

State of Arkansas
91st General Assembly
Regular Session, 2017

A Bill

HOUSE BILL 1262

By: Representative Boyd

By: Senator L. Eads

For An Act To Be Entitled

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

Subtitle

TO REMOVE THE DEPARTMENT OF LABOR FROM
THE VOLUNTARY PROGRAM FOR DRUG-FREE
WORKPLACES ADMINISTERED BY THE WORKERS'
COMPENSATION COMMISSION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 11-14-101(b), concerning legislative intent regarding the voluntary drug-free workplace program, is amended to read as follows:

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



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

APPROVED: 02/10/2017