

Office of Personnel Management

Policy

Policy Title: Medical Examination and Drug Testing	Policy Number: 30.17
Citation: Arkansas Code Annotated § 11-3-203	Forms: None

Purpose

The Department of Labor is responsible for establishing the rules and regulations associated with requiring medical or drug testing as a requirement of employment.

Medical Examination and Drug Testing as a Requirement for Employment

Employers and prospective employers may require employees to submit to either a physical examination or drug test as a condition of employment or continued employment. However, the employer must bear all cost of the medical examination and/or drug testing as well as the cost to provide the employee with a free copy of the examiner's report of the examination. In addition, the prospective employee must be provided a copy of the testing results with the cost for the employee's copy being borne by the organization.

If an employee tests positive for an illegal drug, the employer and employee may agree in writing who will bear the cost of future drug tests or screens required as a condition of continued employment.

The Department of Labor is responsible for administering and enforcing this law. The regulations adopted by the Department of Labor may be found on the Department of Labor web site: <http://www.labor.ar.gov>

Renumbered February 18, 2013