

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1262

5 By: Representative Boyd
6 By: Senator L. Eads
7

For An Act To Be Entitled

9 AN ACT TO REMOVE THE DEPARTMENT OF LABOR FROM THE
10 VOLUNTARY PROGRAM FOR DRUG-FREE WORKPLACES
11 ADMINISTERED BY THE WORKERS' COMPENSATION COMMISSION;
12 AND FOR OTHER PURPOSES.
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Subtitle

15 TO REMOVE THE DEPARTMENT OF LABOR FROM
16 THE VOLUNTARY PROGRAM FOR DRUG-FREE
17 WORKPLACES ADMINISTERED BY THE WORKERS'
18 COMPENSATION COMMISSION.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 11-14-101(b), concerning legislative intent
25 regarding the voluntary drug-free workplace program, is amended to read as
26 follows:

27 (b)(1) If an employer implements a drug-free workplace program ~~in~~
28 ~~accordance with~~ under this chapter that includes notice, education, and
29 procedural requirements for testing for drugs and alcohol ~~pursuant to~~ under
30 rules developed by the Workers' Health and Safety Division of the Workers'
31 Compensation Commission, the covered employer may require the employee to
32 submit to a test for the presence of drugs or alcohol, and if a drug or
33 alcohol is found to be present in the employee's system at a level prescribed
34 by statute or by rule adopted ~~pursuant to~~ under this chapter as excessive,
35 the employee may be terminated and may be precluded from workers'
36 compensation medical and indemnity benefits.



1 (2) However, a drug-free workplace program ~~must~~ shall require
2 the covered employer to notify all employees that it is a condition of
3 employment for an employee to refrain from reporting to work or working with
4 the presence of drugs or alcohol in the employee's body, and if an injured
5 employee refuses to submit to a test for drugs or alcohol, the employee may
6 be precluded from workers' compensation medical and indemnity benefits. ~~In~~
7 ~~the event of termination, an employee shall be entitled to contest the test~~
8 ~~results before the Department of Labor.~~

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