

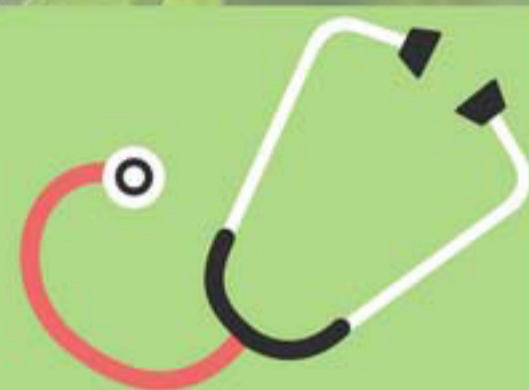
STILL DRUG FREE

4 WAYS EMPLOYERS CAN STILL DRUG TEST

California, Prop 64 & Your Business

1 PRE-EMPLOYMENT SCREENING

Pre-employment drug testing, including testing for marijuana, is still permitted in California, but can only happen after an offer is made and before employment begins. Employers may deny employment if a drug test comes back positive, even if the applicant was legally using marijuana under the state's Compassionate Use Act or Proposition 64.



2 REASONABLE SUSPICION TESTING

Employers may test employees for marijuana if there is a reasonable suspicion that the employee is under the influence. A reasonable suspicion means more than someone telling you that the employee is high.



3 POST-ACCIDENT DRUG TESTING

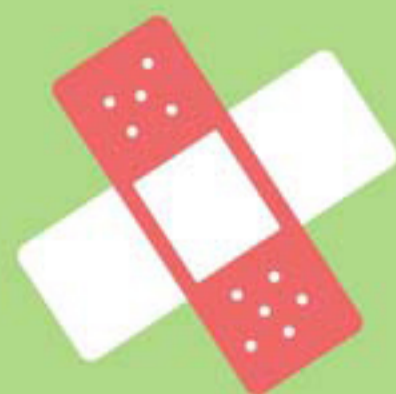
Courts have generally upheld post-accident drug testing where an employer has reasonable suspicion that an employee involved in the accident was under the influence of drugs and/or alcohol or if the accident was a serious one.



4 RANDOM DRUG TESTING

Random drug testing, which is when an employer informs employees they may have to submit to a drug test at any time, for any reason or no reason at all, is extremely limited in California and generally not permitted.

Random drug testing has been upheld in specific narrowly defined job classifications, such as drivers of large trucks under Department of Transportation guidelines and aviation personnel.



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