

# One Hundred Fifth Legislature - Second Session - 2018

## Introducer's Statement of Intent

### LB712

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**Chairperson: Senator Joni Albrecht**

**Committee: Business and Labor**

**Date of Hearing: January 22, 2018**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

Section 48-628 of the Nebraska Revised Statutes currently reduces unemployment benefits and disqualifies an individual from receiving unemployment benefits when the individual, without good cause, failed to apply for available and suitable work, failed to accept suitable work, or failed to return to self-employment. LB 712 seeks to treat an individual's failure of a pre-employment drug screening test which an employer requires as a condition of employment as a failure to accept suitable work. In effect, if the individual failed a pre-employment, employer-required drug test, the individual would face the same consequences as if the individual had failed to accept suitable work.

LB 712 also permits the Commissioner of Labor to provide for drug testing of unemployment benefit applicants who were terminated from their most recent employment due to the unlawful use of controlled substances. If an applicant tested positive or failed to take the drug test, the applicant is ineligible to receive unemployment benefits until the applicant passes a drug test. LB 712 disqualifies the applicant from benefits for a minimum of one week. Thus, an applicant is able to take another drug test a week after failing a drug test or refusing to take one. If the applicant passes the subsequent drug test and is otherwise eligible, the applicant may be able to receive unemployment benefits.

**Principal Introducer:** \_\_\_\_\_

Senator Joni Albrecht