



May 21, 2024

State Drug Free Workplace Program (Workers' Compensation)

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Reference Number: CTAS-1074

Tennessee Workers' compensation laws and regulations have created a voluntary program of drug testing that can result in reduced premiums for Workers' compensation insurance and denial of Workers' compensation benefits to impaired workers. T.C.A. § 50-9-101 *et seq.* This program is optional – employers are not required to participate.

The statutes establishing these drug-free-workplace programs expressly restrict drug testing to constitutional limits. These statutes neither permit nor require an employer to conduct unconstitutional drug tests. Op. Tenn. Att'y Gen. 14-52 (April 24, 2014). Accordingly, the program must be carefully tailored to the needs of the government employer so that the employees' constitutional rights are not infringed. See "Government Employee Drug Testing—the Constitutional Issues" for more information.

Counties wishing to participate in the state's drug free workplace program can obtain more information about the state program, or request a drug free workplace program information kit, by contacting:

Drug Free Workplace Program
220 French Landing Drive
Nashville, TN 37243-1002
(844) 224-5818

Or visit the state's Drug Free Workplace Program website.

Source URL: <https://www.ctas.tennessee.edu/eli/state-drug-free-workplace-program-workers-compensation>