

## 2022 Georgia Code

### Title 50 - State Government

### Chapter 24 - Drug-Free Workplace

### § 50-24-3. Contractors to Provide Drug-Free Workplace

**Universal Citation:** GA Code § 50-24-3 (2022)

[← Previous](#)

[Next >](#)

- a. The principal representative of a state agency shall not enter into a contract with any contractor, other than an individual, unless the contractor certifies to the principal representative that:
  1. A drug-free workplace will be provided for the contractor's employees during the performance of the contract; and
  2. Each contractor who hires a subcontractor to work in a drug-free workplace shall secure from that subcontractor the following written certification: "As part of the subcontracting agreement with (contractor's name) , (subcontractor's name) certifies to the contractor that a drug-free workplace will be provided for the subcontractor's employees during the performance of this contract pursuant to paragraph (7) of subsection (b) of Code Section 50-24-3."
- b. A contractor may satisfy the requirement for providing a drug-free workplace for employees by:
  1. Publishing a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or

- marijuana is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
2. Establishing a drug-free awareness program to inform employees about:
    - A. The dangers of drug abuse in the workplace;
    - B. The contractor's policy of maintaining a drug-free workplace;
    - C. Any available drug counseling, rehabilitation, and employee assistance program; and
    - D. The penalties that may be imposed upon employees for drug abuse violations;
  3. Providing each employee with a copy of the statement provided for in paragraph (1) of this subsection;
  4. Notifying each employee in the statement provided for in paragraph (1) of this subsection that as a condition of employment, the employee shall:
    - A. Abide by the terms of the statement; and
    - B. Notify the contractor of any criminal drug statute conviction for a violation occurring in the workplace within five days of the conviction;
  5. Notifying the contracting principal representative within ten days after receiving from an employee or a subcontractor a notice of conviction as provided under subparagraph (B) of paragraph (4) of this subsection or after otherwise receiving actual notice of such a conviction;
  6. Making a good faith effort on a continuing basis to provide a drug-free workplace for employees; and
  7. Requiring that such contractor include in any agreement or contract with a subcontractor a provision that such subcontractor will provide a drug-free workplace for his employees by complying with the provisions of paragraphs (1), (2), (3), (4), and (6) of this subsection and by notifying the contractor of any criminal drug statute conviction for a violation occurring in the workplace involving the subcontractor or its employees within five days of receiving notice of the conviction. The contractor will notify the contracting principal representative pursuant to paragraph (5) of this subsection.

History. Code 1981, § 50-24-3 , enacted by Ga. L. 1990, p. 1081, § 1.

**< Previous**

**Next >**

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