

Session 120 - (2013-2014)

H 4405 General Bill, By Goldfinch and G.R. Smith

Summary: Workforce Investment Act

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-27-660 SO AS TO PROVIDE THAT WHEN IMPLEMENTING THE WORKFORCE INVESTMENT ACT, SC WORKS SHALL REQUIRE A TEST FOR ILLEGAL DRUG USE AND A FINGERPRINT-BASED CRIMINAL BACKGROUND CHECK CONDUCTED BY SLED OF ANY CUSTOMER DETERMINED TO NEED TRADE OR OCCUPATIONAL TRAINING BEFORE SC WORKS MAY PAY FOR THE TRAINING, TO PROVIDE THAT THE RESULTS MUST BE CONFIDENTIAL AND AVAILABLE ONLY TO THE CUSTOMER AND SC WORKS, TO PROVIDE THAT SC WORKS MAY PAY FOR NO TRADE OR OCCUPATIONAL TRAINING WHEN A DRUG TEST OR BACKGROUND CHECK PROVIDES INFORMATION THAT WOULD RESULT IN AN ADVERSE EMPLOYMENT ACTION FOR THE SORT OF EMPLOYMENT THAT THE CUSTOMER SEEKS TO ATTAIN WITH THE TRAINING; TO PROVIDE A CUSTOMER WHILE RECEIVING TRAINING SHALL IMMEDIATELY NOTIFY SC WORKS IF HE FAILS A DRUG TEST OR IS CONVICTED OF A CRIME OR WOULD OTHERWISE BE SUBJECT TO AN ADVERSE EMPLOYMENT ACTION FOR EMPLOYMENT SOUGHT BY THE CUSTOMER RELATED TO THE TRAINING, AND SC WORKS IMMEDIATELY SHALL CEASE PAYMENT FOR THIS TRAINING, TO PROVIDE THAT THE CUSTOMER MUST BE GIVEN NOTICE AND AN OPPORTUNITY TO RESPOND TO THE RESULTS OF A DRUG TEST OR ANY INFORMATION FROM THE BACKGROUND CHECK THAT WOULD RESULT IN AN ADVERSE EMPLOYMENT ACTION, TO PROVIDE THAT THE STATE WORKFORCE INVESTMENT BOARD SHALL CONSIDER THE RESPONSE OF THE EMPLOYEE AND PERMIT PAYMENT FOR TRAINING UPON FINDING THAT THE DRUG TEST RESULTS OR BACKGROUND CHECK INFORMATION WOULD NOT RESULT IN A RELEVANT ADVERSE EMPLOYMENT ACTION, AND TO PROVIDE SC WORKS MUST PAY FOR THE DRUG TEST AND CRIMINAL BACKGROUND CHECK, AND THAT THE CUSTOMER MUST REIMBURSE IT.

12/10/13 House Prefiled

12/10/13 House Referred to Committee on Labor, Commerce and Industry

01/14/14 House Introduced and read first time

01/14/14 House Referred to Committee on Labor, Commerce and Industry