupational Medical Services Provider (OMSP) to ensure annual medical and psychological evaluations are performed, and for continuous monitoring of incumbent’s reliability. The Reliability Programs office interfaces internally within Personnel Security on matters involving access authorizations and security badges.

MSA Management, to include the HRP Management Official, interfaces with the Richland Operations Office, HRP Certifying Official for local U.S. Department of Energy guidance on matters pertaining to the Human Reliability Program. The Management Official also has daily interface with the operating facilities and patrol force management.

4.0 IMPLEMENTING DOCUMENTS

MSC-PRO-042, Fitness for Duty
MSC-PRO-27563, Drug and Alcohol Testing Performance
MSC-PRO-27564, Human Reliability Program Certification and Maintenance
MSC-RD-27560, Human Reliability Program Requirements
MSC-RD-27561, Drug and Alcohol Testing Requirements

5.0 REFERENCES

5.1 Source Requirements

10 CFR, Volume 4, Chapter III, Department of Energy (DOE), Part 712, Human Reliability Program

10 CFR, Part 707, Workplace Substance Abuse Programs at DOE Sites

NOTE: Before each use, check MSC Docs Online to ensure this copy is current.
CHANGE SUMMARY

Description of Change

Changing 1 definition to "Manager" on page 34 under definitions; revised nomenclature of procedure references.
1.0 PURPOSE AND SCOPE

This level 2 Requirements Document flows down the requirements of the Human Reliability Program (HRP) as stated in the United States Code of Federal Regulations (CFR), Title 10, Volume 4, Chapter III, U.S. Department of Energy, Part 712, Human Reliability Program. It applies to all current HRP employees, incumbents, candidates, and applicants for an HRP position with Mission Support Alliance and other DOE Prime Contractors and their pre-designated partnering sub-contractors, lower-tier sub-contractors (non-partnering), and their temporary workers, consultants, guests, and visitors. These requirements are intended to ensure that individuals afforded access to Category I Special Nuclear Materials (SNM), nuclear explosive devices, facilities and programs meet the highest standards of reliability and physical and mental suitability. This objective is accomplished through a system of continuous evaluation that identifies individuals whose judgment and reliability may be impaired by physical or mental/personality disorders, alcohol abuse, use of illegal drugs or the abuse of legal drugs or other substances, or any other condition or circumstance that may be of security or safety concern. Implementation of the below requirements is set forth in MSC-PRO-SEC-27564, Human Reliability Program Certification and Maintenance, MSC-PRO-SEC-27563, Drug and Alcohol Testing Performance, MSC-RD-SEC-27561, Drug and Alcohol Testing Requirements, and MSC-PRO-HR-042, Fitness for Duty

2.0 REQUIREMENTS

NOTE: For the requirement "type" column, “V” means verbatim and, “I” means interpreted.

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<tr>
<th>#</th>
<th>Requirement</th>
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<th>Source</th>
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<tbody>
<tr>
<td>1.</td>
<td>This part establishes the policies and procedures for a Human Reliability Program (HRP) in the Department of Energy (DOE), including the National Nuclear Security Administration (NNSA). The HRP is a security and safety reliability program designated to ensure that individuals who occupy positions affording access to certain materials, nuclear explosive devices, facilities, and programs meet the highest standards of reliability and physical and mental suitability. This objective is accomplished under this part through a system of continuous evaluation that identifies individuals whose judgment and reliability may be impaired by physical or mental/personality disorders, alcohol abuse, use of illegal drugs or the abuse of legal drugs or other substances, or any other condition or circumstance that may be of security or safety concern.</td>
<td>V</td>
<td>10 CFR 712.1</td>
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<td>2.</td>
<td>The HRP applies to all applicants for, or current employees of DOE or DOE contractor or subcontractor in a position defined or designated under 712.10 of this subpart as an HRP position, individuals currently in a Personnel Assurance Program or</td>
<td>V</td>
<td>10 CFR 712.2</td>
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### Human Reliability Program Requirements

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<tr>
<th>Step</th>
<th>Description</th>
<th>Reference</th>
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<td>3.</td>
<td>Definitions – See Appendix A for definitions used in this part.</td>
<td>V 10 CFR 712.2</td>
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<td>4.</td>
<td>HRP certification is required for each individual assigned to, or applying for a position that:</td>
<td>V 10 CFR 712.10 (a)</td>
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<td>a) Affords access to Category I SNM or has responsibility for transportation or protection of Category I quantities of SNM;</td>
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<td></td>
<td>b) Involves nuclear explosive duties or has responsibility for working with, protecting, or transporting nuclear explosives, nuclear devices, or selected components;</td>
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<td></td>
<td>c) Affords access to information concerning vulnerabilities in protective systems when transporting nuclear explosives, nuclear devices, selected components, or Category I quantities of SNM; or</td>
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<td></td>
<td>d) Is not included in items (a) through (3) of step 4 but affords the potential to significantly impact national security or cause unacceptable damage and is approved pursuant to step 5 below.</td>
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<td>5.</td>
<td>The Manager or the HRP management official nominate positions for the HRP that are not specified in step 4 above items (a) thru (3) or that have not previously been designated HRP positions. All such nominations must be submitted to and approved by either NNSA Administrator, his or her designee, the Chief Health, Safety and Security Offices, or the appropriate Lead Program Secretarial Office, or his or her designee.</td>
<td>V 10 CFR 712.10 (b)</td>
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<td>6.</td>
<td>Before nominating a position for designation as an HRP position, the Manager or the HRP management official must analyze the risks the position poses for the particular operational program. If the analysis shows that more restrictive physical, administrative, or other controls could be implemented that would prevent the position from being designated an HRP position, those controls will be implemented, if practicable.</td>
<td>V 10 CFR 712.10 (c)</td>
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<td>7.</td>
<td>Nothing in this part prohibits contractors from establishing stricter employment standards for individuals who are nominated to DOE for certification or recertification in the HRP.</td>
<td>V 10 CFR 712.10 (d)</td>
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<td>8.</td>
<td>The following certification requirements apply to each individual applying for or in an HRP position:</td>
<td>V 10 CFR 712.11 (a)</td>
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<td>a) A DOE “Q” access authorization based on a background investigation, except for security police officers who have been granted an interim “Q” through the Accelerated Access Authorization Program;</td>
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(b) Use of the annual submission of the Questionnaire for National Security Positions (QNSP) Part 2, Form SF-86, OMB Control No. 3206-0007 has been discontinued and replaced by new form “Reportable Behavior/Conditions.

(c) Signed releases, acknowledgements, and waivers to participate as required by DOE.

(d) Completion of initial and annual HRP instruction as provided in 10 CFR 712, Section 17;

(e) Successful completion of an initial and annual supervisory review, medical assessment, management evaluation, and a DOE personnel security review for certification and recertification in accordance with this part. With respect to the DOE personnel security review;

(1) If the DOE Personnel Security review is not completed within the 12-month time period and the individual’s access authorization is not suspended, the HRP certification form shall be forwarded to the HRP certifying official for re-certification or temporary removal, contingent upon a favorable security review.

(2) If a final determination has been made by DOE personnel security that is favorable, this information shall be forwarded to the HRP certifying official and so noted on the certification form; or

(3) If the final determination has been made by DOE personnel security that the access authorization has been suspended, the individual shall be immediately removed from the HRP position, the HRP certifying official notified, the information noted on the certification form, and the procedure outlined in 10 CFR part 710.

(f) No use of a hallucinogen in the preceding five years and no experience of flashback resulting from the use of a hallucinogen more than five years before applying for certification or recertification;

(g) A psychological evaluation consisting of a generally accepted psychological assessment (test) and semi-structured interview;

(h) An initial drug test and random drug tests for the use of illegal drugs at least once each 12 months in accordance with DOE policies implementing Executive Order 12564 or the relevant provisions of 10 CFR Part 707 for DOE contractors.

DOE Memo, Larry D. Wilcher to DOE Field Offices, “Use of the QNSP Part 2, OMB Control No. 3206-0007, for Human Reliability Program Security Reviews (discontinue use of QNSP Part 2), dated 08/10/12

10 CFR Part 710, Subpart A, Criteria and procedures for determining eligibility for access to classified matter or special nuclear material

10 CFR 707-WSAP; U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, “Mandatory Guidelines for Federal Workplace Drug
### Human Reliability Program Requirements

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<td>(i)</td>
<td>An initial alcohol test and random alcohol tests at least once each 12 months using an evidential-grade breath alcohol device, as listed without asterisks on the Conforming Products List of Evidential Breath Measurement Devices published by the NHTSA (49 CFR part 40); and</td>
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<td>(j)</td>
<td>Successful completion of a counterintelligence evaluation, which includes a counterintelligence-scope polygraph examination in accordance with DOE's Polygraph Examination Regulation, 10 CFR Part 709, and any subsequent revisions to that regulation.</td>
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<td>9.</td>
<td>Each HRP candidate must be certified in the HRP before being assigned to HRP duties and must be recertified annually, not to exceed 12 months between re-certifications. For certification:</td>
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<td>(a)</td>
<td>Individuals in newly identified HRP positions must immediately sign the releases, acknowledgements, and waivers to participate in the HRP and complete initial instruction on the importance of security, safety, reliability, and suitability. If these requirements are not met, the individual must be removed from the HRP position.</td>
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<td>(b)</td>
<td>All remaining HRP requirements as listed above in step 8 must be completed in an expedited manner.</td>
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<td>10.</td>
<td>Alcohol consumption is prohibited within an eight-hour period preceding scheduled work for individual performing nuclear explosive duties and for individuals in specific position designated by either the Manager, the NNSA Administrator, his or her designee, or the appropriate Lead Program Secretarial Officer, or his or her designee.</td>
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<td>11.</td>
<td>Individuals reporting for unscheduled nuclear explosive duties and those specific positions designated by either the Manager, the NNSA Administrator, or his or her designee, or the appropriate Lead Program Secretarial officer, or his or her designee, will be asked prior to performing any type of work if they have consumed alcohol within the preceding eight-hour period. If they answer “no” they may perform their assigned duties but still may be tested.</td>
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<td>12.</td>
<td>HRP-certified individuals may be tested for alcohol and/or drugs in accordance with 712.15 (b)(c)(d) and (e) if they are involved in an incident, unsafe practice, or an occurrence, or if there is reasonable suspicion that they may be impaired.</td>
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<td>13.</td>
<td>The implementation of the HRP is the responsibility of the appropriate Manager or his or her designee. The Manager or designee must fully implement the HRP by April 22, 2004.</td>
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<td>14.</td>
<td>The HRP Management Official must:</td>
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**NOTE:** Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
(a) Prepare an initial HRP implementation plan and submit it by March 23, 2004, to the applicable Manager for review and site approval. The implementation plan must:

(1) Be reviewed and updated every two years;

(2) Include the four annual components of the HRP process; supervisory review, medical assessment, management evaluation (which includes random drug and alcohol testing), and a DOE personnel security determination; and

(3) Include the HRP instruction and education component described in 712.17 of this part.

(b) Approve the temporary removal and the reinstatement after temporary removal of an HRP-certified individual if the removal was based on a non-security concern and the HRP-certified individual continues to meet the certification requirements and notify the HRP certifying official of these actions.

15. The Deputy Administrator for Defense Programs, NNSA must:

(a) Provide advice and assistance to the Chief Health, Safety and Security Officer, regarding policies, standards, and guidance for all nuclear explosive duty requirements; and

(b) Be responsible for implementation of all nuclear explosive duty safety requirements.

16. The appropriate DOE Under Secretary, based on a recommendation of the Chief Health, Safety and Security Officer, makes the final decision for any appeal of denial or revocation of certification or recertification from HRP. This action places decisional authority in the Under Secretary responsible for the operational functioning of the program in which the certification issue arises.

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<th>The Director, Office of Policy, is responsible for the HRP policy and must:</th>
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<th>10 CFR 712.12 (e)</th>
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| 17. | (a) Ensure consistency of the HRP throughout the DOE and NNSA;  
(b) Review and comment on all HRP implementation plans to ensure consistency with policy; and  
(c) Provide policies and guidance, including instructional material, to NNSA and non-NNSA field elements concerning the HRP, as appropriate. | V | |
|   | The Manager must: |   | 10 CFR 712.12 (f) |
| 18. | (a) Review and approve the HRP implementation plan for sites/facilities under their cognizance and forward the plan to the Director, Office of Policy, and  
(b) Ensure that the HRP is implemented at the sites/facilities under their cognizance. | V | |
|   | The HRP certifying official must: |   | 10 CFR 712.12 (g) |
| 19. | (a) Approve placement, certification, reinstatement, and recertification of individuals into HRP positions; for unresolved temporary removals, follow the process in 712.19 (c)(5);  
(b) Ensure that instructional requirements are implemented;  
(c) Immediately notify (for the purpose of limiting access) the appropriate HRP management official of a personnel security action that results in the suspension of access authorization; and  
(d) Ensure that the supervisory review, medical assessment, and management evaluation, including drug and alcohol testing, are conducted on an annual basis (not to exceed 12 months). | V | |
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| 20. | Individuals assigned to HRP duties must:  
(a) Execute HRP releases, acknowledgements, and waivers to facilitate the collection and dissemination of information, the performance of drug and alcohol testing, and medical examinations;  
(b) Notify the Designated Physician, the Designated Psychologist, or the SOMD immediately of a physical or mental condition requiring medication or treatment;  
(c) Provide full, frank, and truthful answers to relevant and material questions, and when requested, furnish, or authorize others to furnish information that DOE deems pertinent to reach a decision regarding HRP certification or recertification;  
(d) Report any observed or reported behavior or condition of another HRP-certified individual that could indicate a reliability concern, including those behaviors and conditions listed in 712.13(c) that may affect his or her ability to perform HRP duties.  
(e) Report to a supervisor, the Designated Physician, the designated Psychologist, the SOMD, or the HRP management official, any behavior or condition, including those listed in 712.13(c) that may affect his or her ability to perform HRP duties. | V 10 CFR 712.12 (h) |
| 21. | The Supervisor must ensure that each HRP candidate and each individual occupying an HRP position but not yet HRP certified, executes the appropriate HRP releases, acknowledgements, and waivers. If these documents are not executed:  
(a) The request for HRP certification may not be further processed until these requirements are completed; and  
(b) The individual is immediately removed from the position. | V 10 CFR 712.13 (a) |
| 22. | Each supervisor of HRP-certified personnel must conduct an annual review of each individual (assigned) during which the supervisor must evaluate information (including security concerns) relevant to the individual’s suitability to perform HRP tasks in a reliable and safe manner. | V 10 CFR 712.13 (b) |

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23. The supervisor must report any concerns resulting from his or her review to the appropriate HRP management official. Types of behavior and conditions that would indicate a concern include, but are not limited to:
   (a) Psychological or physical disorders that impair performance of assigned duties;
   (b) Conduct that warrants referral for a criminal investigation or results in arrest or conviction;
   (c) Indications of deceitful or delinquent behavior;
   (d) Attempted or threatened destruction of property or life;
   (e) Suicidal tendencies or attempted suicide;
   (f) Use of illegal drugs or the abuse of legal drugs or other substances;
   (g) Alcohol use disorders;
   (h) Recurring financial irresponsibility;
   (i) Irresponsibility in performing assigned duties;
   (j) Inability to deal with stress, or the appearance of being under unusual stress;
   (k) Failure to comply with work directives, hostility or aggression toward fellow workers or authority, uncontrolled anger, violation of safety or security procedures, or repeated absenteeism; and
   (l) Significant behavioral changes, moodiness, depression, or other evidence of loss of emotional control.

