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H.847

Introduced by Representatives Dickinson of St. Albans Town, Beyor of Highgate, Bissonnette of Winooski, Browning of Arlington, Gage of Rutland City, Gamache of Swanton, Harrison of Chittenden, Helm of Fair Haven, Higley of Lowell, Hooper of Randolph, Joseph of North Hero, Lawrence of Lyndon, Lefebvre of Newark, Marcotte of Coventry, Mattos of Milton, McCoy of Poultney, Morrissey of Bennington, Myers of Essex, Nolan of Morristown, Norris of Shoreham, Rosenquist of Georgia, Savage of Swanton, Smith of New Haven, Turner of Milton, Van Wyck of Ferrisburgh, and Viens of Newport City

Referred to Committee on

Date:

Subject: Labor; employment practices; drug testing

Statement of purpose of bill as introduced: This bill proposes to permit employers to conduct post-accident drug testing.

An act relating to drug testing of employees

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. 21 V.S.A. § 513 is amended to read:

3 § 513. DRUG TESTING OF EMPLOYEES; PROHIBITIONS;

4 EXCEPTIONS

5 * * *

6 (c) Exception. Notwithstanding the prohibition in subsection (a) of this
7 section, an employer may require an individual employee to submit to a drug
8 test if all the following conditions are met:

9 (1) Probable cause or the occurrence of an accident. Either:

10 (A) ~~The~~ the employer or an agent of the employer has probable cause
11 to believe the employee is using or is under the influence of a drug on the
12 job; or

13 (B) the employer or an agent of the employer has probable cause to
14 believe that the employee has caused or contributed to an accident resulting in
15 personal injury or property damage during the course of employment.

16 * * *

17 Sec. 2. EFFECTIVE DATE

18 This act shall take effect on July 1, 2018.