

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 920 Session of 2013

INTRODUCED BY WARD, SCARNATI, ERICKSON, RAFFERTY, ALLOWAY,
VULAKOVICH, HUTCHINSON, WHITE, BAKER AND BROWNE, MAY 15, 2013

REFERRED TO LABOR AND INDUSTRY, MAY 15, 2013

AN ACT

1 Amending the act of December 5, 1936 (2nd Sp.Sess., 1937
2 P.L.2897, No.1), entitled "An act establishing a system of
3 unemployment compensation to be administered by the
4 Department of Labor and Industry and its existing and newly
5 created agencies with personnel (with certain exceptions)
6 selected on a civil service basis; requiring employers to
7 keep records and make reports, and certain employers to pay
8 contributions based on payrolls to provide moneys for the
9 payment of compensation to certain unemployed persons;
10 providing procedure and administrative details for the
11 determination, payment and collection of such contributions
12 and the payment of such compensation; providing for
13 cooperation with the Federal Government and its agencies;
14 creating certain special funds in the custody of the State
15 Treasurer; and prescribing penalties," in compensation,
16 providing for effect on eligibility of failure of
17 preemployment drug screening test.

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. The act of December 5, 1936 (2nd Sp.Sess., 1937
21 P.L.2897, No.1), known as the Unemployment Compensation Law, is
22 amended by adding a section to read:

23 Section 402.7. Effect on Eligibility of Failure of
24 Preemployment Drug Screening Test.--(a) An employe receiving
25 unemployment compensation benefits who fails a preemployment

1 drug screening test conducted pursuant to an employer's
2 established substance abuse policy, provided that the drug test
3 is not requested or implemented in violation of the law or of a
4 collective bargaining agreement, shall receive a twenty-five per
5 centum (25%) reduction in unemployment compensation benefits for
6 every preemployment drug screening test failure.

7 (b) An employer shall report any individual who fails a
8 preemployment drug screening test within three business days to
9 the department.

10 (c) The department shall establish and maintain an Internet-
11 based database system for use by employers in order to carry out
12 the provisions of this section.

13 (d) The department shall promulgate regulations, subject to
14 the act of June 25, 1982 (P.L.633, No.181), known as the
15 "Regulatory Review Act," to implement this section.

16 Section 2. This act shall take effect in 60 days.