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<th>V</th>
<th>10 CFR 712.13 (c)</th>
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| 24. | The supervisor must immediately remove an HRP-certified individual from HRP duties, pursuant to 712.19, and temporarily reassign the individual to a non-HRP position if the supervisor believes the individual has demonstrated a security or safety concern that warrants such removal. If temporary removal is based on a security concern, the HRP management official must immediately notify the applicable DOE personnel security office and the HRP certifying official.  
   (a) Based on the DOE personnel security office recommendation, the HRP certifying official will make the final decision about whether to reinstate an individual into an HRP position.  
   (b) If temporary removal is based on a medical concern, the Designated Physician, the Designated Psychologist, or the SOMD must immediately recommend the medical removal or medical restriction in writing to the appropriate HRP management official, who will make the final determination in temporary removal actions and immediately notify the appropriate HRP certifying official. |
| 25. | The supervisor must immediately remove from HRP duties any Federal employee who does not obtain HRP recertification. The supervisor may reassign the individual or realign the individual's current duties. If these actions are not feasible, the supervisor must contact the appropriate personnel office for guidance. |
| 26. | The supervisor who has been informed by the breath alcohol technician that an HRP-certified individual's confirmatory breath alcohol test result is at or above an alcohol concentration of 0.02 percent shall send the individual home and not allow that individual to perform HRP duties for 24 hours, and inform the HRP management official of this action. |
| 27. | **Purpose.** An HRP medical assessment is performed to determine if an HRP certified individual represents a security concern or has a condition that may prevent the individual from performing HRP duties in a safe and reliable manner. |

### V 10 CFR 712.13 (d)

### V 10 CFR 712.13 (e)

### V 10 CFR 712.13 (f)

### V 10 CFR 712.14 (a)

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| 28. | **When performed.** (a) The medical assessment is performed initially on HRP candidates and individuals occupying HRP positions who have not yet received HRP certification. The medical assessment is performed annually for HRP-certified individuals, or more often as required by the SOMD. (b) The Designated Physician and other examiners working under the direction of the Designated Physician also will conduct an evaluation: (1) If an HRP-certified individual requests an evaluation (i.e., self-referral); or (2) If an HRP-certified individual is referred by management for an evaluation. |
| 29. | **Process.** The Designated Physician, under the supervision of the SOMD, is responsible for the medical assessment of HRP candidates and HRP-certified individuals. The Designated Physician or the SOMD must integrate the medical evaluations, available testing results, psychological evaluations, any psychiatric evaluations, a review of current legal drug use, and any other relevant information. This information is used to determine if a reliability, safety, or security concern exists and if the individual is medically qualified for his or her assigned duties. If a security concern is identified, the Designated Physician or SOMD must immediately notify the HRP management official, who notifies the applicable DOE personnel security office and appropriate HRP certifying official. | V | 10 CFR 712.14 (b) |

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#### 30. Evaluation

The Designated Physician, with the assistance of the Designated Psychologist, must determine the existence or nature of any of the following:

(a) physical or medical disabilities, such as a lack of visual acuity, defective color vision, impaired hearing, musculoskeletal deformities, and neuromuscular impairment;

(b) mental/personality disorders or behavioral problems, including alcohol and other substance use disorders, as described in the Diagnostic and Statistical Manual of Mental Disorders;

(c) use of illegal drugs or the abuse of legal drugs or other substances, as identified by self-reporting or by medical or psychological evaluation or testing;

(d) threat of suicide, homicide, or physical harm; or

(e) medical conditions such as cardiovascular disease, endocrine disease, cerebrovascular or other neurologic disease, or the use of drugs for the treatment of conditions that may adversely affect the judgment or ability of an individual to perform assigned duties in a reliable and safe manner.

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#### 31. Job task analysis

Before the initial or annual medical assessment and psychological evaluation, a job task analysis (Employee Job Task Analysis [EJTA]) must be provided to the Designated Physician and Designated Psychologist for each HRP candidate or HRP-certified individual. Medical assessments and psychological evaluations may not be performed if an EJTA has not been provided.

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#### 32. Psychological evaluations

Psychological evaluations must be conducted:

(a) for initial HRP certification, the evaluation must consist of a psychological assessment (test), approved by the Director of Health and Safety, or his or her designee, and a semi-structured interview.

(b) For recertification, the evaluation must consist of a semi-structured interview. A psychological assessment (test) may also be conducted as warranted.

(c) Every third year, the medical assessment for recertification must include a psychological assessment (test) approved by the Director, Office of Health and Safety, or his or her designee. This requirement can be implemented over a three-year period for individuals who are currently in an HRP position.

(d) When additional psychological or psychiatric evaluations are required by the SOMD to resolve any concerns.
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| 33. | *Return to work after sick leave.* HRP certified individuals who have been on sick leave for five or more consecutive days, or an equivalent time period for those individuals on an alternative work schedule, must report in person to the Designated Physician, the Designated Psychologist, or the SOMD before being allowed to return to normal duties.  

The Designated Physician, the Designated Psychologist, or the SOMD must provide a written recommendation to the appropriate HRP supervisor regarding the individual’s return to work. An HRP-certified individual also may be required to report to the Designated Physician, the Designated Psychologist, or the SOMD for written recommendation to return to normal duties after any period of sick leave. | 10 CFR 712.14 (g) |
| 34. | *Temporary removal or restrictions.* Temporary removal or restrictions. The Designated Physician, the Designated Psychologist, or the SOMD may recommend temporary removal of an individual from an HRP position or restrictions on an individual's work in an HRP position if a medical condition or circumstance develops that affects the individual's ability to perform assigned job duties. The Designated Physician, the Designated Psychologist, or the SOMD must immediately recommend medical removal or medical restrictions in writing to the appropriate HRP management official. If the HRP management official concurs, he or she will then notify the appropriate HRP certifying official. To reinstate or remove such restrictions, the Designated Physician, the Designated Psychologist, or the SOMD must make written recommendation to the HRP management official for concurrence. The HRP management official will then notify the appropriate HRP certifying official. | V 10 CFR 712.14 (h) |

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**NOTE:** Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
35. **Medical evaluation after rehabilitation.**
   (a) Individuals who request reinstatement in the HRP following rehabilitative treatment for alcohol use disorder, use of illegal drugs, or the abuse of legal drugs or other substances, must undergo an evaluation, as prescribed by the SOMD, to ensure continued rehabilitation and adequate capability to perform their job duties.

   (b) The HRP certifying official may reinstate HRP certification of an individual who successfully completes an SOMD-approved drug or alcohol rehabilitation program. Recertification is based on the SOMD's follow-up evaluation and recommendation. The individual is also subject to unannounced follow-up tests for illegal drugs or alcohol and relevant counseling for three years.

36. **Medication and treatment.** HRP-certified individuals are required to immediately report to the Designated Physician, the Designated Psychologist, or the SOMD any physical or mental condition requiring medication or treatment.

   The Designated Physician, the Designated Psychologist, or the SOMD determines if temporary removal of the individual from HRP duties is required and follows the procedures pursuant to Section 712.14(h).

37. **Management Official evaluation:** An evaluation by the HRP management official is required before an individual can be considered for initial certification or recertification in the HRP. This evaluation must be based on a careful review of the results of the supervisory review, medical assessment, and drug and alcohol testing. If a safety concern is identified, the HRP management official must require the supervisor to temporarily reassign the individual to non-HRP duties and forward this information to the HRP certifying official. If the management evaluation reveals a security concern, the HRP management official must notify the applicable DOE personnel security office.
38. **Drug testing:** All HRP candidates and HRP-certified individuals are subject to testing for the use of illegal drugs, as required by this part. Testing must be conducted in accordance with 10 CFR part 707, the workplace substance abuse program for DOE contractor employees. The program must include an initial drug test, random drug tests at least once every 12 months from the previous test, and tests of HRP-certified individuals if they are involved in an incident, unsafe practice, occurrence, or based on reasonable suspicion. Failure to appear for unannounced testing within two hours of notification constitutes a refusal to submit to a test. Sites may establish a shorter time period between notification and testing but may not exceed the two-hour requirement. An HRP-certified individual who, based on a drug test, has been determined to use illegal drugs must immediately be removed from HRP duties, and DOE personnel security must be notified immediately.

V 10 CFR 712.15 (b)

39. **Alcohol testing:** All HRP candidates and HRP-certified individuals are subject to testing for the use of alcohol, as required by this part. The alcohol testing program must include, as a minimum, an initial alcohol test prior to performing HRP duties and random alcohol tests at least once every 12 months from the previous test, and tests of HRP-certified individuals if they are involved in an incident, unsafe practice, occurrence, or based on reasonable suspicion. An HRP-certified individual who has been determined to have an alcohol concentration of 0.02 percent or greater shall be sent home and not allowed to perform HRP duties for 24 hours.

(a) Breath alcohol testing must be conducted by a certified breath alcohol technician and conform to the DOT procedures (49 CFR part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs, subparts J through N) for use of an evidential-grade breath analysis device approved for 0.02/0.04 cutoff levels, which conforms to the DOT model specifications and the most recent “Conforming Products List” issued by NHTSA.

(b) An individual required to undergo DOT alcohol testing is subject to the regulations of the DOT. If such an individual’s blood alcohol level exceeds DOT standards, the individual’s employer may take appropriate disciplinary action.

(c) The following constitutes a refusal to submit to a test and shall be considered as a positive alcohol concentration test.

V 10 CFR 712.15 (c)
of 0.02 percent, which requires the individual be sent home and not allowed to perform HRP duties for 24 hours:

1. Failure to appear for unannounced testing within two hours of notification (or established shorter time for the specific site);
2. Failure to provide an adequate volume of breath in two attempts without a valid medical excuse; and
3. Engaging in conduct that clearly obstructs the testing process, including failure to cooperate with reasonable instructions provided by the testing technician.

40. Occurrence testing: When an HRP-certified individual is involved in, or associated with, an occurrence requiring immediate reporting to the DOE, the following procedures must be implemented:

(i) Testing for the use of illegal drugs in accordance with the provisions of the DOE policies implementing Executive Order 12564, and 10 CFR part 707 or DOE Order 3792.3, which establish workplace substance abuse programs for contractor and DOE employees, respectively.

(ii) Testing for use of alcohol in accordance with this section.

Testing must be performed as soon as possible after an occurrence that requires immediate notification or reporting.

The supervisor must remove an HRP-certified individual from HRP duties if the individual refuses to undergo the testing required by this section.
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<th>Text</th>
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| 41.     | Testing for reasonable suspicion.                                     | (a) If the behavior of an individual in an HRP position creates the basis for reasonable suspicion of the use of an illegal drug or alcohol, that individual must be tested if two or more supervisory or management officials, at least one of whom is in the direct chain of supervision of the individual or is the Designated Physician, the Designated Psychologist, or the SOMD, agree that such testing is appropriate.  
(b) Reasonable suspicion must be based on an articulable belief, drawn from facts and reasonable inferences from those particular facts that an HRP-certified individual is in possession of, or under the influence of, an illegal drug or alcohol. Such a belief may be based on, among other things:  
1. Observable phenomena, such as direct observation of the use or possession of illegal drugs or alcohol, or the physical symptoms of being under the influence of drugs or alcohol;  
2. A pattern of abnormal conduct or erratic behavior;  
3. Information provided by a reliable and credible source that is independently corroborated; or  
4. Detection of alcohol odor on the breath. | V 10 CFR 712.15 (e) |
| 42.     | Counterintelligence Evaluation.                                      | HRP candidates and, when selected, HRP-certified individuals, must submit to and successfully complete a counterintelligence evaluation, which includes a polygraph examination in accordance with 10 CFR part 709, Polygraph Examination Regulations and any subsequent revisions to that regulation. | V 10 CFR 712.15 (f) |
| 43.     | A personnel security specialist will perform a personnel security    | review of an HRP candidate and HRP-certified individual upon receiving the supervisory review, medical assessment, and management evaluation and recommendation.                                                                                                                                   | V 10 CFR 712.16 (a) |
| 44.     | If the personnel security file review is favorable, this information  | must be forwarded to the HRP certifying official. If the review reveals a security concern, or if a security concern is identified during another component of the HRP process, the HRP certifying official must be notified and the security concern evaluated in accordance with the criteria in 10 CFR part 710, subpart A. All security concerns must be resolved according to procedures outlined in 10 CFR part 710, subpart A, rather than through the procedures in this part. | V 10 CFR 712.16 (b); 10 CFR Part 710, Subpart A |
### Human Reliability Program Requirements

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<th>Section</th>
<th>Requirement</th>
<th>Reference</th>
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<tbody>
<tr>
<td>45.</td>
<td>Any mental/personality disorder or behavioral issues found in a personnel security file, which could impact an HRP candidate or HRP-certified individual's ability to perform HRP duties, may be provided in writing to the SOMD, Designated Physician, and Designated Psychologist previously identified for receipt of this information. Medical personnel may not share any information obtained from the personnel security file with anyone who is not an HRP certifying official.</td>
<td>V 10 CFR 712.16 (c)</td>
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<td>46.</td>
<td><em>Instructions/requirements.</em> HRP management officials at each DOE site or facility with HRP positions must establish an initial and annual HRP instruction and education program. The program must provide:</td>
<td>V 10 CFR 712.17 (a)</td>
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<td>(a) HRP candidates, HRP-certified individuals, supervisors, and managers, and supervisors and managers responsible for HRP positions with the knowledge described in paragraph (b)(1) of this section; and</td>
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<td>(b) For all HRP medical personnel, a detailed explanation of HRP duties and responsibilities.</td>
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<td>47.</td>
<td>The following program elements must be included in initial and annual instruction.</td>
<td>V 10 CFR 712.17 (b)</td>
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<td>The elements may be tailored to accommodate group differences and refresher training needs:</td>
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<td>(a) The objectives of the HRP and the role and responsibilities of each individual in the HRP to include recognizing and responding to behavioral change and aberrant or unusual behavior that may result in a risk to national security or nuclear explosive safety; recognizing and reporting security concerns and prescription drug use; and an explanation of return-to-work requirements and continuous evaluation of HRP participants; and</td>
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<td>(b) For those who have nuclear explosive responsibilities, a detailed explanation of duties and safety requirements. <em>(This requirement is not applicable at Hanford)</em></td>
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<td>Description</td>
<td>Relevant Sections</td>
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<td>48.</td>
<td>Transferring HRP certification. For HRP certification to be transferred, the individual must currently be certified in the HRP.</td>
<td>V 10 CFR 712.18 (a)</td>
</tr>
<tr>
<td>49.</td>
<td>Transferring the HRP certification from one site to another requires the following before the individual is allowed to perform HRP duties at the new site:</td>
<td>V 10 CFR 712.18 (b)</td>
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<td>(a) Verify that the individual is currently certified in the HRP and is transferring into a designated HRP position;</td>
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<td>(b) Incorporate the individual into the new site's alcohol and drug-testing program;</td>
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<td>(c) Ensure that the 12-month time period for HRP requirements that was established at the prior site is not exceeded; and</td>
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<td>(d) Provide site-specific instruction.</td>
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<td>50.</td>
<td>Temporary assignment to HRP positions at other sites requires verification that the individual is currently enrolled in the HRP and has completed all site-specific instruction. The individual is required to return to the site that maintains his or her HRP certification for recertification.</td>
<td>V 10 CFR 712.18 (c)</td>
</tr>
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<td>51.</td>
<td>Immediate removal. A supervisor who has a reasonable belief that an HRP-certified individual is not reliable, based on either a safety or security concern, must immediately remove that individual from HRP duties pending a determination of the individual’s reliability. A supervisor also must immediately remove an individual from HRP duties when requested to do so by the HRP certifying official. The supervisor must, at a minimum:</td>
<td>V 10 CFR 712.19 (a)</td>
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<td>(a) Require the individual to stop performing HRP duties;</td>
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<td>(b) Take action to ensure the individual is denied both escorted and unescorted access to the material access areas; and</td>
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<td>(c) Provide within 24 hours, to the individual and the HRP management official, a written reason for these actions.</td>
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<td>52.</td>
<td>The temporary removal of an HRP-certified individual from HRP duties pending a determination of the individual’s reliability is an interim, precautionary action and does not constitute a determination that the individual is not fit to perform his or her required duties. Removal is not, in itself, cause for loss of pay, benefits, or other changes in employment status.</td>
<td>V 10 CFR 712.19 (b)</td>
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**NOTE:** Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
53. **Temporary removal.**

(a) If an HRP management official receives a supervisor’s written notice of the immediate removal of an HRP-certified individual, that official must direct the temporary removal of the individual pending an evaluation and determination of the individual’s reliability.

