

R031-0809

10 A RESOLUTION CONCERNING PRE-EMPLOYMENT DRUG TESTING IN THE STATE OF
20 MARYLAND

30 **WHEREAS:** Pre-employment drug testing is a deterrent for Americans who use
40 drugs to apply for positions for which they are qualified.

50 **WHEREAS:** Oftentimes, those who cannot find a job because they use drugs
60 turn to the illegal act of drug dealing.

70 **WHEREAS:** Research and statistics show that pre-employment drug testing does
80 not indicate that a hired employee will come to work sober or refrain from drug
90 use after leaving the workplace.

100 **WHEREAS:** There is little evidence to prove that an employee under the
110 influence in certain fields is any less productive than those that are sober.

120 **WHEREAS:** The threat of drug testing after employment, as a tool used to
130 confirm the presence or absence of a drug as a supporting cause for termination,
140 is a practice that keeps in line with the Fourth Amendment and Fifth Amendment
150 Rights of the U.S. Constitution.

160 **WHEREAS:** Pre-employment drug testing in most fields serves no purpose to
170 distinguish qualifications for the position, but rather serves as a means of
180 discrimination of a lifestyle.

190 **THEREFORE BE IT RESOLVED:** That the State of Maryland denotes pre-
200 employment drug testing as a discriminatory act that should be banned from
210 private companies whose nature of business does not deal with medicine or
220 health, education of school children, construction or machinery, food handling,
230 security, or transportation type professions.

240 **MANDATES:** Martin O'Malley, Governor, State of Maryland
250 Mr. Peter A. Hammen, Chair of Health and Government Operations Committee
260 Carolyn Howard, Chair of Transportation Subcommittee
270 Anne Kaiser, Chair of Education Subcommittee
280 Sheila Hixson, Chair of Ways and Means Committee
290 John Donoghue, Chair of Health and Occupations Subcommittee
300 William Bronrott, Chair of Special Committee on Drug and Alcohol Abuse
310 Luiz Simmons, Chair of Civil Law and Procedure Subcommittee

Sponsor:

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