

# STATE OF FLORIDA

## OFFICE OF THE GOVERNOR

### EXECUTIVE ORDER NUMBER 11-58

(Requiring Pre-employment and Random Drug Testing for State Employees)

WHEREAS, the taxpayers of Florida are entitled to a public workforce that is fit for duty and, as such, is free from the harmful and dangerous influence of illegal drugs; and

WHEREAS, the State, as an employer, has an obligation to maintain discipline, health, and safety in the workplace, and to ensure State employees are not engaged in illegal drug use while at work; and

WHEREAS, illegal drug use has an adverse affect on job performance, including increased injury on the job, increased absenteeism, increased financial burden on health and benefit programs, increased workplace theft, decreased employee morale, decreased productivity, and a decline in the quality of products and services; and

WHEREAS, lost productivity due to illegal drug use harms the financial interests of every taxpayer; and

WHEREAS, the public interacts daily with state employees and, therefore, the risk to public safety is real and substantial if state employees use drugs; and

WHEREAS, the Legislature has found that illegal drug use has serious adverse effects upon a significant portion of the workforce in Florida; and

WHEREAS, the State, therefore, has a special responsibility to the public to ensure prospective employees are drug free before they are allowed to enter the state workforce and that existing employees remain drug free as long as they are employed by the State; and

WHEREAS, the State can best fulfill these obligations by requiring pre-employment drug testing and periodic, random drug testing of existing state employees; and

WHEREAS, the taxpayers of Florida are entitled to expect that Florida's public-sector employers be provided the same tools that are available to private-sector employers to ensure their workforce is drug free; and

WHEREAS, pre-employment and random drug testing are available to private-sector employers and are the best available methods to ensure drug abusers do not enter or remain in the state workforce.

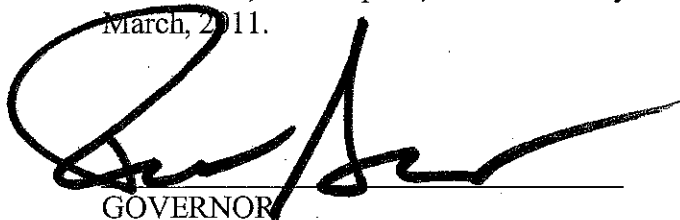
NOW, THEREFORE, I, RICK SCOTT, as Governor of Florida, by virtue of the authority vested in me by article IV, section (1)(a) of the Florida Constitution, and all other applicable laws, do hereby promulgate the following Executive Order, to take immediate effect:

**Section 1.** I hereby direct all agencies within the purview of the Governor to amend their drug-testing policies to provide for pre-employment drug testing for all prospective new hires and for random drug testing of all employees within each agency. The amended policy should provide for the potential for any employee, including all full-time and part-time employees, and employees of any employment classification—including, but not limited to, Senior Management Service, Select Exempt Service, Career Service, and Other Personal Services—to be tested at least quarterly.

**Section 2.** Within sixty days from the date of this Executive Order, each agency must amend its drug-testing policy in accordance with the requirements of this Executive Order, and must notify its employees of the amendment. Each agency must begin pre-employment drug testing immediately upon adoption of an amended policy consistent with this Executive Order.

Each agency must begin random drug testing sixty days following notification to employees of the new policy.


IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 22nd day of March, 2011.



GOVERNOR



ATTEST:



SECRETARY OF STATE

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TALLAHASSEE, FLORIDA