JUDICIARY OF GUAM

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Chief Justice	Presiding Judge	Administrator of the Courts	Human Resources Administrator

June 30, 2016

MEMORANDUM

TO: Judiciary Employees

FROM: HR Administrator

SUBJECT: **Amendment to Judiciary of Guam's Drug Free Workplace Policy**
                Part 6 Random Testing of Employees in Testing Designated Positions

The Judiciary's randomizer program policy under the Drug Free Workplace Policy was updated with the purchase of a new randomizer program. This program is a simpler, inexpensive and fair way to establish a rotation for drug testing of testing designated positions by randomizing employee's names and social security numbers.

Attached herewith is the amended process of the Judiciary of Guam's Drug Free Workplace Policy – **Part 6: Random Testing of Employees in Testing Designated Positions** as approved by the Administrator of the Courts on May 18, 2016. All other sections of the Drug Free Workplace Policy remain in effect.

Should you have any questions or concerns, please contact the Human Resources Office. Thank you

BARBARA JEAN T. PEREZ

Attachment

cc: **Chief Justice & Associate Justices**
       Presiding Judge & Judges
       DrugFree Workplace Policy File
       Administrator of the Courts
       Staff Attorney

"The Judiciary of Guam is an equal opportunity provider and employer."

PART 6
Random Testing of Employees in Testing Designated Positions

I. Purpose:

This part provides procedural guidelines on the implementation of random testing of testing designated positions.

II. Scope:

Employees in testing designated positions are identified when their jobs pose a special threat to public safety. Other positions are identified for random testing because they require the highest degree of trust and confidence. The Judicial Council has full authority in amending the list of testing designated positions.

The Administrator of the Courts has full discretionary authority in determining the actual number of employees to be tested. This determination may be based on Court's funding availability. This authority also extends to the frequency and selecting the date to administer random testing of testing designated positions.

Employees in testing designated position who are required to undergo random testing for the illegal use of drugs or abuse of alcohol are as follows:

1. Building Project Coordinator
2. Chief Probation Officer
3. Deputy Chief Marshal
4. Deputy Chief Probation Officer
5. Deputy Marshal I, II & III
6. Deputy Marshal Recruit
7. Deputy Marshal Reserve
8. Deputy Marshal Supervisor
9. Facilities Maintenance Superintendent
10. Facilities Maintenance Supervisor
11. Facilities Maintenance Worker
12. Judicial Armorer
13. Maintenance Leader (Electrician, Mechanic, Plumber)
14. Marshal of the Courts
15. Official Vehicles Officer
16. Probation Officer Supervisor
17. Probation Officer I & II
18. Probation Services Assistant
19. School Probation Officer
20. Senior Probation Officer

III. Implementing Random Testing:

The Administrator of the Courts will instruct and give written notice to the Human Resources Administrator to conduct random testing of designated positions. The Human Resources Administrator shall immediately initialize the Randomizer on that given day to generate the list of employees to undergo the drug and alcohol screening process.

The Human Resources Administrator is responsible for maintaining the Randomizer Program.

Once the list of names has been established, it is then printed. The Human Resources Administrator shall notify the appropriate Division Head/supervisor of the names selected for random testing. Notification will be given on the day the test is scheduled. The Human Resources shall annotate the list with the date and time the Division Head and supervisor was contacted.

The Division Head and supervisor shall immediately meet with the employee to explain that the employee's name was selected randomly for testing and there is no reasonable suspicion that the employee is using illegal drugs and/or abusing alcohol. The Division Head shall instruct the employee to immediately report to the Human Resources Division for drug and/or alcohol screen processing. The Human Resources Division shall annotate on the drug and/or screen processing forms the time the employee reported.

IV. Drug/Alcohol Randomizer:

The Randomizer program is used to randomly select individuals who will be required to undergo a drug and/or alcohol screen test by utilizing a spreadsheet-based record system. The names of employee are randomly selected from a database of active employees in testing designated positions.

This program provides a fair and unbiased way of selecting employees to undergo a drug and/or alcohol screen test.

1. Steps to Initiate the Randomizer Program:

Step 1. First you need to get your name data into The Randomizer, there are two ways to do this:

a. If using Excel (recommended), create a spreadsheet, put your personnel names in the first column, SS or employee numbers in the second column (optional), department/shift or anything you'd like in the third column (optional).

b. If using a text file, open a text editor such as Notepad, or any word processing program. Create a new text document, on the first line of the document type in a persons name, then a comma, then a SS number, then comma, then dept/shift. Hit Enter or Return to go to the next line, repeat for each person on your name list.

Step 2. Open the Randomizer program (go to the Start button on your PC, then to Programs, then click on Randomizer 2010). If you are importing data from an Excel or Text file that you created in Step 1, click on Open/Import, select the file type, then point to the file you created in Step 1 and click on Open. Your data should load into the top grid in The Randomizer.

Step 3. In the Randomizer options box click on 'Limit By Number' or 'Limit By Percent' if applicable, leaving both options unchecked will randomize the entire list. If you check on a Limit option, you must enter a number in the limit box, so if you want to pick 25% of the top list, type 25 in the box (do not enter a % sign) - if you want to pick a specific number of individuals, click on 'Limit By Number' and type the number of people you want to pick from the list in the limit box.

Step 4. Click on the 'Randomize' button to randomize your records.

Step 5. If you want to add random testing dates (optional), choose a time interval (Next 30, 60, 90 days etc) in the Random Date Control panel, then click on 'Add Dates'.

Step 6. Save or Print your randomized list by clicking on the appropriate button.

Step 7. If you want to open an existing randomized list for record keeping (you can also open your existing sheets in Excel), in the Randomized List panel click on 'Open Records', choose the list you'd like to open, you can add Test Results, then Save to save the file.

2. How The Randomizer Works - Methodology

For randomization, The Randomizer uses a proprietary sequence of random seed generations - it's not just 'pick one random number' and start a randomization sequence as most all other programs do. There are at least four sequences occurring:

1. Generate a random seed number.
2. Use random seed 1 to base the generation of seed 2.
3. Use seed 2 to generate 3, (this assures no patterns can develop).
4. In addition, there is a sequence based on the number of records in the dataset, and a sequence based on the characters from within the dataset assuring completely fair randomization.

The Randomizer initially uses a randomize function to return random single-precision numbers between 0.000000 and 1.000000. The initial random seed numbers are determined using the system timer as their base. Then the program reseeds (or initially starts) a given sequence returned by the first function.

The Randomizer uses the linear-congruent method for random-number generation.
The following is an example of the linear-congruent method formula, similar to that used by The Randomizer:
$x1 = (x0 * a + c) \bmod 2^{24}$

In the above example, the variables equal the following:
x1=new number
x0=previous number
a=214013
c=2531011
(Note: the MOD operator in the formula above returns the integer remainder after an integer division.)

The expression $x1/(2^{24})$ returns a floating-point number between 0.0 and 1.0.

3. Security Features of the Randomizer Program:

The Human Resources Administrator shall maintain the central processing unit with the Randomizer program and keep it in a secured and designated area.

4. Randomizer Reports:

The Human Resources Administrator shall provide the Administrator of the Courts of any reports resulting from the activation of the randomizer program.