(b) If removal is based on a security concern, the HRP management official must notify the HRP certifying official and the applicable DOE personnel security office. The security concern will be resolved under the criteria and procedures in 10 CFR part 710, subpart A.

(c) If removal is based on a concern that is not security related, the HRP management official must conduct an evaluation of the circumstances or information that led the supervisor to remove the individual from HRP duties. The HRP management official must prepare a written report of the evaluation that includes a determination of the individual’s reliability for continuing HRP certification.

(d) If the HRP management official determines that an individual who has been temporarily removed continues to meet the requirements for certification, the HRP management official must 1) Notify the individual’s supervisor of the determination and direct that the individual be allowed to return to HRP duties 2) Notify the individual; and 3) Notify the HRP certifying official.

(e) If the HRP management official determines that an individual who has been temporarily removed does not meet the HRP requirements for certification, the HRP management official must forward the written report to the HRP verifying official. If the HRP certifying official is not the Manager, the HRP certifying official must review the written report and take on of the following actions:

(i) Direct that the individual be reinstated and provide written explanation of the reasons and factual bases for the action;

(ii) Direct continuation of the temporary removal pending completion of specified actions (e.g., medical assessment, treatment) to resolve the concerns about the individual’s reliability; or

(iii) Recommend to the Manager the revocation of the individual’s certification and provide written explanation of the reasons and factual bases for the decision.

| V | 10 CFR 712.19 (c); 10 CFR Part 710, Subpart A |
54. The Manager, on receiving the HRP management official's written report and the HRP certifying official's recommendation (if any), must take one of the following actions:

(a) Direct reinstatement of the individual and provide written explanation of the reasons and factual bases for the action;
(b) Direct revocation of the individual's HRP certification; or
(c) Direct continuation of the temporary removal pending completion of specified actions (e.g., medical assessment, treatment) to resolve the concerns about the individual's reliability. 

55. If the action is revocation, the Manager must provide the individual a copy of the HRP management official's report. The Manager may withhold such a report, or portions thereof, to the extent that he or she determines that the report, or portions thereof, may be exempt from access by the employee under the Privacy Act or the Freedom of Information Act. 

56. If an individual is directed by the Manager to take specified actions to resolve HRP concerns, he or she must be reevaluated by the HRP management official and HRP certifying official after those actions have been completed. After considering the HRP management and HRP certifying officials' report and recommendation, the Manager must direct either:

(a) Reinstatement of the individual; or
(b) Revocation of the individual's HRP certification. 

57. **Notification of Manager's initial decision.** The Manager must send by certified mail (return receipt requested) a written decision, including rationale, to the HRP-certified individual whose certification is revoked. The Manager's decision must be accompanied by notification to the individual, in writing, of the procedures pertaining to reconsideration or a hearing on the Manager's decision.
### Human Reliability Program Requirements

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| 58.     | Request for reconsideration or certification review hearing.  
          (a) An HRP-certified individual who receives notification of the Manager's decision to revoke his or her HRP certification may choose one of the following options:  
          (1) Take no action;  
          (2) Submit a written request to the Manager for reconsideration of the decision to revoke certification. The request must include the individual's response to the information that gave rise to the concern. The request must be sent by certified mail to the Manager within 20 working days after the individual received notice of the Manager's decision; or  
          (3) Submit a written request to the Manager for a certification review hearing. The request for a hearing must be sent by certified mail to the Manager within 20 working days after the individual receives notice of the Manager's decision.  
          V 10 CFR 712.20 (a) |
| 59.     | If an individual requests reconsideration by the Manager but not a certification review hearing, the Manager must, within 20 working days after receipt of the individual's request, send by certified mail (return receipt requested) a final decision to the individual. This final decision about certification is based on the individual's response and other relevant information available to the Manager.  
          V 10 CFR 712.20 (b) |
| 60.     | If an individual requests a certification review hearing, the Manager must forward the request to the Office of Hearings and Appeals.  
          V 10 CFR 712.20 (c) |
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<tr>
<td>61.</td>
<td>Office of Hearings and Appeals</td>
<td>V</td>
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<tr>
<td>(a)</td>
<td>The certification review hearing is conducted by the Office of Hearings and Appeals.</td>
<td>10CFR 712.21 (a)(b)(c)(d)</td>
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<tr>
<td>(b)</td>
<td>The hearing officer must have a DOE “Q” access authorization when hearing cases involving HRP duties.</td>
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<td>(c)</td>
<td>An individual who requests a certification review hearing has the right to appear personally before the hearing officer; to present evidence in his or her own behalf, through witnesses or by documents, or by both; and to be accompanied and represented at the hearing by counsel or any other person of the individual's choosing and <strong>at the individual's own expense</strong>.</td>
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<td>(d)</td>
<td>In conducting the proceedings, the hearing officer must:</td>
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<tr>
<td>(1)</td>
<td>Receive all relevant and material information relating to the individual's fitness for HRP duties through witnesses or documentation;</td>
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<td>(2)</td>
<td>Ensure that the individual is permitted to offer information in his or her behalf; to call, examine, and cross-examine witnesses and other persons who have made written or oral statements, and to present and examine documentary evidence;</td>
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<td>(3)</td>
<td>Require the testimony of the individual and all witnesses be given under oath or affirmation; and</td>
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<td>(4)</td>
<td>Ensure that a transcript of the certification review proceedings is made.</td>
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### 62. Hearing officer’s report and recommendation.

Within 30 calendar days of the receipt of the hearing transcript by the hearing officer or the closing of the record, whichever is later, the hearing officer must forward written findings, a supporting statement of reasons, and recommendation regarding the individual’s eligibility for recertification in the HRP position to the Chief Health, Safety and Security Officer. The hearing officer's report and recommendation must be accompanied by a copy of the record of the proceedings. The Chief Health, Safety and Security Officer shall forward to the particular Under Secretary (per the 3/7/11 Federal Register Final Rule) with cognizance over the program which makes the HRP Certification in question, a recommendation to either recertify or revoke the certification of an individual in the HRP.

V 10CFR 712.22

### 63. Final decision by DOE Deputy Secretary.

Within 20 working days of the receipt of the Chief Health, Safety and Security Officer's recommendation, the particular Under Secretary with cognizance over the program which makes the HRP Certification in question, should issue a final written decision. A copy of this decision must be sent by certified mail (return receipt requested) to the Manager and to the individual accompanied by a copy of the hearing officer's report and the transcript of the certification review proceedings.

V 10CFR 712.23

### 64. Applicability.

This subpart establishes standards and procedures for conducting medical assessments of DOE and DOE contractor individuals in HRP positions.

V 10 CFR 712.30
### 65. Purpose

The standards and procedures set forth in this subpart are necessary for DOE to:

(a) Identify the presence of any mental/personality disorders, physical, or behavioral characteristics or conditions that present or are likely to present an unacceptable impairment in reliability;

(b) Facilitate the early diagnosis and treatment of disease or impairment and foster accommodation and rehabilitation;

(c) Determine what functions an HRP-certified individual may be able to perform and to facilitate the proper placement of individuals; and

(d) Provide for continuing monitoring of the health status of individuals to facilitate early detection and correction of adverse health effects, trends, or patterns.

### 66. Designated Physician

(a) The Designated Physician must be qualified to provide professional expertise in the area of occupational medicine as it relates to the HRP.

(b) The Designated Physician must:
   
   (1) Be a graduate of an accredited school of medicine or osteopathy;
   (2) Have a valid, unrestricted state license to practice medicine in the state where HRP medical assessments occur;
   (3) Have met the applicable HRP instruction requirements; and
   (4) Be eligible for the appropriate DOE access authorization.

(c) The Designated Physician is responsible for the medical assessments of HRP candidates and HRP-certified individuals, including determining which components of the medical assessments may be performed by other qualified personnel.

Although a portion of the assessment may be performed by another physician, physician's assistant, or nurse practitioner, the Designated Physician remains responsible for:

(1) Supervising the evaluation process;

| NOTE: Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions. | V | 10CFR 712.31 (a)(b)(c)(d) |
| 65. Purpose |  |  |
| The standards and procedures set forth in this subpart are necessary for DOE to: |  |  |
| (a) Identify the presence of any mental/personality disorders, physical, or behavioral characteristics or conditions that present or are likely to present an unacceptable impairment in reliability; |  |  |
| (b) Facilitate the early diagnosis and treatment of disease or impairment and foster accommodation and rehabilitation; |  |  |
| (c) Determine what functions an HRP-certified individual may be able to perform and to facilitate the proper placement of individuals; and |  |  |
| (d) Provide for continuing monitoring of the health status of individuals to facilitate early detection and correction of adverse health effects, trends, or patterns. |  |  |
| 66. Designated Physician |  |  |
| (a) The Designated Physician must be qualified to provide professional expertise in the area of occupational medicine as it relates to the HRP. |  |  |
| (b) The Designated Physician must: |  |  |
| (1) Be a graduate of an accredited school of medicine or osteopathy; |  |  |
| (2) Have a valid, unrestricted state license to practice medicine in the state where HRP medical assessments occur; |  |  |
| (3) Have met the applicable HRP instruction requirements; and |  |  |
| (4) Be eligible for the appropriate DOE access authorization. |  |  |
| (c) The Designated Physician is responsible for the medical assessments of HRP candidates and HRP-certified individuals, including determining which components of the medical assessments may be performed by other qualified personnel. |  |  |
| Although a portion of the assessment may be performed by another physician, physician's assistant, or nurse practitioner, the Designated Physician remains responsible for: |  |  |
| (1) Supervising the evaluation process; |  |  |
(2) Interpreting the results of evaluations;
(3) Documenting medical conditions or issues that may disqualify an individual from the HRP;
(4) Providing medical assessment information to the Designated Psychologist to assist in determining psychological fitness;
(5) Determining, in conjunction with DOE if appropriate, the location and date of the next required medical assessment; and
(6) Signing a recommendation about the medical fitness of an individual for certification or recertification.

(d) The Designated Physician must immediately report to the SOMD any of the following about himself or herself:
(1) Initiation of an adverse action by any state medical licensing board or any other professional licensing board;
(2) Initiation of an adverse action by any Federal regulatory board since the last designation;
(3) The withdrawal of the privilege to practice by any institution;
(4) Being named a defendant in any criminal proceedings (felony or misdemeanor) since the last designation;
(5) Being evaluated or treated for alcohol use disorder or drug dependency or abuse since the last designation; or
(6) Occurrence, since the last designation, of a physical, mental/personality disorder, or health condition that might affect his or her ability to perform professional duties.

67. Designated Psychologist

(a) The Designated Psychologist reports to the SOMD and determines the psychological fitness of an individual to participate in the HRP. The results of this evaluation may be provided only to the Designated Physician or the SOMD.

(b) The Designated Psychologist must:
(1) Hold a doctoral degree from a clinical psychology program that includes a one-year clinical internship approved by the American Psychological Association or an equivalent program;
(2) Have accumulated a minimum of three years postdoctoral clinical experience with a major emphasis in psychological assessment and testing;

NOTE: Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
(3) Have a valid, unrestricted state license to practice clinical psychology in the state where HRP medical assessments occur;
(4) Have met the applicable HRP instruction requirements; and
(5) Be eligible for the appropriate DOE access authorization.

(c) The **Designated Psychologist** is responsible for all psychological evaluations of HRP candidates, HRP-certified individuals, and others as directed by the SOMD. Although a portion of the psychological evaluation may be performed by another psychologist, the Designated Psychologist must:

1. Supervise the psychological evaluation process and designate which components may be performed by other qualified personnel;
2. Upon request of management, assess the psychological fitness of HRP candidates and HRP-certified individuals for HRP duties, including specific work settings, and recommend referrals as indicated; and
3. Make referrals for psychiatric, psychological, substance abuse, or personal or family problems, and monitor the progress of individuals so referred.

(d) The **Designated Psychologist** must immediately report to the SOMD any of the following about himself or herself:

1. Initiation of an adverse action by any state medical licensing board or any other professional licensing board;
2. Initiation of an adverse action by any Federal regulatory board since the last designation;
3. The withdrawal of the privilege to practice by any institution;
4. Being named a defendant in any criminal proceeding (felony or misdemeanor) since the last designation;
5. Being evaluated or treated for alcohol use disorder or drug dependency or abuse since the last designation; or
6. Occurrence since the last designation of a physical, mental/personality disorder, or health condition that might affect his or her ability to perform professional duties.
68. **Site Occupational Medical Director**  
   (a) The SOMD must nominate a physician to serve as the Designated Physician and a clinical psychologist to serve as the Designated Psychologist. The nominations must be sent through the Manager to the Director, Office of Health and Safety, or his or her designee. Each nomination must describe the nominee's relevant training, experience, and licensure, and include a curriculum vitae and a copy of the nominee's current state or district license.  
   (b) The SOMD must submit a re-nomination report biennially through the Manager to the Director, Office of Health and Safety, or his or her designee. This report must be submitted at least 60 days before the second anniversary of the initial designation or of the last re-designation, whichever applies. The report must include:  
      (1) A statement evaluating the performance of the Designated Physician and Designated Psychologist during the previous designation period; and  
      (2) A copy of the valid, unrestricted state or district license of the Designated Physician and Designated Psychologist.  
   (c) The SOMD must submit, annually, to the Director, Office of Health and Safety or his or her designee through the Manager, a written report summarizing HRP medical activity during the previous year. The SOMD must comply with any DOE directives specifying the form or contents of the annual report.  
   (d) The SOMD must investigate any reports of performance issues regarding a Designated Physician or Designated Psychologist, and the SOMD may suspend either official from HRP-related duties. If the SOMD suspends either official, the SOMD must notify the Director, Office of Health and Safety, or his or her designee and provide supporting documentation and reasons for the action.
### 69. Director, Office of Health and Safety

The Director, Office of Health and Safety, or his or her designee must:

(a) Develop policies, standards, and guidance for the medical aspects of the HRP, including the psychological testing inventory to be used;

(b) Review the qualifications of Designated Physicians and Designated Psychologists, and concur or non-concur with their designations by sending a statement to the Manager and an informational copy to the SOMD; and

(c) Provide technical assistance on medical aspects of the HRP to all DOE elements and DOE contractors.

### 70. Medical assessment process

(a) The Designated Physician, under the supervision of the SOMD, is responsible for the medical assessment of HRP candidates and HRP-certified individuals. In carrying out this responsibility, the Designated Physician or the SOMD must integrate the medical evaluations, psychological evaluations, psychiatric evaluations, and any other relevant information to determine an individual's overall medical qualification for assigned duties.

(b) Employers must provide a job task analysis for those individuals involved in HRP duties to both the Designated Physician and the Designated Psychologist before each medical assessment and psychological evaluation. HRP medical assessments and psychological evaluations may not be performed if a job task analysis has not been provided.

(c) The medical process by the Designated Physician includes:

1. Medical assessments for initial certification, annual recertification, and evaluations for reinstatement following temporary removal from the HRP;
2. Evaluations resulting from self-referrals and referrals by management;
3. Routine medical contacts and occupational and non-occupational health counseling sessions; and

(d) Psychological evaluations must be conducted:

1. For initial certification. This psychological evaluation consists of a generally accepted psychological assessment (test) approved by the...
Director, Office of Health and Safety, or his or her designee and a semi-structured interview.

(2) For recertification. This psychological evaluation consists of a semi-structured interview, which is conducted annually at the time of the medical examination.

(3) Every third year. The medical assessment for recertification must include a generally accepted psychological assessment (test) approved by the Director, Office of Health and Safety or his or her designee.

(4) When the SOMD determines that additional psychological or psychiatric evaluations are required to resolve HRP concerns as listed in Section 712.13(c).

(e) Following absences requiring return-to-work evaluations under applicable DOE directives, the Designated Physician, the Designated Psychologist, or the SOMD must determine whether a psychological evaluation is necessary.

(f) Except as provided in paragraph (g) of this section, the Designated Physician must forward the completed medical assessment of an HRP candidate and HRP-certified individual to the SOMD, who must make a recommendation, based on the assessment, to the individual's HRP management official. If the Designated Physician determines that a currently certified individual no longer meets the HRP requirements, the Designated Physician must immediately, orally, inform the HRP management official. A written explanation must follow within 24 hours.

