

AZ Alcohol & Drug Free Workplace Premium Credit Endorsement

As you may be aware, the Industrial Commission of AZ recently repealed the Drug and Alcohol Testing Policy and as a result, the Commission's form Certification of Employer's Drug and Alcohol Testing Policy is no longer available and the Commission no longer accepts attempted filings of the form.

National Council for Compensation Insurance (NCCI) has filed a memorandum proposing revisions to the AZ Alcohol And Drug Free Workplace Premium Credit Endorsement program. We believe that the net result of these changes will be of minimal impact to employers because it is likely that workers compensation carriers will continue to consider and offer 5% credit for employers that have appropriate drug and alcohol awareness policy.

We do recommend employers adopt and enforce alcohol and substance abuse and awareness policies. We want to be sure any policy that is adopted is fair, avoids discrimination and is enforceable. We generally recommend drug and alcohol awareness policies that include pre-employment/post offer screening and testing for cause. We do caution employers to strictly and consistently comply with the policy guidelines. Because legal decisions and legislation change public policy over time, we believe drug and alcohol awareness policies should be reviewed and updated.

Additional resources to assist you in developing a policy include:

<http://www.drugfreeworkplace.com/>

<http://www.workplace.samhsa.gov/>

We encourage employers to seek legal advice from a labor law specialist before implementing random testing or any testing policy that could be construed as discretionary because of potential abuse and discrimination issues.