



U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
Alaskan Region Policy

ORDER
AL 3750.9B

Effective Date:
02/04/14

SUBJ: Employee Responsibility Concerning Alcohol Where Prohibited By Alaskan Communities and Employee Rights Involving Personal Search

1. Purpose of this order. This order covers an employee's responsibility to comply with the policy of Alaskan communities which have, pursuant to state law, banned the importation, sale, and/or possession of alcohol within their boundaries. It also establishes regional policy recognizing an employee's right to refuse a personal search when entering an Alaskan community that has instituted a personal search policy that is unsupported by state or Federal law

2. Who this order affects. All employees in the Alaskan Region.

3. Where You Can Find This Order. You can find this order on the MyFAA Employee Web site: https://employees.faa.gov/tools_resources/orders_notices/. This order is available to the public at http://www.faa.gov/regulations_policies/orders_notices/.

4. Cancellation. Order AL 3750.9A, Employee Responsibility Concerning Alcohol Where Prohibited by Alaskan Communities and Employee Rights Involving Personal Search, dated March 20, 1997, and AL 3750.9A CHG 2, dated June 10, 2010, are cancelled.

5. Policy.

a. Employees are expected to comply with the policy of Alaskan communities which have instituted a ban, pursuant to state and local law, on the importation, sale, and/or possession of alcohol.

b. When an Alaskan Region employee, functioning in his/her official capacity, is requested to submit to a personal search solely as a condition for entering into a community to perform his/her duties, the employee will not be required by the FAA, incident to his/her employment, to submit to the search. An employee may, of course, voluntarily submit to a personal search. An employee who does not agree to a personal search and is refused entry into the community to perform his/her duties is expected to return to their official duty station or proceed on their previously arranged travel schedule. It shall be clearly understood that no employee will be criticized or penalized in any way for refusing a personal search under these circumstances.

6. Action.

a. Managers and supervisors shall ensure employees on official travel to Alaskan communities are advised in advance of travel as to the communities that have banned the importation, sale, and/or possession of alcohol as outlined under para 7.

b. The following actions shall be taken if employees are refused entry into a community on the basis that they refused to be searched solely as a condition of entering the community to perform their duties, and that such a search is unsupported by state or Federal law.

(1) Employees refused entry to a community as a result of the above circumstances shall verbally contact their immediate supervisor and provide a verbal account as soon as practical. Upon arriving at their permanent duty station, employees shall provide a written account of the incident to the immediate supervisor.

(2) Supervisors, upon receiving verbal notification that an employee has been refused entry to a community, shall contact the Alaskan Regional HR Manager, AAL-10, through their managerial channels. Supervisors shall also receive and review the employee's statements, annotate any other pertinent information, and transmit the statement to AAL-10 through managerial channels.

(3) The Alaskan Regional HR Manager will receive the verbal and written statements provided, collaborate with the local coordinator having jurisdiction over the area, and coordinate the appropriate action to be taken.

7. Responsibilities.

a. The Alaskan Regional HR Manager:

(1) Develop policy and issue guidance concerning employee responsibility to comply with the policies of Alaskan communities which have banned the importation, sale, and/or possession of alcohol within their boundaries and employees' rights involving personal search while in official travel status when such search is unsupported by state or Federal law.

(2) Ensure Merit Promotion Plan (MPP) announcements or solicitations for temporary or permanent assignments to field positions specify, if applicable, that the position is located in a community that prohibits the importation, sale, and/or possession of alcohol.

(3) Monitor and evaluate implementation of this order.

b. Manager/supervisors:

(1) Ensure employees are advised of their responsibilities as prescribed within this order. This may be accomplished during the annual supervisory-employee discussion covering standards of conduct. A current list of Alaskan communities which have instituted a ban on the importation, sale, and/or possession of alcohol can be found at:
www.commerce.alaska.gov/dnn/abc/resources/drydampcommunities.aspx.

(2) Separately brief employees who are selected for temporary assignment at "bush" facilities on their responsibilities as prescribed within this order.

(3) Ensure internal solicitations for temporary assignment to field positions specify, if applicable, that the position is located in a community that prohibits the importation, sale, and/or possession of alcohol.

(4) Ensure AAL-10 receives verbal and written notification identified under paragraph 6.

c. Employees:

(1) Be aware of their responsibilities as prescribed within this order, including the circumstances under which they may refuse a personal search.

(2) Complete the actions identified under paragraph 6 as applicable.

A handwritten signature in blue ink, reading "Gregory J. Holt". The signature is fluid and cursive, with the first name "Gregory" and last name "Holt" clearly legible.

Gregory J. Holt
Acting Regional Administrator