(g) The Designated Physician, the Designated Psychologist, or the SOMD may make a medical recommendation for return to work and work accommodations for HRP-certified individuals.

(h) The following documentation is required after treatment of an individual for any disqualifying condition:

   (1) A summary of the diagnosis, treatment, current status, and prognosis to be furnished by the treatment provider to the Designated Physician;

   (2) The medical opinion of the Designated Physician advising the individual's supervisor whether the
### Human Reliability Program Requirements

**MSC-RD-27560, Rev. 4**  
**Effective Date:** September 29, 2016  
**Page 30 of 38**

<table>
<thead>
<tr>
<th><strong>71.</strong> Evaluation for hallucinogen use.</th>
<th><strong>V</strong></th>
<th>10CFR 712.37 (a)(b)(c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>If DOE determines that an HRP candidate or HRP-certified individual has used any hallucinogen, the individual is not eligible for certification or recertification unless:</td>
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<tr>
<td>(a) Five years have passed since the last use of the hallucinogen;</td>
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<tr>
<td>(b) There is no evidence of any flashback within the last five years from the previous hallucinogen use; and</td>
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<tr>
<td>(c) The individual has a record of acceptable job performance and observed behavior.</td>
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<tbody>
<tr>
<td>(a) The medical records of HRP candidates and HRP-certified individuals must be maintained in accordance with the Privacy Act, 5 U.S.C. 552a, and DOE implementing regulations in 10 CFR part 1008; the Department of Labor's regulations on access to individual exposure and medical records, 29 CFR 1910.1020; and applicable DOE directives. DOE contractors also may be subject to section 503 of the Rehabilitation Act, 29 U.S.C. 793, and its implementing rules, including confidentiality provisions in 41 CFR 60-741.23 (d).</td>
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</tr>
<tr>
<td>(b) The psychological record of HRP candidates and HRP-certified individuals is a component of the medical record. The psychological record must:</td>
<td></td>
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<tr>
<td>(1) Contain any clinical reports, test protocols and data, notes of individual contacts and correspondence, and other information pertaining to an individual's contact with a psychologist;</td>
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<tr>
<td>(2) Be stored in a secure location in the custody of the Designated Psychologist; and</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOTE:** Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
3.0 REFERENCES

3.1 Source References

Title 10, Volume 4, Chapter III-Department of Energy, Part 707, *Workplace Substance Abuse Programs at DOE Sites*

Title 49, Transportation, Part 40- *Procedures for Transportation Workplace Drug and Alcohol Testing Programs*

Title 10, Volume 4, Chapter III-Department of Energy, Part 712, *Human Reliability Program*

10 CFR Part 710, Subpart A, *Criteria and procedures for determining eligibility for access to classified matter or special nuclear material*

10 CFR Part 1008, *Records maintained on individuals (Privacy Act)*

29 CFR 1910, Sec 1020, *Occupational Safety and Health Standards*

41 CFR 60-741.23 (d), Medical examination and inquiries


10 CFR Part 1008, *Records Maintained on Individuals (Privacy Act)*

29 CFR 1910.1020; *Occupational Safety and Health Standards*


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DOE O 3792.3, Drug-Free Federal Workplace Testing Implementation Program

10 CFR 709, Counterintelligence Evaluation Program

Section 503 of the Rehabilitation Act, 29 U.S.C. 793, Employment Under Federal Contracts,

3.2 Working References

MSC-PRO-SEC-27564, Human Reliability Program Certification and Maintenance
Appendix A
Human Reliability Program
Section 712.3 Definitions

The following definitions are used in this part:

Accelerated Access Authorization Program means the DOE program for granting interim access to classified matter and special nuclear material based on a drug test, a National Agency Check, a psychological assessment, a counterintelligence-scope polygraph examination in accordance with 10 CFR part 709, and a review of the applicant's completed “Questionnaire for National Security Positions” (Standard Form 86).

Access means:
1. A situation that may provide an individual proximity to or control over Category I special nuclear material (SNM); or
2. The proximity to a nuclear explosive and/or Category I SNM that allows the opportunity to divert, steal, tamper with, and/or damage the nuclear explosive or material in spite of any controls that have been established to prevent such unauthorized actions.

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol.

Alcohol abuse means consumption of any beverage, mixture, or preparation, including any medication containing alcohol that results in impaired social or occupational functioning.

Alcohol concentration means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test.

Alcohol use disorder means a maladaptive pattern in which a person's intake of alcohol is great enough to damage or adversely affect physical or mental health or personal, social, or occupational function; or when alcohol has become a prerequisite to normal function.

Certification means the formal action the HRP certifying official takes that permits an individual to perform HRP duties after it is determined that the individual meets the requirements for certification under this part.

Contractor means subcontractors at all tiers and any industrial, educational, commercial, or other entity, grantee, or licensee, including an employee that has executed an agreement with the Federal government for the purpose of performing under a contract, license, or other arrangement.

Designated Physician means a licensed doctor of medicine or osteopathy who has been nominated by the Site Occupational Medical Director (SOMD) and approved by the Manager or
designee, with the concurrence of the Director, Office of Health and Safety, to provide professional expertise in occupational medicine for the HRP.

Designated Psychologist means a licensed Ph.D., or Psy.D., in clinical psychology who has been nominated by the SOMD and approved by the Manager or designee, with the concurrence of the Director, Office of Health and Safety, to provide professional expertise in the area of psychological assessment for the HRP.

Diagnostic and Statistical Manual of Mental Disorders means the current version of the American Psychiatric Association's manual containing definitions of psychiatric terms and diagnostic criteria of mental disorders.

Director, Office of Health and Safety means the DOE individual with responsibility for policy and quality assurance for DOE occupational medical programs.

Drug abuse means use of an illegal drug or misuse of legal drugs. Evidential-grade breath alcohol device means a device that conforms to the model standards for an evidential breath-testing device as listed on the Conforming Products List of Evidential Breath Measurement Devices published by the National Highway Traffic Safety Administration (NHTSA).

Flashback means an involuntary, spontaneous recurrence of some aspect of a hallucinatory experience or perceptual distortion that occurs long after taking the hallucinogen that produced the original effect; also referred to as hallucinogen persisting perception disorder.

Hallucinogen means a drug or substance that produces hallucinations, distortions in perception of sights and sounds, and disturbances in emotion, judgment, and memory.

HRP candidate means an individual being considered for assignment to an HRP position.

HRP-certified individual means an individual who has successfully completed the HRP requirements.

HRP certifying official means the Manager or the Manager's designee who certifies, recertifies, temporarily removes, reviews the circumstances of an individual's removal from an HRP position, and directs reinstatement.

HRP management official means an individual designated by the DOE or a DOE contractor, as appropriate, who has programmatic responsibility for HRP positions.

Illegal drug means a controlled substance, as specified in Schedules I through V of the Controlled Substances Act, 21 U.S.C. 811 and 812; the term does not apply to the use of a controlled substance in accordance with the terms of a valid prescription, or other uses authorized by Federal law.

NOTE: Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
Impaired or impairment means a decrease in functional capacity of a person that is caused by a physical, mental, emotional, substance abuse, or behavioral disorder.

Incident means an unplanned, undesired event that interrupts the completion of an activity and that may include property damage or injury.

Job task analysis means the formal process of defining the requirements of a position and identifying the knowledge, skills, and abilities necessary to effectively perform the duties of the position.

Manager means the senior Federal line manager at a departmental site or Federal office with HRP-designated positions.

Material access area means a type of Security Area that is authorized to contain a Category I quantity of special nuclear material and that has specifically defined physical barriers, is located within a Protected Area, and is subject to specific access controls.

Medical assessment means an evaluation of an HRP candidate and HRP-certified individual's present health status and health risk factors by means of:
   (1) Medical history review;
   (2) Job task analysis;
   (3) Physical examination;
   (4) Appropriate laboratory tests and measurements; and
   (5) Appropriate psychological and psychiatric evaluations.

Nuclear explosive means an assembly of fissionable and/or fusionable materials and main charge high explosive parts or propellants that is capable of producing a nuclear detonation.

Nuclear explosive duties mean work assignments that allow custody of a nuclear explosive or access to a nuclear explosive device or area.

Occurrence means any event or incident that is a deviation from the planned or expected behavior or course of events in connection with any DOE or DOE-controlled operation if the deviation has environmental, public health and safety, or national security protection significance, including (but not limited to) incidents involving:
   (1) Injury or fatality to any person involving actions of a DOE employee or contractor employee;
   (2) An explosion, fire, spread of radioactive material, personal injury or death, or damage to property that involves nuclear explosives under DOE jurisdiction;
   (3) Accidental release of pollutants that results from, or could result in, a significant effect on the public or environment; or
   (4) Accidental release of radioactive material above regulatory limits.
Psychological assessment or test means a scientifically validated instrument designed to detect psychiatric, personality, and behavioral tendencies that would indicate problems with reliability and judgment.

Random alcohol testing means the unscheduled, unannounced alcohol testing of randomly selected employees by a process designed to ensure that selections are made in a nondiscriminatory manner.

Random drug testing means the unscheduled, unannounced drug testing of randomly selected employees by a process designed to ensure that selections are made in a nondiscriminatory manner.

Reasonable suspicion means a suspicion based on an articulable belief that an individual uses illegal drugs or is under the influence of alcohol, drawn from reasonable inferences from particular facts, as detailed further in part 707 of this title.

Recertification means the formal action the HRP certifying official takes annually, not to exceed 12 months, that permits an employee to remain in the HRP and perform HRP duties.

Reinstatement means the action the HRP certifying official takes after it has been determined that an employee who has been temporarily removed from the HRP meets the certification requirements of this part and can be returned to HRP duties.

Reliability means an individual's ability to adhere to security and safety rules and regulations.

Safety concern means any condition, practice, or violation that causes a substantial probability of physical harm, property loss, and/or environmental impact.

Security concern means the presence of information regarding an individual applying for or holding an HRP position that may be considered derogatory under the criteria listed in 10 CFR part 710, subpart A.

Semi-structured interview means an interview by a Designated Psychologist, or a psychologist under his or her supervision, who has the latitude to vary the focus and content of the questions depending on the interviewee's responses.

Site Occupational Medical Director (SOMD) means the physician responsible for the overall direction and operation of the occupational medical program at a particular site.

Supervisor means the individual who has oversight and organizational responsibility for a person holding an HRP position, and whose duties include evaluating the behavior and performance of the HRP-certified individual.

Transfer means an HRP-certified individual moving from one site to another site.

**NOTE:** Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
Unacceptable damage means an incident that could result in a nuclear detonation; high-explosive detonation or deflagration from a nuclear explosive; the diversion, misuse, or removal of Category I special nuclear material; or an interruption of nuclear explosive operations with a significant impact on national security.

Unsafe practice means either a human action departing from prescribed hazard controls or job procedures or practices, or an action causing a person unnecessary exposure to a hazard.
Procedures

MSC-PRO-SEC-27564

Human Reliability Program Certification and Maintenance

Revision 3, Change 0

Published: 10/20/2016
Effective: 10/20/2016

Program: Human Resource Reviewer
Topic: Security

Subject Matter Expert: Deobald, Natalie
Functional Manager: Peterson, Steven

Use Type: Continuous Use
JHA: Administrative

**Periodic Review Due Date:** 10/20/2019

Rev. 3, Chg. 0

**USQ Screen Number:**

- not required : Excluded from USQ

**Exclusion Reason:**

**CHANGE SUMMARY**

**Description of Change**

Changed MSA's references to MSA's 8x9 to 4x10 schedule.
6.2.1 Changed Off-shift hours definition.
6.2.1 Changed timeframe in reporting military leave of absence.
Remove 6.2.1 section on flagging individual as inactive for testing on HRP disqualification for longer than three weeks.

Added “NOTE” – If individual is removed from Human Reliability Program (HRP), need to leave in WSAP if continue with “L” or “Q” clearance or testing designated position.

Updated Appendix sample e-mail's.
1.0 PURPOSE

This procedure implements requirements derived from Title 10, Code of Federal Regulations, Part 712 (10 CFR 712), Human Reliability Program (HRP). This procedure covers the elements required for initial and annual certification. In addition, the process of temporary removal and reinstatement for certified individuals is provided. HRP initial certification and annual recertification, temporary removal (disqualification), re-instatement (return to work-authorized to perform HRP duties) is accomplished/ documented via the Department of Energy Richland Operations Office (DOE-RL) Clearance Information Management System (SEC2). The SEC2 database is owned by the DOE-RL.

2.0 SCOPE

This Level 2 Management Control procedure is applicable to Mission Support Alliance and other DOE Prime Contractors and their pre-designated partnering sub-contractors, lower-tier sub-contractors (non-partnering), and their temporary workers, consultants, guests, and visitors. Employees with these prime contractors identified to have responsibilities or access to Category 1 Special Nuclear Materials.

3.0 IMPLEMENTATION

This procedure is effective upon publication.

4.0 ROLES AND RESPONSIBILITIES

The HRP Management Official serves in this role as per the requirements listed in 10 CFR 712.

The Hanford Site Occupational Medical Services Provider (OMSP) is responsible for completing the initial and annual medical assessments and psychological evaluations per the requirements in 10 CFR 712-HRP, Subpart B-Medical Standards.


The HRP Certifying Official is the DOE designated individual who approves placement, certification, reinstatement, and recertification of individuals into HRP positions per the requirements listed in 10 CFR 712.

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5.0 REQUIREMENTS

This procedure implements the requirements of MSC-RD-SEC-27560, Human Reliability Program, MSC-RD-SEC-27561, Drug/Alcohol Testing Requirements, MSC-PRO-SEC-27563, Drug/Alcohol Testing Performance and MSC-PRO-SEC-389, Processing Security Clearances and Reporting Required Information as they apply to the elements of this procedure.

6.0 PROCESS

6.1 Certification

Certification is an initial and annual requirement of the HRP. Those individuals identified per the requirements for enrollment in the program must be approved by the U.S. DOE-RL for certification. Certification includes the following requirements that must be completed no later than once every 12 months:

- Supervisory Review
- Medical Examination and psychological review, written testing, (every 3 years at a minimum, or at the discretion of the HRP designated psychologist)
- Training
- Management Review/Approval (HRP Management Official)
- Initial Drug and Alcohol Testing
- DOE Personnel Security Review
- DOE Certifying Official Approval

NOTE: An HRP Manager/supervisor and “HRP position type” must be identified for each HRP certified individual. The manager must have frequent enough interaction with the individual to account for and report behavioral concerns or conditions that may indicate a reliability issue in a timely manner (see Section 6.2.)

The following steps provide the actions necessary prior to submittal and subsequent request for certification or re-certification by DOE.

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
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<tbody>
<tr>
<td>Manager / Supervisor</td>
<td>1.</td>
<td>Obtain training required to manage/supervise individuals in HRP positions:</td>
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<tr>
<td></td>
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<td>• 080404 HRP Manager Briefing*</td>
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<td></td>
<td></td>
<td>• 080402 WSAP Manager Briefing (drug policy/drug test performance)*</td>
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</table>
|                  |      | • 080408 Alcohol Testing for Designated Positions (web based course [CBT] available on MSA Training Homepage:http://wbt.rl.gov/admin/sigin_4pt5/startwbt.htm)

NOTE: Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
Annual refresher training including:

- 080407 HRP Refresher (CBT available on MSA Training http://wbt.rl.gov/admin/signin_4pt5/startwbt.htm
- 080403 WSAP CBT Refresher

Medical professionals must complete the following instruction: US DOE National Training Center (NTC) Module, or equivalent.

- PER-120DE, Roles and Responsibilities for Key HRP Officials

*NOTE: Courses 080402 and 080404 are standup lecture training provided by MSA Personnel Security (PS). Managers will be scheduled for these courses by PS if/when they are assigned supervisory responsibility for HRP employees.

2. Review criteria to determine if individual needs to be enrolled in the HRP. (see MSC-RD-SEC-27560)

3. If the individual is a candidate for HRP certification, complete and submit to Personnel Security the following:

   - Security Clearance Justification and Request (SCRJ) form A-6001-552 indicating new position and clearance required “Q” per requirements listed in MSC-PRO-SEC-389, Processing Security Clearances and Reporting Required Information.
   - Testing Designated Position Activity Form (A-6003-957).

