



722936

LEGISLATIVE ACTION

Senate

House

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Floor: 1A/AD/2R

05/06/2011 06:21 PM

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Senator Bennett moved the following:

1           **Senate Amendment to Amendment (106136) (with title**  
2 **amendment)**

3  
4           Delete lines 16 - 23  
5 and insert:

6           Section 2. Paragraph (f) of subsection (5) and paragraph  
7 (c) of subsection (7) of section 112.0455, Florida Statutes, are  
8 amended, paragraphs (f) through (k) of subsection (10) of that  
9 section are redesignated as paragraphs (e) through (j),  
10 respectively, paragraph (e) of subsection (12) of that section  
11 is redesignated as paragraph (d), and present paragraph (e) of  
12 subsection (10), present paragraph (d) of subsection (12), and  
13 paragraph (e) of subsection (14) of that section are amended to



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14 read:

15 112.0455 Drug-Free Workplace Act.—

16 (5) DEFINITIONS.—Except where the context otherwise  
17 requires, as used in this act:

18 (f) "Job applicant" means a person who has applied for a  
19 ~~special risk or safety-sensitive~~ position with an employer and  
20 has been offered employment conditioned upon successfully  
21 passing a drug test.

22 (7) TYPES OF TESTING.—An employer is authorized, but not  
23 required, to conduct the following types of drug tests:

24 (c) *Routine fitness for duty.*—An employer may require an  
25 employee to submit to a drug test if the test is scheduled  
26 routinely for all members of an employment classification or  
27 group, or a randomly selected percentage of members of that  
28 classification or group, or is conducted as part of a routinely  
29 scheduled employee fitness-for-duty medical examination ~~that is~~  
30 ~~part of the employer's established policy or that is scheduled~~  
31 ~~routinely for all members of an employment classification or~~  
32 ~~group.~~

33  
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete line 3882

37 and insert:

38 Drug-Free Workplace Act; redefining the term "job  
39 applicant"; providing for certain events at which an  
40 employer may require the employee to submit to a blood  
41 test; deleting an obsolete