



RULES OF THE STATE PERSONNEL BOARD

478-1-.21G Follow-up Substance Abuse Testing of Non–Federally Regulated Employees

(1) Applicability:

- (a) Any individual who returns to work following the self-disclosure of a substance abuse problem is subject to unannounced alcohol or drug testing, whichever is applicable, for up to five (5) years.
- (b) An individual returning to work following a positive alcohol confirmation test result of .04 or higher in a random or reasonable suspicion test may be subject to follow-up alcohol testing at the recommendation of the treating Substance Abuse Professional.

(2) Directive to Report:

The appointing authority is to provide the employee a written directive specifying where to report immediately for substance abuse testing.

(3) Rejected or Unsuitable Sample:

When a follow-up drug testing sample is rejected or determined to be unsuitable for testing by the testing laboratory, the appointing authority will direct the employee to appear for retesting because a negative result is needed as a condition of employment.

(4) Consequences of Positive Drug Testing Result or Refusal:

- (a) An employee whose drug test result is reported by the Medical Review Officer (MRO) as positive, adulterated, or substituted, or who otherwise refuses a follow-up drug test will be immediately dismissed and disqualified from future State employment for a period of two (2) years from the date of testing or refusal, whichever is later.
- (b) If the employee has dual employment with another State agency/entity, the appointing authority that ordered testing is to notify the Department of Administrative Services (DOAS). DOAS will notify the other agency/entity of the disqualification from employment. The other employer will dismiss the employee.

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(5) Consequences for Positive Alcohol Result or Refusal:

- (a) An employee whose test indicates an alcohol concentration of 0.02 or greater will be given an alcohol confirmation test not less than 15 minutes nor more than 20 minutes after the original screening test.
- (b) Upon receiving a positive alcohol confirmation test result of 0.02 or greater from the testing facility, the appointing authority must dismiss the employee.
- (c) An employee who refuses alcohol testing will be immediately dismissed and disqualified from future State employment for a period of two (2) years from the date of refusal.
 - 1. If the employee has dual employment with another State agency/entity, the appointing authority that ordered testing is to notify the Department of Administrative Services (DOAS).
 - 2. DOAS will notify the other agency/entity of the applicable disqualification from employment. The other employer will dismiss the employee.

Authority:

O.C.G.A. §§ 45-20-3, 45-20-3.1, and 45-20-4 (duties and functions of the State Personnel Board and Department of Administrative Services related to the Rules of the State Personnel Board)

Other State Law References:

O.C.G.A. §§ 45-23-1, et seq. (Georgia Drug-free Public Work Force Act of 1990)