4. Update (or create) an Employee Job Task Analysis (EJTA) to reflect HRP enrollment. If creating a new EJTA, use the Risk Management Medical Surveillance System (RMMS) database. Submit completed EJTA to the Occupational Medical Services Provider (OMSP).

For employee initial or annual re-certification, complete forms as provided by HRP office, including, but not limited to:

1. DOE F 470.3, U.S. Department of Energy Human Reliability Program (HRP) Certification
2. Occupational Medical Services Provider Continual Behavior Observation Checklist (A-6004-498)
### Human Reliability Program Certification and Maintenance

**MSC-PRO-SEC-27564 Rev. 3**

**Effective Date:** October 20, 2016

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<th>Actionee</th>
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Item #1, #2 and #3 are completed by the HRP Supervisor

Item #4 is approved by the HRP candidate.

**HRP Management Official (HRP MO)**

5. Receive initial enrollment form (Testing Designated Position Activity Form [A-6003-957]). Review the request ensuring all pertinent information is provided and enrollment meets HRP criteria. If the request does not meet enrollment criteria, the request will be cancelled. If the request meets enrollment criteria, continue processing the request for HRP Certification.

For annual re-certification, the HRP Management Office will initiate the process based on the requirement that each review and approval is performed 12 months from the previous performance. The steps outlined in this procedure for initial certification are the same as for the annual re-certification with the following exceptions noted:

- Complete internal form – “Supervisory Review” to determine re-certification is required.

These forms are not required for annual re-certification:

- DOE F 470.4# (07/03), U.S. Department of Energy Acknowledgement and Agreement to Participate in the Human Reliability Program (HRP)
- DOE F 470.5 (05/16), U.S. Department of Energy Authorization and Consent to Release Human Reliability Program (HRP) Records in Connection with HRP
- DOE F 470.6 (05/16) Refusal of Consent

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HRP MO 6. Per 2006 changes to 10 CFR 709-CI Evaluation Program and after a comprehensive evaluation was conducted (SAS-SA2006-002), it was determined that 10 CFR 709 was NOT applicable to the Hanford Site HRP population. See SAS-SA2006-002 and email from Jim Judge to Dennis Brooks, dated April 12, 2007.

Patrol Supervisor/ HRP Management Official/HRP Designated Physician and Psychologist 7. Request the OMSP schedule the HRP medical and psychological assessment per the requirements outlined in MSC-RD-SEC-27560 and 10 CFR 712-HRP Subpart B.

HRP MO 8. Ensure HRP training courses are included in the employee’s and manager’s training plan by notifying the appropriate Training Coordinator or MSA Training organization.

HRP MO 9. Request and review HRP candidate annual disciplinary and safety records. Employee safety records are requested from the Industrial Hygiene/Safety organization. Disciplinary records are requested from the MSA Labor Relations organization.

HRP Clerk 10. Initiate Supervisory Review by sending required forms as stated above in Step 4 to responsible manager/supervisor.

Employee 11. Complete required DOE forms for enrollment/re-certification as provided.

**NOTE:** For initial certification, a “Refusal to Consent” (form DOE F 470.6 (05/16) is provided as an option for signature. If you decline to enter the program by signature on this form, management and Labor Relations must be notified.
### Human Reliability Program Certification and Maintenance

**MSC-PRO-SEC-27564 Rev. 3**  
**Effective Date:** October 20, 2016  
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<tr>
<th>Actionee</th>
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<tr>
<td></td>
<td>12.</td>
<td>Complete training and physical examination as scheduled. Training will include:</td>
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<td>For initial candidates:</td>
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<td></td>
<td></td>
<td>• 080406 HRP Initial Employee Briefing</td>
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<td></td>
<td></td>
<td>• 080403, Workplace Substance Abuse Employee Briefing</td>
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<tr>
<td></td>
<td></td>
<td>• 080408, Alcohol Testing for Testing Designated Positions</td>
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<td><strong>NOTE:</strong> For Patrol candidates, the initial training will be accomplished near the end, or after they have “graduated” from the Patrol Training Academy. Other training required is available as computer based learning.</td>
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<td>Employees processed for annual recertification will complete:</td>
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<td></td>
<td>• 080407, HRP Refresher (computer based course)</td>
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<td></td>
<td>13.</td>
<td>Complete and approve consent to release (DOE F 470.5# [05/16]) and agreement to participate (DOE F 470.4# [07/03]) forms as required for enrollment in the HRP.</td>
</tr>
<tr>
<td></td>
<td>14.</td>
<td>Submit to initial and subsequent random drug and alcohol testing. (Initial testing performed following HRP training.) Drug/alcohol testing results (Federal Custody and Control Form - Employer copy) are part of the certification package that is transmitted to DOE-RL for certification approval. See MSC-RD-SEC-27561 and MSC-PRO-SEC-27563 for specific drug/alcohol testing requirements and process.</td>
</tr>
<tr>
<td>HRP Clerk</td>
<td>17.</td>
<td>Create and maintain employee HRP history file.</td>
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<td></td>
<td>18.</td>
<td>Submit certification documents to HRP Management Official for review and approval. The certification documents include the completed DOE and OMSP forms as defined in the above Steps #4, #14, #16 and #17 – forms DOE F 470.3#, 470.4#, 470.5#, OMSP Checklist A-6004-498, drug/alcohol test results, and Refusal of Consent DOE F 470.6# if applicable.</td>
</tr>
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</table>

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### Human Reliability Program Certification and Maintenance

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
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<tbody>
<tr>
<td>HRP Management Official</td>
<td>19.</td>
<td>Sign completed candidate enrollment form (470.3) as required for submission to DOE.</td>
</tr>
<tr>
<td></td>
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<td><strong>If</strong> the employee declined enrollment and completed the “Refusal to Consent” form; notify manager and Labor Relations.</td>
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<tr>
<td></td>
<td>20.</td>
<td>Review certification package to ensure all elements required for initial or annual re-certification have been completed and meet DOE criteria. For initial and annual re-certification this includes review of disciplinary, safety, and temporary removal information. Work with Patrol management/Labor Relations if a safety or security concern is identified. If applicable, process a temporary removal from HRP (see Section 6.2).</td>
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<td></td>
<td>21.</td>
<td>Approve certification (470.3#) package.</td>
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<td>22.</td>
<td>Forward approved certification (470.3#) package to DOE for Personnel Security review and Certifying Official for final approval.</td>
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<td></td>
<td>23.</td>
<td>Inform Hanford Patrol management when “initial” certification is received. Direct employee’s manager to process the employee’s new badge.</td>
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</table>

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6.2 Temporary Removal (Disqualification [DQ]) and Return to Work (RTW) Requests

Individuals whose reliability is, or may become, compromised due to a safety or security concern (see definition below), must be disqualified (DQ) and restricted from performing HRP duties until the safety or security concern is resolved or adjudicated. For further information on reliability, see MSC-RD-SEC-27560. The following process provides the steps taken by the contractor for temporary removal (disqualification) and return. The DOE Certifying Official can also disqualify or remove an individual if there is a safety or security concern. See Appendix A for a summary table of DQ/RTW process steps.

**Safety Concern definition:** any condition, practice, or violation that causes a substantial probability of physical harm, property loss, and/or environmental impact.

**Security Concern definition:** means the presence of information regarding an individual applying for or holding an HRP position that may be considered derogatory under the criteria listed in 10 CFR 710, Subpart A, Section 710.8 Criteria. For additional derogatory information, see: [http://msc.rl.gov/rapidweb/SAS/index.cfm?PageNum=86](http://msc.rl.gov/rapidweb/SAS/index.cfm?PageNum=86)

**Following are some examples of “derogatory” information:**
- Continuing contact with foreign nationals (i.e., any contacts that are more than casual in nature, whether in a business or social setting)
- Personal or business-related filing for bankruptcies
- Hospitalization/Treatment for mental illness; treatment for drug/alcohol abuse
- Committed, prepared, or attempted acts of treason, espionage, or terrorism
- Knowingly maintained a sympathetic relationship with a representative of a foreign government whose interests are hostile to the United States
- Knowingly held membership in any foreign or domestic organization that advocates the use of force to prevent the free exercise of Constitutional rights
- Advocated the use of violence to overthrow the U.S. government
- Deliberately falsified or omitted significant relevant information during the course of the security clearance process
- Trafficked in, sold, transferred, possessed, used, or experimented with controlled substances except as legally prescribed by a physician within the last 7 years
- Engaged in any conduct that tends to show a lack of honesty, reliability, or judgment, or indicates susceptibility to coercion or exploitation, including violation of a promise made to the DOE and relied upon to grant a security clearance.
6.2.1 Temporary Removal (Disqualification [DQ]) from HRP Duties

An individual who is disqualified (temporarily removed from HRP duties) may not have access to Category 1 Special Nuclear Material. An HRP individual disqualified based on safety or security concern may be required to undergo a psychological evaluation based on a recommendation by the HRP Designated Psychologist prior to being authorized to return to HRP duties. The steps to complete a DQ are electronically processed/document in the SEC2 database (hardcopy records are not maintained). See Appendix B for a documentation example of a disqualification and notification to management. See Appendix C for a documentation example of an Access Restriction (Off-Shift) disqualification and notification to management. The following steps outline the process to complete a temporary removal during regular business hours and non-business hours:

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee</td>
<td>1.</td>
<td>During <em>regular</em> business hours (standard MSA 8x9 schedule, 6:00am – 4:30pm, every other Friday off), report immediately to the medical provider any mental or health conditions requiring medication or treatment. This includes:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Prescribed medications (Rx)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Mental Health Counseling or Condition</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Medical treatment – i.e., surgery or medical procedure</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Sick leave of five or more consecutive days</td>
</tr>
<tr>
<td></td>
<td></td>
<td>During <em>Off-Shift</em> hours, report medication and/or medical treatment directly to the OMSP On-Call HRP Physician via the Patrol Operations Center (POC) at 373-3800. The POC will notify the on-call HRP Designated Physician. The HRP Designated Physician will contact the employee directly to consult on the medical and/or medication issue. If necessary, the HRP Designated Physician will inform the employee and the POC that the employee is HRP disqualified. The POC is authorized to temporarily remove the employee during off-shift hours. The Off-Shift DQ is formalized by the HRP Designated Physician/Management Official on the next regular business day.</td>
</tr>
</tbody>
</table>

*Off-Shift hours definition:* hours outside of the standard 4x10 shift, i.e., before 6:00 am and/or after 4:30pm; Weekends; Holidays and every Friday Off

Reporting may be accomplished by phone if appropriate (surgeries, medications)
### Human Reliability Program Certification and Maintenance

**NOTE:** Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>NOTE 1: <em>The Site Occupational Medical Director (SOMD), the HRP Designated Physician or Physician Assistants-Certified (PA-Cs) will determine if reliability is compromised from a medical standpoint and make a recommendation to the HRP Management Official. The PA-Cs are delegated authority to approve HRP temporary removal with the concurrence of the HRP Designated Physician.</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td>NOTE 2: <em>This does not replace the need to inform management of medications or conditions that affect an employee’s ability to perform assigned work. See MSC-PRO-HR-042, “Fitness for Duty.”</em></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Notify HRP Management Official of any leave of absence such as:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Military Leave (leave of thirty-one days or greater).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Short or Long-Term Disability</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Plant injury or illness</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Personal</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Educational</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Family</td>
</tr>
<tr>
<td>Manager/Supervisor</td>
<td>3.</td>
<td>Notify HRP Management Official of any circumstance or condition that you believe may compromise an HRP employee’s reliability. This includes, but is not limited to the following:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• medical conditions requiring an absence from work of five or more consecutive days;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• *cases of administrative review or testing for cause;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• *demonstrated safety or security concern;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• *disciplinary actions, suspensions from work</td>
</tr>
<tr>
<td></td>
<td></td>
<td>*these conditions are required to be reported to the management official in writing, i.e., Event Reports, Disciplinary Memos.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If temporary removal (DQ) is deemed appropriate or it appears a temporary removal (DQ) has not been performed for leave or a known medical condition, provide written notification to the HRP Management Official within 24 hours (e-mail acceptable).</td>
</tr>
</tbody>
</table>
### Human Reliability Program Certification and Maintenance

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>HRP Management Official</td>
<td>4</td>
<td>The HRP Management Official will review the information/recommendation received from the OMSP-HRP Designated Physician and/or management and act as necessary to temporarily remove (DQ) individuals from performing HRP duties. See temporary removal criteria/authorizations in 10 CFR 712.13 and 712.19.</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>Provide a written report to DOE-RL, including disqualifying information, via the SEC2 database.</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>Send notification of temporary removal (DQ) to the certifying official and Hanford Patrol management.</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>Investigate all individual and/or management failures to report leave, absence, or condition requiring notification to the HRP management official and report findings to Safeguards and Security management for review and determination of other subsequent actions.</td>
</tr>
<tr>
<td>Manager/Supervisor</td>
<td>8</td>
<td>Upon receiving disqualification notifications from HRP Management Official ensure employee is restricted from performing HRP duties until the OMSP and the HRP Management Official formally authorizes the employee to return to HRP duties.</td>
</tr>
</tbody>
</table>

#### 6.2.2 Return to HRP Certified Status and Performance of HRP Duties

The steps to complete a return to work (RTW) are electronically processed/documented in the SEC2 database (hardcopy records are not maintained). See Appendix D for a documentation example of a return to work (HRP Certified) from disqualification and notification to management.

**NOTE:** Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
### Human Reliability Program Certification and Maintenance

**Actionee** | **Step** | **Action**
---|---|---
Employee | 1. | Report to the OMSP following any medically related absence or as directed. HRP certified individuals absent due to illness for five or more consecutive days must report in person to the OMSP before being allowed to resume HRP duties. Also report when no longer taking a disqualifying medication (may be accomplished by phone).

Manager / Supervisor | 2. | Provide (in writing) a brief summary of the circumstances/investigation and resolution of any disqualifying safety or security concern(s) to the HRP Management Official.

HRP Management Official | 3. | Review information received requesting an individual be returned to work and determine further actions. (Can be from medical provider, manager, or DOE.)

**IMPORTANT:** *If the employee is returning to full HRP duties but has a work restriction, contact the employee’s manager first to confirm if management can accommodate the work restriction and the employee’s ability to perform HRP duties.*

- **If** the information provided negates any concern of reliability and the individual meets all certification requirements, proceed to next step (step 4 below).

- **If** the information does not resolve the concern or the individual does not meet certification requirements, return to Section 6.1 to complete re-certification requirements and/or consult management and the certifying official for resolution as appropriate.

- **If** the issue cannot be resolved proceed to removal from HRP. (see Section 6.3)
6.3 Removal from HRP

Removal from HRP can be immediate and temporary, or per decision of revocation. HRP removal can be due to a safety, security concern or due to the employee transferring into a non-HRP position. Temporary removals are outlined above in Section 6.2.1. To remove an HRP Certified employee from HRP, the following steps should be completed.

NOTE: As long as a person has a “Q” or “L” clearance, they are required to be in a testing program. If the individual is no longer in the HRP, yet still has a clearance, they must be enrolled in the WSAP (or DOT testing program if applicable) whether they are physically working on or off site.

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manager/Supervisor</td>
<td>1.</td>
<td>Complete Testing Designated Position Activity Form (A-6003-957) if it is determined that an individual no longer requires enrollment in the HRP.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>NOTE: If an individual is being transferred or otherwise removed from an HRP position for derogatory reasons the information must be provided to the Management Official for reporting to DOE-RL.</td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td>Update Employee Job Task Analysis so HRP is not indicated.</td>
</tr>
</tbody>
</table>
### Human Reliability Program Certification and Maintenance

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<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>HRP Management Official</td>
<td>3.</td>
<td>Record proper entries into SEC2 database and send notification to employee management and the certifying official.</td>
</tr>
</tbody>
</table>

4. Make notifications of removal from program as needed:

- MSA Training (revise employee training plan)
- Clearance Administration
- Employee’s manager

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>HRP Employee/ HRP Supervisor/ HRP Management Official</td>
<td>5.</td>
<td>If the HRP management official determines that an individual no longer meets the HRP requirements for certification, the HRP management official will forward a written report to the HRP certifying official. Per requirements in 10 CFR 712.19; -712.20; -712.21; and -712.23, this decision initiates actions by the following officials:</td>
</tr>
</tbody>
</table>

- HRP Employee
- HRP Supervisor
- HRP Management Official
- HRP Certifying Official
- DOE-RL Manager
- DOE Office of Hearings and Appeals-Hearing Officer and Chief Health, Safety and Security
- DOE General Counsel
- DOE Cognizant Under Secretary

The steps to complete an HRP revocation are outlined in the OPS-237, HRP Desk Instructions.

