

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.