



# CITY OF EDMONDS

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DAVE EARLING  
MAYOR

HUMAN RESOURCES DEPARTMENT

TO: City Employees

FROM: Mary Ann Hardie, HR Manager *MAH*

DATE: April 9, 2013

SUBJECT: Drug-Free Workplace Initiative 502

Despite the recent passage of Initiative 502, the City remains a Drug-Free Workplace. Under federal law, marijuana remains a controlled, illegal Schedule I drug under the Controlled Substance Act.

As a recipient of federal funding, the City of Edmonds is subject to the terms of the Drug-Free Workplace Act of 1988 (Public Law 100-690, 41 USC 701 et seq.). Under this law, the City must prohibit the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance on City premises or while conducting City business on or off City premises.

Under the City's Drug-Free Workplace policy:

- You cannot report to work under the influence of drugs including marijuana.
- You cannot use drugs including marijuana in the workplace.
- You cannot use drugs including marijuana in any way that is detrimental to the interests of the City.
- You will be subject to discipline, up to and including termination if you violate the City's Drug-free Workplace Policy.

Additionally, the Department of Transportation's Drug and Alcohol Testing Regulation (49 CFR Part 40) – does not authorize the use of Schedule I drugs including marijuana for any reason. In short, it is prohibited to use marijuana for any safety-sensitive employee (i.e. employees who hold a commercial driver license) subject to drug testing under the Department of Transportation's drug testing regulations.

Further, the Edmonds Police Department's drug policies remain unchanged. These policies prohibit the use or possession of any narcotic, dangerous drug or controlled substance, both on or off duty. All Edmonds Police Department employees are bound to uphold the constitutional, criminal and civil laws of the city, county, state and federal government.

Testing will continue as currently established for positions requiring pre-employment drug tests. US Department of Transportation regulated (commercial driver license holder) required random, follow up post-accident tests and testing in instances of reasonable suspicion of impairment in the workplace will also continue (unless otherwise in conflict with collective bargaining agreement language). All other

employees who may be required to submit to a follow up, post-accident or testing in instances of reasonable suspicion of impairment in the workplace will also continue as noted in City Personnel Policy (unless otherwise in conflict with collective bargaining agreement language). We encourage City employees who may have a drug problem to use the Employee Assistance Program (EAP).

For further information or clarification of this memorandum, you may contact Mary Ann Hardie (x1348) or Yvonne Chan (x1375) in HR. The City's Drug-Free Workplace and Drug and Alcohol policies may be found on the HR page of the City website along with a Drug-Free Workplace – Initiative 502 Frequently Asked Questions document.