Drug-Free Workplace Rules

Rule 410. Drug-Free Workplace Program.

a) After a partnership between the State Board of Workers' Compensation and the Council on Alcohol and Drugs, the Drug-Free Workplace Program (DFWP), as provided in O.C.G.A. Title 34, Chapter 9, Article 11, will be administered by the Board effective October 15, 2026.

b) Applications for certification or recertification as a Drug-Free Workplace shall be submitted to the Board on-line via the DFWP website. Applications may also be submitted in paper through the United States Mail.

c) An application fee of $35.00 payable to the "State Board of Workers' Compensation" shall be required to cover the Board's administrative costs for the certification process. Applications will not be processed until the fee is paid.

d) To be certified or recertified as a drug-free workplace, an employer must affirm that its drug-free workplace program contains the following elements:

1) Written policy statement as provided in Code Section 34-9-414;

2) Substance abuse testing as provided in Code Section 34-9-415;

3) Resources of employee assistance providers maintained in accordance with Code Section 34-9-416;

4) Employee education as provided in Code Section 34-9-417;

5) Supervisor training in accordance with Code Section 34-9-418;

6) Compliance with the confidentiality standards provided in Code Section 34-9-420;

Upon affirming compliance with these elements, a Drug-Free Workplace Certification will be issued to the employer.

e) A Drug-Free Workplace Certification shall qualify an employer for a 7.5 percent workers' compensation insurance premium discount. To receive the premium discount, an employer must provide its insurer with annual written notice of its DFWP certification. When notifying its insurer, the employer should enclose a copy of the certificate issued by the Board documenting a certified drug-free workplace.

f) The employer is required to recertify and maintain its certified drug-free workplace program during each year the employer receives the premium discount.

g) For purposes of documenting its certified drug-free workplace program, it is necessary for an employer to maintain its policy and the records required by the drug-free workplace program in a separate file for review upon request by its insurer and/or the Board.

h) The Board may contract with the Council on Alcohol and Drugs and/or other organizations or individuals for assistance with education, training and customer and staff support for complex substance abuse and workplace drug prevention issues.