

34-38-9 No cause of action for failure to test or detect substance or problem, or for termination of testing program.

No cause of action arises in favor of any person against an employer who has established a policy and initiated a testing program in accordance with this chapter, for any of the following:

- (1) failure to test for drugs or alcohol, or failure to test for a specific drug or other substance;
- (2) failure to test for, or if tested for, failure to detect, any specific drug or other substance, disease, infectious agent, virus, or other physical abnormality, problem, or defect of any kind; or
- (3) termination or suspension of any drug or alcohol testing program or policy.

Enacted by Chapter 234, 1987 General Session