

# Unemployment Insurance Pre-Employment Drug Testing

## KEY PROGRAM FACTS



### OVERVIEW

A shortage of workers to fill good-paying jobs means Wisconsin cannot leave any skilled talent on the sidelines. This includes those who want to work but cannot pass a drug test.

**DWD's Pre-Employment Drug Testing Program** is an easy way to help grow Wisconsin's pool of work-ready job seekers. It focuses treatment resources on Unemployment Insurance claimants who have the skills and motivation to work but fail a drug test as part of an employment offer. UI claimants access treatment and, in doing so, move quickly toward joining the ranks of work-ready job seekers that employers across Wisconsin are constantly seeking for open positions.

The success of this visionary program includes three critical components:

- ▶ **Resources:** DWD's budget includes \$500,000 to fully fund and administer a statewide substance abuse treatment program.
- ▶ **Employers:** Employers send DWD the names of job candidates who fail or refuse to take a drug test as part of a job offer.
- ▶ **Workers:** Individuals who cannot pass a drug test and apply for UI benefits must be willing to complete treatment and otherwise meet program requirements.

More claimants who complete treatment will become ready to fill the tens of thousands of job openings employers have available today.



## WHEN TO SUBMIT NAMES

Employers may submit the names of those **who test positive during a pre-employment drug test for the unlawful use of controlled substances if:**

- ▶ The offer of employment required the individual to submit to a drug test for the unlawful use of controlled substances.
- ▶ The individual was notified prior to testing that positive test results may be reported to the department.
- ▶ The individual does not have a valid prescription for the substances they tested positive for.
- ▶ The test was conducted or confirmed by a laboratory certified by the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human services (DHHS).

DWD will keep the names and all treatment records confidential.

Any employer that submits positive test results, or notifies DWD of an individual's refusal to take a pre-employment drug test, is immune from state civil liability for its acts or omissions with respect to the submission of the reported information (Wis. Stat. § 108.133(4)(c)).

## HOW TO SUBMIT

Participating employers complete and **sign** a form with the required information. Results must be reported **within 3 business days** of the employer's receipt of the results. Forms submitted without complete information and required attachments unfortunately cannot be accepted.

If **mailing** forms, please send to:

Benefit Operations Staff  
P.O. Box 7905  
Madison, WI 53707

If **faxing** required forms and documents, please fax to:

1-608-260-2506

Visit [dwd.wisconsin.gov/ui/pre-employment-drug-testing](http://dwd.wisconsin.gov/ui/pre-employment-drug-testing) for more information, and join us today in growing the state's pool of skilled talent that is also drug-free and work-ready!



## Questions?

For additional questions specific to pre-employment drug testing, please email [UIDrugTest@dwd.wi.gov](mailto:UIDrugTest@dwd.wi.gov).