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LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

05/06/2011 01:58 PM

Senator Bennett moved the following:

Senate Amendment (with directory and title amendments)

Between lines 396 and 397

insert:

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

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

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

(c) *Routine fitness for duty*.—An employer may require an



14 employee to submit to a drug test if the test is scheduled
15 routinely for all members of an employment classification or
16 group, or a randomly selected percentage of members of that
17 classification or group, or is conducted as part of a routinely
18 scheduled employee fitness-for-duty medical examination ~~that is~~
19 ~~part of the employer's established policy or that is scheduled~~
20 ~~routinely for all members of an employment classification or~~
21 ~~group.~~

22
23 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====
24 And the directory clause is amended as follows:

25
26 Delete line 391
27 and insert:
28 Section 2. Paragraph (f) of subsection (5) and paragraph
29 (c) of subsection (7) are amended, present paragraphs (f)
30 through (k) of subsection

31
32 ===== T I T L E A M E N D M E N T =====
33 And the title is amended as follows:

34
35 Delete line 9
36 and insert:
37 the Drug-Free Workplace Act; redefining the term "job
38 applicant"; providing for certain events at which an
39 employer may require the employee to submit to a blood
40 test; deleting an obsolete