

WEST VIRGINIA CODE: §21-3E-6

§21-3E-6. Scheduling of tests.

Regarding the timing and costs of drug and/or alcohol tests, and in order for an employer to qualify for the benefits of this article:

- (1) Any drug or alcohol testing by an employer of employees shall occur during, or immediately before or after, a regular work period. Testing by an employer is worked time for the purposes of compensation and benefits for current employees.
- (2) An employer shall pay all actual costs for drug and/or alcohol testing required by the employer of employees and prospective employees.
- (3) An employer is required to provide transportation or to pay reasonable transportation costs to current employees if their required tests are conducted at a location other than the employee's normal work site(s).