

**REVENUE: No revenue impact**

**FISCAL: Fiscal impact issued**

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<b>Action:</b>	Without Recommendation as to Passage and Be Referred to the Committee on Workforce and Economic Development
<b>Vote:</b>	7 - 0 - 0
<b>Yeas:</b>	Berger, Edwards C., Esquivel, Holvey, Rosenbaum, Smith P., Schaufler
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Theresa Van Winkle, Administrator
<b>Meeting Dates:</b>	2/2

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**WHAT THE MEASURE DOES:** Makes individual who tests positive for unlawful drug ineligible for benefits until individual tests negative and completes drug abuse treatment program. Makes individual who has tested positive for unlawful drug subject to random drug testing. Requires Employment Department to deduct cost of drug tests from individual's benefits. Requires Director of Employment Department to adopt rules.

**ISSUES DISCUSSED:**

- Referral to Committee on Workforce and Economic Development

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** In 2006, the Unemployment Insurance (UI) Division of the Oregon Employment Department updated OAR 471-030-0125 as a response to the number of UI determinations relating to benefits for workers terminated for violations of employer substance abuse policies. The rule covers issues that arise when an employee is dismissed due to alcohol or drug use, and addresses refusals of work (either when found on their own or offered by the Employment Department) where the claimant refuses to take or cannot pass a drug test.

If a worker quits a job, is fired from a job, or refuses a job when referred by the agency because of a violation of an employer's drug and alcohol policy, the worker is not usually eligible for UI benefits. HB 2441 extends this policy by requiring UI claimants to pass a drug test to receive benefits and to pay for the drug test with part of their benefit money, as well as requiring claimants to be tested randomly, and pass a drug test, in order to continue to receive benefits.