The final decision of HRP revocation is transmitted by certified mail to the DOE-RL Manager and the individual accompanied by a copy of the hearing officer’s report and the transcript of the certification review proceedings.

### 6.4 HRP Certification Transfer (Internal and External)

The following steps apply to the transfer of HRP certified individuals between separate DOE sites.
For an internal transfer on the Hanford site, the releasing manager must complete the Testing Designated Position Activity Request form (A-6003-957) to identify the releasing manager and the receiving manager and transmit the completed form to the HRP Management Official.

For HRP Certification transfer from one DOE site to another DOE site, specific actions must be completed as noted below. Further, HRP certification may be transferred from one DOE site to another DOE site only when the individual remains the employee of the original site. The individual must currently be certified in the HRP, and the individual’s HRP certification must be accepted by the certifying official at the new site. And, transferring the HRP certification from one site to another requires the following steps before the individual is allowed to perform HRP duties at the new site.

**HRP Certification - External Transfer from One DOE Site to Another DOE Site**

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transferring HRP Management Official</td>
<td>1</td>
<td>Verify that the individual is currently HRP certified;</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Verify that the individual is transferring into a designated HRP position;</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Verify that the individual is accepted for HRP certification at the new site; and</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Ensure that HRP certification will not expire during the transfer period, or ensure that the individual whose certification will expire during the transfer period returns to the original site for the recertification process.</td>
</tr>
<tr>
<td>New Site - HRP Management Official</td>
<td>5</td>
<td>Accept the individual’s HRP certification;</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>Incorporate the individual into the new site’s alcohol and drug-testing program if the transfer exceeds 90 days;</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>Ensure that the 12-month time period for HRP requirements that was established at the prior site is not exceeded; and</td>
</tr>
<tr>
<td></td>
<td>8</td>
<td>Ensure that instruction is provided in the site-specific elements of the HRP.</td>
</tr>
</tbody>
</table>
7.0 FORMS

Course Completion Roster (A-6001-541)
Security Clearance Justification and Request form, A-6001-552
Testing Designated Position Activity Request Form, A-6003-957
DOE F 470.3#, U.S. Department of Energy Human Reliability Program (HRP) Certification
DOE F 470.4# (07/03), U.S. Department of Energy Acknowledgement and Agreement to Participate in the Human Reliability Program (HRP)
DOE F 470.5# (05/16), U.S. Department of Energy Authorization and Consent to Release Human Reliability Program (HRP) Records in Connection with HRP
DOE F 470.6# (05/16) Refusal of Consent
Employee Job Task Analysis (no form number)
Supervisory Review Form for annual re-certification (internal form).

8.0 RECORD IDENTIFICATION

All records generated by this procedure are processed and maintained in accordance with MSC-PRO-RM-10588, Records Management Processes.

<table>
<thead>
<tr>
<th>Name of Document</th>
<th>Submittal Responsibility</th>
<th>Retention Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Course Completion Rosters (A-6001-541)</td>
<td>HRP Management Official</td>
<td>MSA Training Records</td>
</tr>
<tr>
<td>Security Clearance Justification and Request</td>
<td>Requesting Manager/Supervisor</td>
<td>MSA Personnel Security/Clearance Administration</td>
</tr>
<tr>
<td>Employee Job Task Analysis (no form number)</td>
<td>Requesting Manager/Supervisor</td>
<td>Requesting Manager/Supervisor</td>
</tr>
<tr>
<td>Testing Designated Position Activity Request Form (A-6003-957)</td>
<td>Requesting Manager/Supervisor</td>
<td>MSA Personnel Security</td>
</tr>
<tr>
<td>Employee Safety Record</td>
<td>HRP Management Official</td>
<td>MSA Safety Organization/MSA Litigation Support Services (record copy)</td>
</tr>
<tr>
<td>Employee Discipline Record</td>
<td></td>
<td>MSA Personnel Security (copy)</td>
</tr>
</tbody>
</table>

**NOTE:** Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
### Human Reliability Program Certification and Maintenance

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| **Alcohol Test Results** | **HRP Management Official** | **MSA Personnel Security**  
| (original)  
| **DOE-RL Security and Emergency Services (copy)** |
| **Drug Test Results** | **HRP Management Official** | **MSA Personnel Security**  
| (copy)  
| **DOE-RL Security and Emergency Services (record copy)** |
| **Human Reliability Program (HRP) Continual Behavior Observation Checklist (A-6004-498).** | **HRP Management Official** | **DOE-RL Security and Emergency Services Division (original signed copy)**  
| **MSA Personnel Security (copy)** |
| **HRP Disqualification (see example App B)** | **HRP Management Official** | **DOE-RL Security and Emergency Services Division (electronic copy in SEC2 database)**  
| **MSA Personnel Security (electronic copy in SEC2 database)** |
| **HRP Off-Shift Disqualification (see example App C)** | **HRP Management Official** | **DOE-RL Security and Emergency Services Division (electronic copy in SEC2 database)**  
| **MSA Personnel Security (electronic copy in SEC2 database)** |
| **HRP Return to Work (see example App D)** | **HRP Management Official** | **DOE-RL Security and Emergency Services Division (electronic copy in SEC2 database)**  
| **MSA Personnel Security (electronic copy in SEC2 database)** |

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<table>
<thead>
<tr>
<th>Document</th>
<th>Responsible Party</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair Credit Reporting Act of 1970 as amended, OMB No 1910-1800</td>
<td>HRP Management Official</td>
<td>DOE-RL Security and Emergency Services Division (original signed copy)</td>
</tr>
<tr>
<td>DOE F 470.3# (07/03), U.S. Department of Energy Human Reliability Program (HRP) Certification</td>
<td>HRP Management Official</td>
<td>DOE-RL Security and Emergency Services Division (original signed copy)</td>
</tr>
<tr>
<td>DOE F 470.4# (07/03), U.S. Department of Energy Acknowledgement and Agreement to Participate in the Human Reliability Program (HRP)</td>
<td>HRP Management Official</td>
<td>DOE-RL Security and Emergency Services Division (original signed copy)</td>
</tr>
<tr>
<td>Supervisory Review Form for annual re-certification (internal form).</td>
<td>HRP Management Official</td>
<td>DOE-RL Security and Emergency Services Division (original signed copy)</td>
</tr>
<tr>
<td>DOE F 470.5# (07/03), U.S. Department of Energy Authorization and Consent to Release Human Reliability Program (HRP) Records in Connection with HRP</td>
<td>HRP Management Official</td>
<td>DOE-RL Security and Emergency Services Division (original signed copy)</td>
</tr>
<tr>
<td>DOE F 470.6# (07/03), U.S. Department of Energy Refusal of Consent</td>
<td>HRP Management Official</td>
<td>DOE-RL Security and Emergency Services Division (original signed copy)</td>
</tr>
</tbody>
</table>

**NOTE:** All data pertaining to this program is stored on a DOE owned database (SEC2). Only working copy records are kept at Personnel Security office. Medical records of HRP candidates and HRP certified individuals are kept by the OMSP SOMD.
9.0 REFERENCES

9.1 Source References

10 CFR 709, Counterintelligence Evaluation Program
10 CFR 710, Subpart A, Criteria and procedures for determining eligibility for access to classified matter or special nuclear material
DOE O 472.2, Personnel Security
DOE O 473.3, Protection Program Operations
10 CFR 712, Human Reliability Program

MSC-RD-SEC-27561, Drug and Alcohol Testing Requirements
MSC-RD-SEC-27560, Human Reliability Program Requirements

9.2 Working References

MSC-MP-SEC-27556, Human Reliability Program Management Plan
MSC-PRO-HR-042, Fitness for Duty
MSC-PRO-RM-10588, Records Management Processes
MSC-PRO-SEC-27563, Drug and Alcohol Testing Performance

OPS-237, Human Reliability Program (HRP) Desk Instructions
APPENDIX A
Temporary Removal (DQ) & Return to Work (RTW) Requests
Process Flow

REPORT
Rx Medication and/or Medical Treatment to the OMSP HRP Designated Physician, HRP Supervisor or HRP Management Official can request DQ.

Safety and Security concerns reported to the management official/certifying official that merit temporary removals.

DQ
Based on the consultation with the Designated Physician, the Designated Physician will recommend Disqualification. The Management Official approves the disqualification recommendation - the employee is informed by management that he/she cannot perform HRP duties.

REQUEST RETURN TO WORK (RTW) – HRP CERTIFIED STATUS
Disqualified Employee calls OMSP to consult with the HRP Designated Physician or

REVIEW
The Management Official receives the RTW request; evaluates the request to ensure certification requirements are in compliance and there are no safety or security issues.

APPROVE
The Management Official approves or can make a recommendation on the RTW to the RL Certifying Official.

TEMPORARY REMOVAL LIFTED
The Management Official approves the RTW and notifies management.

MANAGER
Management informs the employee that the RTW is approved and the employee is authorized to perform HRP duties.
APPENDIX B
Temporary Removal (DQ) Examples

From: DOE_Clearance_Process_Center@RL.gov [mailto:DOE_Clearance_Process_Center@RL.gov]
Sent: Wednesday, February 24, 2016 1:02 PM
To: (Individual's Name); Chappell, Robert G; ^CPC DOE-RL; ^DOE Clearance Process Center; ^SEC2; Ensunsa, Angela E; Low, Corey; Rogers, Loren E; Peters, Lori L
Subject: HRP Disqualification (DQ) (Patrol) – (Individual's Name)

*** Official Use Only ***

** PATROL ** PATROL ** PATROL **

The following PATROL employee has been HRP disqualified:

(Individual's Name)

DOE Number: xxxxxxxx

Disqualification Type: Medical

Assessment Type: Medical/Administrative

*** Official Use Only ***

From: Deobald, Natalie J
Sent: Wednesday, February 24, 2016 2:43 PM
To: (Individual's name); ^Patrol CAS; ^Patrol Operations Center; all of patrol management (individual e-mail’s)
Subject: FW: HRP Disqualification (DQ) – (individual's name)

*** Official Use Only ***

(Individual’s name) is HRP Disqualified from performing HRP duties until further notice from my office. Please call me if you have any questions.

Natalie Deobald
HRP Management Official
Personnel Security
509.373.0698

APPENDIX C

NOTE: Employees may print off this document for reference purposes but are responsible to check MSA PS to ensure the most current version is used to prevent unintended use of obsolete versions.
Temporary Removal
(Off_Shift Access Restriction)
Example

During *Off_Shift hours, HRP employees are instructed to contact the POC to report prescription medications/medical treatment. The employee reporting is connected via Patrol Operations Center (POC) to the on-call HRP Designated Physician (DP). After consultation with the HRP DP, the HRP DP notifies the POC the employee is HRP Temp Removed. The POC is authorized to record the Temporary Removal in the HRP database. The following notification is issued to Patrol management.

On the next business day, the OMSP HRP DP will issue the Temp Removal Recommendation in the HRP database. The HRP Management Official receives the TR Recommendation and approves and issues the notification to supervisor (see Appendix B).

From: DOE_Clearance_Process_Center@RL.gov [mailto:DOE_Clearance_Process_Center@RL.gov]
Sent: Tuesday, April 05, 2016 8:18 PM
To: (Individual’s name); many of patrol management and DOE-RL management (individual e-mail’s); ^Patrol CAS; ^Patrol Operations Center;
Subject: HRP Access Restriction (Off-Shift) - (Individual’s Name)

**** Official Use Only ****

An Off-Shift HRP Access Restriction has been entered for the following person:

(Individual’s Name)

DOE Number: xxxxxxxx

**** Official Use Only ****

*Off-Shift Hours definition:
The standard work shift for Mission Support Alliance, LLC contractor employees is the 4x10’s schedule. Monday thru Thursday – 6am-4:30pm. The management official works the 4x10’s schedule.

Off_Shift Hours are those outside of the standard 4x10 shift, i.e., before 6:00 am and/or after 4:30pm; Weekends; Holidays and every Friday Off.
APPENDIX D

HRP Return to Work (RTW) Example

RECOMMENDATION FROM OMSP HRP PHYSICIAN

From: DOE_Clearance_Process_Center@RL.gov
Sent: Monday, April 25, 2016 8:42 AM
To: Moore, Anthony A; ^CPC DOE-RL; Smith, Catherine A; ^DOE Clearance Process Center; Oliver, F Ben; ^HRP WSAP DOT Programs; Spencer, Kylene; Rickard, Michelle M; Deobald, Natalie J; ^SEC2; Trusty, Tammy; Fennell, Jill; Peters, Lori L
Subject: HRP DQ, RTW Recommend. Submitted – (Individual’s Name)

*** Official Use Only ***

HRP disqualification return to work recommendation has been submitted for the following person:

(Individual’s Name)

DOE Number: xxxxxxxx

Most recent certification date: 02/09/2016

Most recent drug/alcohol test date: 01/07/2016

Current manager: (Manager’s Name)

Security Issues: No

*** Official Use Only ***
APPENDIX D (Con’t.)
MANAGEMENT OFFICIAL APPROVES RTW RECOMMENDATION and
NOTIFIES MANAGEMENT

From: Deobald, Natalie J
Sent: Monday, April 25, 2016 10:13 AM
To: (Individual’s name); many of patrol management and DOE-RL management (individual e-mail’s); ^Patrol CAS;
^Patrol Operations Center;
Subject: FW: HRP Status Reinstated (return from HRP DQ) – (Individual’s Name)

* * * * Official Use Only * * * *

(Individual’s Name) is approved to return to HRP Certified status and is authorized to perform
HRP duties. Please call me if you have any questions.

Natalie Deobald
HRP Management Official
Personnel Security
509.373.0698

From: DOE_Clearance_Process_Center@RL.gov [mailto:DOE_Clearance_Process_Center@RL.gov]
Sent: Monday, April 25, 2016 10:12 AM
To: Moore, Anthony A; ^CPC DOE-RL; Smith, Catherine A; ^DOE Clearance Process Center; Oliver, F Ben; ^HRP
WSAP DOT Programs; Spencer, Kylene; Rickard, Michelle M; Deobald, Natalie J; ^SEC2; Trusty, Tammy; Fennell, Jill;
Peters, Lori L
Subject: HRP Status Reinstated (return from HRP DQ) - (Individual’s Name)

* * * * Official Use Only * * * *

The following employee is approved to perform HRP duties:

(Individual’s Name)

DOE Number: xxxxxxxx

* * * * Official Use Only * * *
Procedures

MSC-PRO-HR-042

Fitness for Duty

Revision 7, Change 0

Published: 10/28/2014
Effective: 10/28/2014

Topic: Human Resources

Subject Matter Expert: Protsman, Cynthia
Functional Manager: Murphy, Mary

Use Type: N/A

*MSAPS.MSC-PRO-HR-042*
Change Summary

JHA:
Periodic Review Due Date: 02/22/2020
Rev. 7, Chg. 0
USQ Screen Number:

Description of Change

Add a NOTE 1 to 4.3.2.c requesting Form A-6006-226 be used, renumbered following NOTES.
Fitness for Duty

MSC-PRO-042, Rev. 7  Effective Date: October 28, 2014  Page 1 of 23

CHANGE SUMMARY

Rev. 3
Remove DOT information from flowchart that was missed at last revision.

Rev. 4
Rewrite Section 5.1, Step 1 to include direction pointing management to the use of MSC-RD-27562.

Rev. 5
Add Section 4.3 4. Negative-Dilute Drug Test Result language and to include comments from legal counsel.

