



IDAHO PRIVATE EMPLOYER DRUG-FREE ACT: EMPLOYEES NOT GIVEN THE RIGHT TO SUE

Employees right to sue not affected by Idaho Drug Free Act. Established to promote a drug and alcohol free working environment, the Idaho Private Employer Alcohol and Drug-Free Workplace Act does not give employees additional rights to sue the employer for an action required by law. An employee, in the case of Anderson v. Thompson Creek Mining Co., was terminated from employment following a positive drug test. The employee later filed suit against the company, claiming his employer's drug testing procedures violated his rights under the act. An employer is given many benefits for consistent compliance with the Act, such as: unemployment tax savings, workers compensation insurance savings, lawsuit protections and an opportunity to contract for state construction projects. Knowing this and after carefully reviewing the wording of the law, the court found that employees' rights were still being protected and that the act simply granted benefits to employers to assist in motivating them to voluntarily bestow certain rights on their employees while still complying with the act. The court refused to rewrite the statute in a manner that would impose a mandatory duty on employers to comply with its terms. Consequently, the court ruled there was no implied right of action in the act and immediately dismissed the employee's complaint as a compliance with law. For more details on the article [Click Here](#) [Click here](#) to find out which are jobs are available in Idaho.

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