Stricken language would be deleted from and underlined language would be added to present law. Act 154 of the Regular Session

1	State of Arkansas	A Bill	
2	91st General Assembly		HOUSE DILL 12/2
3	Regular Session, 2017		HOUSE BILL 1262
4	Dru Damasantativa David		
5	By: Representative Boyd		
6	By: Senator L. Eads		
7	For A	n Act To Be Entitled	
8	AN ACT TO REMOVE THE DEPARTMENT OF LABOR FROM THE		
9 10	VOLUNTARY PROGRAM FOR DRUG-FREE WORKPLACES		
	ADMINISTERED BY THE WORKERS' COMPENSATION COMMISSION;		
11 12	ADMINISIERED BY THE WORKERS' COMPENSATION COMMISSION; AND FOR OTHER PURPOSES.		
13	AND FOR OTHER PURPOS	E5.	
14			
15		Subtitle	
16	TO DEMOVE THE D	DEPARTMENT OF LABOR FROM	М
17		PROGRAM FOR DRUG-FREE	1
18		INISTERED BY THE WORKERS	ς,
19	COMPENSATION CO		0
20	COMIENDATION CC	FILL SELON .	
21			
22	BE IT ENACTED BY THE GENERAL ASS	EMBLY OF THE STATE OF A	ARKANSAS•
23			
24	SECTION 1. Arkansas Code	§ 11-14-101(b), concern	ning legislative intent
25	regarding the voluntary drug-fre		
26	follows:	1 1 0 7	
27	(b)(1) If an employer imp	lements a drug-free wor	rkplace program in
28	accordance with under this chapt	er that includes notice	e, education, and
29	procedural requirements for test	ing for drugs and alcoh	nol pursuant to <u>under</u>
30	rules developed by the Workers'	Health and Safety Divis	sion of the Workers'
31	Compensation Commission, the cov	ered employer may requi	re the employee to
32	submit to a test for the presenc	e 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 pu	rsuant to <u>under</u> this ch	napter as excessive,
35	the employee may be terminated a	nd may be precluded fro	om workers'
36	compensation medical and indemni	ty 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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11	APPROVED: 02/10/2017		
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