Rev. 6
3.0, Include Reliability Program Office roles/responsibility; 4.9 include language due to DOT regulatory change; 5.1.6 clarify RPO and delete: Midge Rhodes and add, Natalie Deobald; add new chart page 23 (OMSP) and delete old chart; page 24 (reference CSC-HOHS)
Grammatical/spelling changes.

Rev. 7
Description of Change:
Add a NOTE 1 to 4.3.2.c requesting Form A-6006-226 be used, renumbered following NOTES.
1.0 PURPOSE AND SCOPE

The purpose of this procedure is to implement the MSA policy, MSC-POL-11390, *Safe and Drug Free Workplace* and the requirements outlined in 10 CFR 707, *Workplace Substance Abuse Programs at DOE Sites* (WSAP) in determining an individual’s fitness to perform assigned duties. This procedure is applicable to all Mission Support Alliance, LLC (MSA) employees, and MSA subcontractors (collectively referred to as “employees”). This procedure also implements the MSA responsibility to administer the WSAP program and maintain the procedures for testing and databases for the Other Hanford Contractors (OHC) as set forth in the Mission Support Contract, Contract No. DE-AC06-09RL14728, Attachment J-3, Interface number 12.

It is the policy of MSA to conduct its operations so as to protect the environment and to maintain the health and safety of our employees. To this end, all employees are required to report to work drug and alcohol free and fit for duty.

All employees are subject to certain drug and alcohol testing requirements. Many of the requirements come from laws and regulations while others are good business practices to ensure a safe workplace. Certain unique employee positions are subject to additional testing requirements, which are in addition to all other employee testing requirements. Employees in unique testing programs are those enrolled in the following regulatory programs:

- Human Reliability Program (HRP) – all Hanford Patrol positions (10 CFR 712)
- Department of Transportation (DOT) Program-Commercial Driver License (CDL) Holders (49 CFR 382)
- Workplace Substance Abuse Program (WSAP) – approved Testing Designated Positions (10 CFR 707.7)

The specific requirements and implementation of the DOT, HRP and WSAP testing programs, including any requirements for random testing, are not covered by this procedure but are covered in other MSC documents. See the following documents for information and guidance on these programs:

- MSC-MP-27556, *HRP Management Plan*
- MSC-RD-27560, *HRP Requirements*
- MSC-PRO-27564, *HRP Certification and Maintenance*
- MSC-RD-27562, *CDL Holders Drug & Alcohol Testing Requirements*
- MSC-PRO-37561, *DOT Federal Motor Carrier Safety Management Plan*
- MSC-MP-27554, *WSAP Management Plan*
- MSC-RD-43779, *WSAP Requirements*
- MSC-PRO-43780, *WSAP Procedure*

Fitness for Duty (FFD) testing (drug and alcohol) requirements and performance applicable to all employees are outlined in the following documents:
2.0 IMPLEMENTATION

This procedure is effective upon publication.

3.0 ROLES/ RESPONSIBILITIES

MSA Human Resources/Labor Relations (HR/LR) has programmatic authority and responsibility for administration of the fitness for duty policy and its implementation.

MSA Personnel Security Reliability Programs Office (RPO) supports HR/LR in managing and administering the drug and alcohol testing for all employees in all cases regardless of the program being tested for, e.g., Fitness for Duty, HRP, DOT and WSAP or for employees in Testing Designated Positions regardless of employer. Testing result records are managed and filed with Personnel Security. Other Hanford Contractors may receive copies of results for tests done on their behalf.

Contracts and Procurement has administrative responsibility for MSA subcontractors (including sub tier vendors) in implementation of this procedure, as appropriate.

The Hanford Site Occupational Medical Service Provider (OMSP) has programmatic authority and responsibility for providing the Site Occupational Medical Services. OMSP hires and designates Medical Review Officers (MRO) to evaluate the laboratory drug test results. OMSP awards and administers the subcontract(s) for the certified laboratory(ies) for testing the specimens. The OMSP is also responsible for the administration and management of the specimen collectors and breath alcohol technicians (BAT).

4.0 REQUIREMENTS

NOTE: For the tables in this section under the requirement "type" column, “V” means verbatim, and “I” means interpreted.

4.1 General

<table>
<thead>
<tr>
<th>#</th>
<th>REQUIREMENT</th>
<th>TYPE</th>
<th>SOURCE</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Contractors are required to develop a written program that shall include at least the following elements:</td>
<td>I</td>
<td>10 CFR 707.5 MSA Contract, section C.2.1.1.4</td>
</tr>
<tr>
<td></td>
<td>• Prohibition of the use, possession, sales, distribution, or manufacture of illegal drugs on the Hanford Site. “Illegal Drug” as used in this procedure means a controlled substance, as specified in Schedules I through V of the</td>
<td></td>
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</tbody>
</table>
Controlled Substances Act. The term “illegal drug” does not apply to the use of a controlled substance in accordance with a valid prescription, or other uses authorized by law, except that medical marijuana, even if obtained with a valid prescription, and recreational use marijuana, obtained in a state legally allowing such purchase and use, are still considered to be illegal drugs for individuals employed by, visiting or accessing the Hanford Site.

**NOTE:** See Contractor web-based training courses under section – Hanford General Employee Training (HGET)-Work Behaviors Applicable Contractor Policies and Procedures.

- Plans for instruction of supervisors and employees concerning problems of substance abuse, illegal drug use, availability of assistance through employee assistance programs (EAPs) and penalties that may be imposed upon employees for drug-related violations. Sanctions for individuals who violate prohibition of the use, possession, sales, distribution, or manufacture of illegal drugs on the Hanford Site.
<table>
<thead>
<tr>
<th>2.</th>
<th>Employees are required to report to work in a condition that enables them to perform their duties safely and effectively. Employees who violate this requirement will be disciplined as provided in Sections 4.4 and 4.7 based upon positive results from their drug or alcohol test. The sale, manufacture, possession, use, distribution or presence of any illegal intoxicants, narcotics, hallucinogenic, depressants, stimulants, or other such drugs anywhere on the Hanford Site or any company or government location, at any time is prohibited. As for recent changes in Washington State law, marijuana remains a controlled substance in Schedule I of the Controlled Substance Act of 1970 (P.L. 91-513). The government does not consider “medical marijuana” under a state law to be an acceptable drug for recognition as a valid medical explanation for an employee’s performance issues. Additionally, recreational use of marijuana legal under state laws is also considered use of an illegal drug for purposes of this policy. The MRO must endorse a drug result as positive if evidence of marijuana is found in the employee’s system”.</th>
<th>I</th>
<th>10 CFR 707.5 Department of Health and Human Services (DHHS), Center for Substance Abuse and Mental Health Services Administration (SAMHSA) Bulletin “2012 New State Initiatives Passed on Use of Marijuana for Recreational Purposes”, dated December 20, 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td>An employee suspected of violating the requirements of this procedure will be sent to the OMSP for formal evaluation which may include drug and/or alcohol testing. This evaluation is in addition to any test or evaluation required if the employee is enrolled in a TDP. A formal letter or appropriate form will be sent to the OMSP by HR/LR.</td>
<td>I</td>
<td>10 CFR 707.5</td>
</tr>
<tr>
<td>4.</td>
<td>Based on the results of the evaluations(s)/screening, the employee may be returned to work if no problem is identified.</td>
<td>I</td>
<td>10 CFR 707.14</td>
</tr>
</tbody>
</table>

### 4.2 Training

1. All employees will receive training on:
   - Company fitness for duty policy
   - Health aspects of substance abuse
   - Availability of rehabilitation and assistance services
   - Information release policy and privacy safeguards. Training is part of the annual web based HGET requirement and is included in the training section on Fitness for Duty courses.
### 4.3 Drug/Alcohol Screening and Testing

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<thead>
<tr>
<th></th>
<th>Pre-Employment/Post Offer</th>
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<tbody>
<tr>
<td>1</td>
<td></td>
<td>I 10 CFR 707.5 (d)</td>
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<td>10 CFR 707.8</td>
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<td></td>
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<td>DEAR 970.5223-4-WSAP</td>
</tr>
</tbody>
</table>

- Regular and Non-Regular (Temporary) Full-time and Part-time Employment: All candidates will be advised as part of the application process of the drug and/or alcohol-screening requirement. Those who have been extended a formal offer of employment are required to sign an *Applicant/Rehire Drug Screening Consent Agreement* acknowledging their understanding to abide by the terms and conditions of this policy. Confirmed negative drug test results will be received prior to final selection for employment.

- Subcontractors performing work on the Hanford Site must assure that their employees assigned to work at the Hanford Site are drug free and unimpaired by alcohol prior to their assignment to the Site.
### 2. All Employees

#### a. Reasonable Suspicion:

Employees reasonably suspected of using or being under the influence of alcohol or illegal drugs or who exhibit general emotional or physical difficulties in performing work, as manifested through deteriorating job performance and/or uncharacteristic behavior, may be subject to a change in work assignment or temporary suspension pending an investigation. Disciplinary action as set forth in Sections 4.4 and 4.7 may apply due to the results of the investigation.

Reasonable suspicion must be based on an articulable belief that an employee is under the influence of alcohol or illegal drugs, drawn from particularized facts and reasonable inferences from those facts. Such a belief may be based upon, among other things:

- observables phenomena, such as direct observation of
  - the use or suspected possession of illegal drugs or
  - the physical symptoms of being under the influence of alcohol or drugs;
- a pattern of abnormal conduct or erratic behavior;
- arrest or a conviction for an alcohol or drug related offense, or the identification of the individual as the focus of a criminal investigation into illegal drug possession use, or trafficking; or
- information that is either provided by a reliable and credible source or is independently corroborated;
- evidence that an employee has tampered with a drug test; or
- temperature of the urine specimen is outside the range of 32.5-37.7 degrees centigrade or 90.5-99.8 degrees Fahrenheit.

The fact that an employee had a confirmed positive test for the use of illegal drugs at some prior time, or has
undergone a period of rehabilitation or treatment, will not, in and of itself, be grounds for testing on the basis of reasonable suspicion.

The requirements of this section relating to the testing for the use of illegal drugs are not intended to prohibit the pursuit of other existing disciplinary procedures or from requiring medical evaluation of any employee exhibiting aberrant or unusual behavior.

If supported by facts, proper documentation, and agreed upon by an HR/LR representative and an individual within the employee’s supervisory chain, or if instructed by DOE-RL personnel security specialist/representative, the employee will be required to submit to drug/alcohol testing, work suitability, and/or a fitness for duty evaluation as soon as possible. If an HR/LR representative is not readily available, another supervisory or management official or a physician from the OMSP, must agree that such testing is appropriate.

DOE shall be notified of any employee in a TDP who tests positive for drugs or alcohol. Immediately contact MSA Personnel Security for DOE Occurrence Reporting requirements.

<table>
<thead>
<tr>
<th>b.</th>
<th><strong>Occurrences/Incidents in the Workplace:</strong></th>
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<tbody>
<tr>
<td></td>
<td>In the event of an occurrence/incident, defined as a deviation from planned or expected behavior or course of events that is immediately reportable to DOE, it may be necessary to test for the use of alcohol and/or illegal drugs, if such individuals could have caused or contributed to the conditions which caused the occurrence. Drug/alcohol testing will be required as soon as possible, after the occurrence, but within 24 hours of the occurrence, unless DOE determines it is not feasible to do so.</td>
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<tr>
<th>c.</th>
<th><strong>Motor Vehicle Accident/Incidents:</strong></th>
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<tr>
<td></td>
<td>An employee involved in a government owned, leased, or personal motor vehicle accident or any workplace incident involving a motor vehicle (while under operational control of the employee) occurring on the Hanford Site or occurring off-site while the employee is</td>
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</tbody>
</table>

**NOTE:** Before each use, check MSC Docs Online to ensure this copy is current.
on company business, shall be subject to temporary suspension in order to conduct an investigation. If reasonable suspicion is established, these employees shall be required to submit to drug/alcohol testing as soon as can be achieved with safety considerations being given first priority. The employee’s immediate supervisor/manager, in conjunction with a HR/LR representative, shall complete form A-6006-226, Drug and Alcohol Testing Criteria to determine if reasonable suspicion testing is appropriate. If an HR/LR representative is not readily available, another supervisory or management official must agree that such testing is appropriate.

NOTE 1: Form A-6006-226, Drug and Alcohol Testing Criteria must be completed even if reasonable suspicion is not established.

NOTE 2: Even if reasonable suspicion is not established, an investigation of the accident is still required to determine if disciplinary action may be warranted.

NOTE 3: The term “motor vehicle” includes any self-propelled machine upon which an operator sits or stands including, but not limited to all vehicles which require a CDL for operation. Examples include (but are not limited to) cars, buses, trucks, forklifts, earth moving equipment, skid loaders, off-road 4x4 vehicles, and tractors.

For information on reporting vehicle accidents or damage to government property refer to:


For reporting near-miss incidents refer to MSC-PRO-058, Investigation of Abnormal Events, Conditions and Trends.

See applicable contractor policy and procedures for
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<td><strong>NOTE:</strong> Before each use, check MSC Docs Online to ensure this copy is current.</td>
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</table>
4.5 Site Access Denial

Employees are required to follow their established company policy standards of conduct. When employees violate standards of conduct and create an unsafe workplace with the probability of violence and/or threats of violence, they are subject to Site Access Denial (SAD) as per requirements outlined in MSC-PRO-33222. In cases that involve SAD, HR/LR representatives are required to work with the employee’s immediate manager, Personnel Security and with the MSA Legal Office.

4.6 Required Notification

1. Employees holding an access authorization (security clearance -Q or L) must report all arrests, criminal charges (including charges that are dismissed), citations, tickets, summons or detentions by federal, state, or other law enforcement authorities for violations of law within or outside the U.S. Traffic violations for which a fine of up to $300 was imposed need not be reported, unless the traffic violations were drug or alcohol related. Verbal notification to MSA Personnel Security must be made within 2 working days followed by written notification within the next 3 working days.

   All employees must report any conviction under a criminal drug statute for a violation occurring on the DOE owned or controlled site no later than 10 calendar days after such conviction to their supervisor. The supervisor will immediately contact the employee’s HR/LR representative and Personnel Security.

NOTE: Before each use, check MSC Docs Online to ensure this copy is current.
### 4.7 Applicable Discipline (see also section 4.4)

<table>
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<th>Action</th>
<th>Reference</th>
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<tbody>
<tr>
<td>1.</td>
<td>Employees who fail to comply with drug/alcohol screening and/or fitness for duty evaluation will be treated as if they had tested positive and be terminated.</td>
<td>I 10 CFR 707.14</td>
</tr>
<tr>
<td>2.</td>
<td>Employees who are found in possession of an adulterated or substitute specimen will be terminated.</td>
<td>I 10 CFR 707.14 49 CFR 40.191</td>
</tr>
<tr>
<td>3.</td>
<td>Employees determined to have been involved in the unlawful manufacture, distribution, dispensation, possession, or use of an illegal drug on or off company premises will be terminated.</td>
<td>I 10 CFR 707.5</td>
</tr>
<tr>
<td>4.</td>
<td>Employees whose off-duty conduct indicates a law violation involving alcohol or drug abuse or other illegal conduct are subject to disciplinary action up to and including termination. This activity also may be considered cause for reasonable suspicion testing.</td>
<td>I 10 CFR 707.5b</td>
</tr>
<tr>
<td>5.</td>
<td>Employees determined to have been involved in any drug related arrest or conviction, or having a positive drug test, will be placed on investigatory leave until an investigation is completed and will be subject to termination for a positive result or for a drug-related conviction.</td>
<td>I 10 CFR 707.14</td>
</tr>
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</table>

**NOTE:** Before each use, check MSC Docs Online to ensure this copy is current.
6. Individuals tested for cause pursuant to this FFD policy and found to have an endorsed positive drug and/or alcohol test result will be terminated.

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<td>I</td>
<td>10 CFR 707.10</td>
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### 4.8 Prescription Medication

1. The possession and use of personal prescription* drugs is permitted so long as it does not affect the ability of the employee to perform work safely.

