

1 AN ACT concerning labor relations.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The State Police Act is amended by adding  
5 Section 12.5 as follows:

6 (20 ILCS 2610/12.5 new)

7 Sec. 12.5. Zero tolerance drug policy. Any person  
8 employed by the Department of State Police who tests positive  
9 in accordance with established Departmental drug testing  
10 procedures for any substance prohibited by the Cannabis  
11 Control Act or the Illinois Controlled Substances Act shall  
12 be discharged from employment. Refusal to submit to a drug  
13 test, ordered in accordance with Departmental procedures, by  
14 any person employed by the Department shall be construed as a  
15 positive test, and the person shall be discharged from  
16 employment.

17 Section 10. The Unified Code of Corrections is amended  
18 by adding Section 3-7-2.5 as follows:

19 (730 ILCS 5/3-7-2.5 new)

20 Sec. 3-7-2.5. Zero tolerance drug policy.

21 (a) Any person employed by the Department of Corrections  
22 who tests positive in accordance with established  
23 Departmental drug testing procedures for any substance  
24 prohibited by the Cannabis Control Act or the Illinois  
25 Controlled Substances Act shall be discharged from  
26 employment. Refusal to submit to a drug test, ordered in  
27 accordance with Departmental procedures, by any person  
28 employed by the Department shall be construed as a positive  
29 test, and the person shall be discharged from employment.

1       Testing of employees shall be conducted in accordance  
2       with established Departmental drug testing procedures.  
3       Changes to established drug testing procedures that are  
4       inconsistent with the federal guidelines specified in the  
5       Mandatory Guidelines for Federal Workplace Drug Testing  
6       Program, 59 FR 29908, or that affect terms and conditions of  
7       employment, shall be negotiated with an exclusive bargaining  
8       representative in accordance with the Illinois Public Labor  
9       Relations Act.

10       (1) All samples used for the purpose of drug  
11       testing shall be collected by persons who have at least  
12       40 hours of initial training in the proper collection  
13       procedures and at least 8 hours of annual follow-up  
14       training. Proof of this training shall be available upon  
15       request. In order to ensure that these persons possess  
16       the necessary knowledge, skills, and experience to carry  
17       out their duties, their training must include guidelines  
18       and procedures used for the collection process and must  
19       also incorporate training on the appropriate  
20       interpersonal skills required during the collection  
21       process.

22       (2) With respect to any bargaining unit employee,  
23       the Department shall not initiate discipline of any  
24       employee who authorizes the testing of a split urine  
25       sample in accordance with established Departmental drug  
26       testing procedures until receipt by the Department of the  
27       test results from the split urine sample evidencing a  
28       positive test for any substance prohibited by the  
29       Cannabis Control Act or the Illinois Controlled  
30       Substances Act.

31       (b) Any employee discharged in accordance with the  
32       provisions of subsection (a) shall not be eligible for rehire  
33       by the Department.