

105TH CONGRESS
2D SESSION

H. R. 3853

To promote drug-free workplace programs.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 1998

Mr. PORTMAN (for himself, Mr. BISHOP, and Mr. SOUDER) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To promote drug-free workplace programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Drug-Free Workplace
5 Act of 1998”.

6 **SEC. 2. FINDINGS; PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) 74 percent of adults who use illegal drugs
9 are employed;

10 (2) small business concerns employ over 50 per-
11 cent of the Nation’s workforce;

1 (3) in over 88 percent of families with children
2 under the age of 18, at least 1 parent is employed;
3 and

4 (4) employees who use drugs increase costs for
5 businesses and risk the health and safety of all em-
6 ployees because—

7 (A) absenteeism is 66 percent higher
8 among drug users than nondrug users;

9 (B) health benefit utilization is 300
10 percent higher among drug users than
11 nondrug users;

12 (C) 47 percent of workplace accidents
13 are drug-related;

14 (D) disciplinary actions are 90 per-
15 cent higher among drug users than
16 nondrug users; and

17 (E) employee turnover is significantly
18 higher among drug users than nondrug
19 users.

20 (b) PURPOSES.—The purposes of this Act are to—

21 (1) educate small business concerns about the
22 advantages of a drug-free workplace;

23 (2) provide financial incentives and technical
24 assistance to enable small business concerns to cre-
25 ate a drug-free workplace; and

1 “(b) ELIGIBILITY FOR PARTICIPATION.—An inter-
2 mediary shall be eligible to receive a grant under sub-
3 section (a) if it meets the following criteria:

4 “(1) It is an organization described in section
5 501(c)(3) of the Internal Revenue Code of 1986 that
6 is exempt from tax under section 5(a) of such Act,
7 a program of such organization, or provides services
8 to such organization.

9 “(2) Its primary purpose is to develop com-
10 prehensive drug-free workplace programs or to sup-
11 ply drug-free workplace services.

12 “(3) It has at least 2 years of experience in
13 drug-free workplace programs.

14 “(4) It has a drug-free workplace policy in ef-
15 fect.

16 “(c) REQUIREMENTS FOR PROGRAM.—Any drug-free
17 workplace program established as a result of this section
18 shall include—

19 “(1) a written policy, including a clear state-
20 ment of expectations for workplace behavior, prohibi-
21 tions against substances in the workplace, and the
22 consequences of violating such expectations and pro-
23 hibitions;

24 “(2) training for at least 60 minutes for em-
25 ployees and supervisors;

1 “(3) additional training for supervisors and em-
2 ployees who are parents;

3 “(4) employee drug testing; and

4 “(5) employee access to an employee assistance
5 program, including assessment, referral, and prob-
6 lem resolution.

7 “(d) AUTHORIZATION.—There are authorized to be
8 appropriated to carry out the provisions of this section,
9 \$10,000,000 for fiscal year 1999 and such sums may re-
10 main available until expended.

11 **SEC. 5. SMALL BUSINESS DEVELOPMENT CENTERS.**

12 Section 21(c)(3) of the Small Business Act (15
13 U.S.C. 648(c)(3)) is amended—

14 (1) in subparagraph (R) by striking “and”;

15 (2) in subparagraph (S) by striking the period
16 and inserting “; and”; and

17 (3) by inserting after subparagraph (S) the fol-
18 lowing new subparagraph:

19 “(T) providing information and assistance to
20 small business concerns with respect to developing
21 drug-free workplace programs.”.

22 **SEC. 6. CONTRACT AUTHORITY.**

23 The Small Business Administrator may contract with
24 and compensate government and private agencies or per-

1 sons for services related to carrying out the provisions of
2 this Act.

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