   Employees have an obligation to report to their manager when they are taking prescription medication when such medicine can affect the employee’s ability to perform his/her work safely.


   The government does not consider “medical marijuana” under a state law to be an acceptable drug for recognition as a valid medical explanation for an employee’s performance issues. Additionally, recreational use of marijuana legal under state laws is also considered use of an illegal drug for purposes of this policy. The MRO must endorse a drug result as positive if evidence of marijuana is found in the employee’s system.

2. Once use of medication is reported, a manager should assess the employee’s ability to safely perform assigned work. If there is any question or concern about the employee’s ability to perform, the manager should contact HR/LR and transport the employee to the OMSP for evaluation.

3. In the event a work restriction is established by the OMSP, the manager will assess whether the restriction can be accommodated. Such decision will be reviewed with the assigned HR EEO Officer representative before a final determination is made.

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<td>10 CFR 707.11</td>
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</table>

**DHHS, SAMSHA, Mandatory Guidelines for Federal Workplace Drug Testing Programs**
### 4.9 Employee Assistance Program

1. The Employee Assistance Program (EAP) is available through the OMSP to eligible employees and/or members of their immediate families to assist them with problems that may affect the employee’s job performance. EAP Details may be found on the company’s web site.

   Self-admission by employees subject to the DOT Program for CDL Holders must be reported to their motor carrier’s Designated Employer Representative (DER). The employee must not perform a safety sensitive function until the employer is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program guidelines. A DOT return-to-duty test for controlled substances and alcohol under direct observation must be performed, with verified negative results, prior to the employee performing safety sensitive functions. Employer may incorporate non-DOT follow-up testing.

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<tr>
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<th>10 CFR 707.6</th>
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<td>I</td>
<td>10 CFR 707.6</td>
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2. The OMSP will provide referral assistance to employees having self-reported substance abuse-related problems.

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<th>10 CFR 707.6</th>
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<td>10 CFR 707.6</td>
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</table>
5.0 PROCESS STOP

5.1 Reasonable Suspicion and Occurrence Testing

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>HR/LR</td>
<td>1.</td>
<td>DOE shall be notified of TDP employee disqualifications, positive drug/alcohol test results, drug/alcohol testing for an occurrence or reasonable suspicion within four (4) hours</td>
</tr>
<tr>
<td>Manager</td>
<td>2.</td>
<td>If you have reasonable suspicion that an employee is using or under the influence of drugs or alcohol,</td>
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<tr>
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<td></td>
<td>a. Immediately contact HR/LR to arrange for drug/alcohol testing:</td>
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<tr>
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<td></td>
<td>o If employee is not a CDL holder complete Observed Behavior-Reasonable Suspicion Record Form A-6006-226, Revision 1.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>o If employee is a CDL holder, operating a commercial motor vehicle in commerce, cease use of MSC-PRO-042 and refer to MSC-RD-27562 for testing requirements.</td>
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<td>b. If the employee appears to present a danger to himself/herself, to others, or the Hanford Site, request assistance from the Patrol Operations Center (373-3800).</td>
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<td></td>
<td>c. If testing is to occur, the employee must be removed from the job assignment and be kept under direct management supervision at all times until the employee is transported by management to the collection facility.</td>
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<td></td>
<td>d. If the individual holds a security clearance, immediately notify Personnel Security.</td>
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<td>e. Provide the following to the appropriate HR/LR representative:</td>
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<tr>
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<td>i. A request for a review and possible fitness for duty or work suitability evaluation based on observations of employee's deteriorating job performance and/or uncharacteristic behavior.</td>
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<td></td>
<td>ii. With assistance by the HR/LR representative, have the employee’s manager or immediate supervisor complete a written statement describing the behavior of concern and the specific job performance problems.</td>
</tr>
</tbody>
</table>
f. Ensure the employee does not report back to work until the employee meets with a professional from the OMSP. Arrange the meeting as soon as possible, taking the nature and degree of the situation into consideration.

3. If the employee is involved in an accident on Site while driving a government owned or leased motor vehicle or driving a personal vehicle (while on company business), and reasonable suspicion has been established, contact HR/LR and transport the employee to the drug/alcohol testing facility as soon as possible. (To determine reasonable suspicion, the employee’s immediate supervisor/manager, in conjunction with a HR/LR representative, shall complete form A-6006-226, Drug and Alcohol Testing Criteria.)

a. The employee must be removed from the job assignment and be kept under direct management supervision at all times until the employee is transported by management to the collection facility.


NOTE: Employees involved in an accident while driving a government owned or leased motor vehicle while on official off site travel will not be tested pursuant to this procedure. The motor vehicle accident will be handled by the applicable local law enforcement agency.
### Fitness for Duty

**Effective Date:** October 28, 2014

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
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</table>
| Manager and HR/LR | 4.   | When drug and alcohol testing is deemed appropriate and testing is within *regular business hours*, Managers are required to contact the HR/LR Representative for assistance in completing site form A-6002-965. For testing outside regular business hours the HR/LR will contact the specimen collector/breath alcohol technician (BAT). If the HR/LR representative cannot be reached, the Manager will contact the BAT (509-392-2548) and continue with the testing. If you require additional assistance you may contact the Reliability Program Officer (RPO) staff as follows:  
  - F. Ben Oliver, 509-948-6696  
  - Natalie Deobald, 509-860-6293  
  - Steve J. Peterson, 509-551-9238 |
| Manager and/or HR/LR | 5.   | Transport the employee to the collection facility and remain until the employee has completed all required test(s). In these situations, the employee’s immediate manager is responsible for arranging the transportation home for the individual. |
| Manager and/or HR/LR | 6.   | Collect the employee’s badge and place the employee on investigatory leave until a fitness for duty determination has been made. The employee will remain off of work until negative drug/alcohol test results are received and management determines the individual can return to work. |

*Regular Business Hours: MSA 4x10 Schedule – Monday through Thursday – 6:00AM through 4:30 pm.*
Manager and/or HR/LR

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<tr>
<th>Step</th>
<th>Action</th>
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<tbody>
<tr>
<td>7.</td>
<td>Receive notification from OMSP of drug and alcohol tests results* as follows (Drug test Results will not be received for at least 24 hours):</td>
</tr>
</tbody>
</table>

- Negative drug test results – OMSP will report negative drug test results directly to the HR/LR Representative.

- Negative alcohol tests results – the Breath Alcohol Technician (BAT) will report negative alcohol test results directly to the HR/LR Representative and employee’s direct supervisor. Alcohol test results are reported immediately after the test is completed.

- Positive test results – OMSP will report positive test results directly to the HR/LR Representative, who in turn will notify Personnel Security

*NOTE: Applicable disciplinary action for a positive drug test is set forth in Section 4.4 and 4.7.

Manager and HR/LR

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
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<tbody>
<tr>
<td>8.</td>
<td>After receipt of negative drug and alcohol test results, the employee’s manager may, provided there are no other safety or security concerns, authorize the employee’s return to work.</td>
</tr>
</tbody>
</table>
5.2 Employee Requirements

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee</td>
<td>1.</td>
<td>Employees are required to comply with testing as directed by HR/LR and management:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>a. Undergo drug testing as required as a condition of employment.</td>
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<tr>
<td></td>
<td></td>
<td>b. Complete drug/alcohol testing as directed by management for reasonable suspicion and/or occurrence/incident testing.</td>
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<tr>
<td></td>
<td>2.</td>
<td>Report drug related offenses immediately to your direct supervisor.</td>
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<td>3.</td>
<td>Seek assistance from the OMSP, HR/LR, or other referral agency as appropriate.</td>
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<td>4.</td>
<td>If referred to a prescribed program by the OMSP, participate in the prescribed program and if monitoring is required, adhere to the monitoring program.</td>
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<td>5.</td>
<td>Undergo a fitness for duty evaluation if directed by management.</td>
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<td></td>
<td>6.</td>
<td>Maintain confidentiality when aware of co-workers undergoing counseling or rehabilitation.</td>
</tr>
<tr>
<td></td>
<td>7.</td>
<td>Immediately notify your manager and the HR/LR Representative if you observe any events or conditions that could have an adverse effect on safety, security, company operations or the environment. Refer to <strong>MSC-PRO-060, Reporting Occurrences and Processing Operations Information</strong>. See applicable contractor policy and procedures for reporting occurrences/incidents.</td>
</tr>
<tr>
<td></td>
<td>8.</td>
<td>Notify management of any medications being taken or conditions that could affect your ability to perform assigned tasks.</td>
</tr>
<tr>
<td></td>
<td>9.</td>
<td>Receive notification of drug and alcohol test results (management provides verbal notification of negative drug/alcohol tests and written copy of the return to work approval or disapproval).</td>
</tr>
</tbody>
</table>
5.3 Human Resources/Labor Relations

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>HR/LR</td>
<td>1.</td>
<td>Consult with management regarding fitness for duty issues and approve testing for reasonable suspicion or occurrence as appropriate.</td>
</tr>
<tr>
<td></td>
<td>2.</td>
<td>Notify Personnel Security to take access denial actions if deemed appropriate.</td>
</tr>
<tr>
<td></td>
<td>3.</td>
<td>Reasonable Suspicion tests for all employees in a TDP position (HRP, WSAP or DOT) shall be reported to DOE-RL within four (4) hours from the time the testing is ordered as per the requirement in the MSC Contract Section C.2.1.1.4.</td>
</tr>
<tr>
<td></td>
<td>4.</td>
<td>Initiate pre-employment investigation and request a pre-employment drug test be conducted with a certified laboratory. Receive negative drug test results from Personnel Security and review results prior to extending an offer of employment.</td>
</tr>
<tr>
<td></td>
<td>5.</td>
<td>Ensure appropriate medical, psychological, and drug tests are conducted for employees in a TDP according to the appropriate rules and regulations governing the TDY position (HRP, WSAP and DOT). Consult with Personnel Security, Transportation Services, OMSP and others, as appropriate, to ensure compliance with TDP requirements.</td>
</tr>
<tr>
<td></td>
<td>6.</td>
<td>Conduct evaluations and make recommendations as to the employee's Fitness for Duty program.</td>
</tr>
</tbody>
</table>

5.4 CONTRACTS AND PROCUREMENT

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracts and Procurement</td>
<td>1.</td>
<td>Notify Personnel Security RPO of subcontract employees who will be working at the Hanford Site under an MSA subcontract and subject to enrollment in a TDP (HRP, WSAP, and DOT) per this procedure.</td>
</tr>
</tbody>
</table>

Ensure subcontractors performing work for a DOE Prime Contractor are aware of, and concur with, Prime Contractor fitness for duty standards. Compliance with applicable rules, regulations, and Prime Contractor procedures governing fitness for duty and drug/alcohol testing will be included in subcontractor subcontracts. Subcontracts will not be awarded to subcontractors unwilling to comply with the requirements of the TDP.
# Fitness for Duty

**Effective Date:** October 28, 2014

<table>
<thead>
<tr>
<th>Actionee</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personnel Security /RPO</td>
<td>1</td>
<td>Notify DOE-RL within 2 working days, followed by written confirmation within 10 working days:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• When made aware of information of a personnel security concern;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• When the contractor restricts or withdraws an employee's access to classified matter or special nuclear material without DOE-RL direction.</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Deny access and make appropriate notifications upon direction or when information is received that meets access denial criteria.</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Administer the drug and alcohol testing programs for MSA and the Other Hanford Contractors as specified in the MSA Contract including development of procedures, record keeping, reporting, and testing database maintenance as required.</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Notify the following of positive drug or alcohol results or failure to comply with testing requirements as appropriate:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Clearance Administration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• DOT Designated Employer Representative (DER)*</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• MSA Labor Relations for MSA employees, OHC designated representative for their employees and their subcontractor employees</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Contracts and Procurement for employees of MSA subcontractors</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• DOE-RL</td>
</tr>
</tbody>
</table>

*See the following link for DOT DER POC: [http://msc.rl.gov/rapidweb/SAS/index.cfm?PageNum=267](http://msc.rl.gov/rapidweb/SAS/index.cfm?PageNum=267)*

<table>
<thead>
<tr>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Receive pre-employment drug testing results (Federal Drug Testing Custody and Control Form).</td>
</tr>
<tr>
<td>6</td>
<td>Transmit via email, pre-employment drug test results to the appropriate HR/LR or OHC representative for review/processing of employment offer.</td>
</tr>
</tbody>
</table>

**NOTE:** Before each use, check MSC Docs Online to ensure this copy is current.
6.0 FORMS

Contractor Applicant /Re-Hire Drug Screen Consent Agreement (HR Form)

*A-6002-965, Testing Notification for Reasonable Suspicion and Occurrence/Post Accident*

A-6006-226, *Observed Behavior-Reasonable Suspicion Record*

*Federal Drug Testing Custody and Control Form (CCF)*

Alcohol Testing Results Form (Copy 1 - Original –Forward to Employer) PAML stamp on form

7.0 RECORD IDENTIFICATION

<table>
<thead>
<tr>
<th>Name of Document</th>
<th>Submittal Responsibility</th>
<th>Retention Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor Applicant / Re-Hire Drug Screen Consent Agreement</td>
<td>Human Resources</td>
<td>Personnel Security</td>
</tr>
<tr>
<td>Observed Behavior- Reasonable Suspicion Record A-6006-226</td>
<td>Manager/Supervisor</td>
<td>Human Resources/ Labor Relations</td>
</tr>
<tr>
<td>Testing Notification for Reasonable Suspicion and Occurrence (Non-DOT Post Accident) A-6002-965</td>
<td>Employee Manager and/or HR/LR</td>
<td>Personnel Security</td>
</tr>
<tr>
<td>Federal Drug Testing Custody and Control Form</td>
<td>Occupational Medical Services – Medical Review Officer’s Office</td>
<td>Personnel Security</td>
</tr>
<tr>
<td>Alcohol Testing Form with results (Copy 1- Original –Forward to Employer)</td>
<td>Collector Breath Alcohol Technician</td>
<td>Personnel Security</td>
</tr>
</tbody>
</table>

8.0 REFERENCES

8.1 Source References

CRD O 472.2, Chg. 1, *Personnel Security*

10 CFR 707, *Workplace Substance Abuse Programs at DOE Sites*

49 CFR 40, *Procedures for Transportation Workplace Drug and Alcohol Testing Programs* (Department of Transportation)
DEAR 970.5223-4- Workplace Substance Abuse Programs at DOE Sites (DEC 2010)

Mission Support Contract, Contract No. DE-AC06-09RL14728, Section C.2.1.1.4, Personnel Security


DHHS, SAMHSA, Mandatory Guidelines for Federal Workplace Drug Testing Programs

8.2 Working References

MSC-POL-11390, Safe and Drug Free Workplace
MSC-MP-27554, Workplace Substance Abuse Program Management Plan
MSC-RD-43779, Workplace Substance Abuse Program (WSAP) Requirements
MSC-PRO-43780, Workplace Substance Abuse Program (WSAP) Procedure
MSC-PRO-058, Investigation of Abnormal Events, Conditions and Trends
MSC-PRO-060, Reporting Occurrences and Processing Operations Information
MSC-PRO-077, Reporting, Investigating, and Managing Health, Safety and Property/Vehicle
MSC-RD-27561, Drug and Alcohol Testing Requirements
MSC-RD-27562, Commercial Drivers License Holder’s Drug and Alcohol Testing Requirements
MSC-PRO-27563, Drug and Alcohol Testing Performance
MSC-MP-27556, Human Reliability Program Management Plan
MSC-RD-27560, Human Reliability Program Requirements
MSC-PRO-27564, Human Reliability Program Certification and Maintenance
MSC-PRO-33222, Denial of Site Access
MSC-PRO-37561, DOT Federal Motor Carrier Safety Management Plan
MSC-RD-10782, Human Resources Requirements


DOT Office of Drug and Alcohol Policy and Compliance Notice, dated December 3, 2012

49 CFR 382, Controlled Substances and Alcohol Use and Testing (Department of Transportation)

10 CFR 712 Human Reliability Program (HRP)

Contractor web-based – General Employee Training (GET)-Work Behaviors Applicable Contractor Policies and Procedures

NOTE: Before each use, check MSC Docs Online to ensure this copy is current.