

# Developing Drug-Free Workplace Policy

This playbook outlines the steps to create and implement an effective drug-free workplace policy. It takes into account both state and federal regulations and addresses considerations related to the legality of recreational and medicinal marijuana use.

## Step 1: **Research**

Begin by researching current federal and state regulations concerning drug use in the workplace. Pay special attention to guidelines surrounding the Americans with Disabilities Act (ADA) and the Occupational Safety and Health Act (OSHA). Additionally, review the laws specific to the legality of marijuana in your state, both for medicinal and recreational use.

## Step 2: **Consultation**

Consult with a legal expert or a human resources advisor who is knowledgeable about drug-free workplace policies. Ensure that your policy will comply with all relevant laws and regulations, and consider the legal implications of recreational and medicinal marijuana use.

## Step 3: **Policy Drafting**

Draft your drug-free workplace policy. Ensure it includes:

- Definitions of prohibited behavior
- Information on drug testing procedures

- Consequences of policy violations
- Resources for employees seeking help with substance abuse

## **Step 4: Internal Review**

Conduct an internal review of the policy draft with key stakeholders within your organization, such as management, human resources, and legal teams. Gather feedback and make necessary revisions to the draft.

## **Step 5: Employee Communication**

Develop a plan for communicating the policy to all employees. This should include formal presentations, informational materials, and training sessions that educate employees on the specifics of the policy and the reasons for its implementation.

## **Step 6: Implementation**

Put the policy into action within your workplace. This may involve a phased approach or a specific date of commencement. Enforce the policy consistently and fairly across the organization.

## **Step 7: Monitoring**

Regularly monitor the effectiveness and compliance of the workplace policy. Update the policy as necessary when laws change or when you identify ways to improve its implementation.

# **General Notes**

## **Confidentiality**

Ensure that your drug-free workplace policy respects the confidentiality of employee medical information, in compliance with HIPAA and other privacy laws.

## **Support Programs**

Consider including information on employee assistance programs (EAPs), counseling, and other support services in your policy to help employees who are dealing with substance abuse issues.

## **Training Requirement**

Train supervisors and managers on how to enforce the policy and how to respond to policy violations. They will play a critical role in the policy's effectiveness.