

# Michigan May Deny Jobless Benefits Where Failed Drug Test Causes Refusal To Hire

By Roger S. Kaplan on December 3, 2013

Michigan's new drug testing disqualification law (Act No. 146 of 2013) amending the state's "Employment Security Act" (MCL 421.129), provides that for one year after the enactment's effective date (October 29, 2013), an individual will be considered to have refused an offer of suitable work if the prospective employer administers pre-employment drug tests on a non-discriminatory basis and the applicant tests positive for a controlled substance without a valid prescription, or the individual refuses without good cause to submit to the drug test. This pilot program does not require businesses to notify the state when job applicants fail a drug test or refuse to take them, but if they do, applicants whose conditional offer of employment has been withdrawn as a result will lose their unemployment checks.

The new law may draw some statistical support from the most recent [National Survey on Drug Use and Health](#). As noted by [CNN Money.com](#), according to the 2012 Survey, about one in six (17%) unemployed workers had a substance abuse disorder, almost twice the rate for full-time workers (9%), based on self-reporting; the actual numbers could be higher. Moreover, CNN Money also reports that economists at the Federal Reserve Bank in St. Louis have pointed to some data that may show that long bouts of unemployment lead people to substance abuse, even among those who previously were drug-free, despite the loss of income from being out of work. (Alcohol, however, remains the largest substance of abuse among the unemployed according to the Survey.)

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