



Mandatory Drug and Alcohol Testing (MDAT) Program Information for Washington Teachers' Union

Initiative 71 – Impact on DCPS Employees

- Initiative 71 upholds the right of District agencies to establish and enforce policies restricting the use of marijuana by safety-sensitive employees and does not change DCPS' obligations under CYSHA.
- Reporting to work under the influence of marijuana remains strictly prohibited for employees who occupy a safety-sensitive position at DCPS.
- DCPS will continue to drug test employees who are promoted into or who accept a new safety-sensitive position and under the circumstances set forth in the MDAT Policy.

The Child and Youth, Safety and Health Omnibus Amendment Act of 2004 (CYSHA) requires that all DC agencies that employ individuals in “safety-sensitive” positions implement a drug and alcohol testing program.

Drug and Alcohol Testing is required in the following circumstances:

- Before an employee is **Hired or Promoted** into a new safety-sensitive position.
- Upon **Reasonable Suspicion** of intoxication or impairment in ability to perform duties due to the use of any drug or alcohol.
- **Post-Accident**, when the cause of the accident could reasonably be believed to have been due to drug or alcohol use.
- Before an employee is permitted to **Return-to-Duty** after seeking treatment.
- As a series of **Follow-Up** tests upon successful completion of a drug or alcohol treatment program.

All employees who work in school-based positions are subject to drug and alcohol testing.

Substances Tested

Employees are tested for:

- Alcohol
- Marijuana
- Cocaine
- Opiates
- Amphetamines
- Phencyclidine (PCP)

Consequences

Employees who **test positive** for drugs or above the permissible limit for alcohol **shall be terminated** from employment with DCPS and **barred from employment** in a safety-sensitive position **for a period of 3 years**.

MDAT Program Contact Information

Phone: (202) 724-5682 **Email:** dcps.mdat@dc.gov
Website: www.dcps.dc.gov/DCPS/MDATProgram

Mandatory Drug and Alcohol Testing (MDAT) Program

Frequently Asked Questions

Given the passage of Initiative 71, will DCPS still terminate an employee who tests positive for marijuana after using marijuana recreationally?

Yes. Although Initiative 71 decriminalizes limited recreational, off-duty use of marijuana, it does not allow safety-sensitive employees to report to work under the influence of marijuana. Although the primary purpose of the MDAT Policy is not to regulate employees' off-duty conduct, even after the passage of Initiative 71, employees who test positive for marijuana will be subject to the consequences of the MDAT Policy, regardless of when they used such substance.

Does this policy mean that DCPS does not allow its employees to consume alcohol?

No. DCPS does not aim to restrict employees from consuming alcohol during their personal time. However, the policy is designed to ensure that employees do not report to work intoxicated.

Are employees required to disclose to DCPS any prescription medications that they are taking?

No.

Will an employee be disciplined for taking medication(s) in accordance with a valid prescription?

No. If an employee has a valid prescription for medication and follows his/her medical provider's instructions when taking the medication, he/she will not be subject to disciplinary action.

What should an employee do if s/he suspects a co-worker is under the influence of drugs or alcohol?

The employee should report any suspected on-duty drug or alcohol use to a supervisor or directly to the MDAT Team via phone at (202) 724-5682 (Monday through Friday, 9am to 5pm). Reports will be held confidential to the full extent permitted by law.

What happens if an employee refuses to take a drug or alcohol test?

If an employee refuses to take a drug and/or alcohol test when directed to do so, his/her employment with DCPS will be terminated and he/she will be denied subsequent appointment to a safety-sensitive position within DCPS for a period of three years.

What happens if an employee does not pass a drug or alcohol test?

If an employee does not pass a drug or alcohol test, his/her employment with DCPS will be terminated and he/she will be denied subsequent appointment to a safety-sensitive position within DCPS for a period of three years.

Will DCPS voluntarily share drug and alcohol test results with anyone?

No. All matters relating to drug and alcohol test results for employees will be kept confidential by the DCPS MDAT Team and separate from employee official personnel folders. The test results will not be turned over to anyone without the subject's written consent unless required by law.

What should an employee with a drug or alcohol problem do?

Employees who are struggling with drug or alcohol addiction are encouraged to immediately contact the Employee Assistance Program, COPE Incorporated, at (202) 628-5240 about treatment options. Additionally, employees should contact the MDAT Team to obtain information on how to disclose a drug or alcohol problem prior to being subject to testing. The MDAT Team can be reached at (202) 724-5682 (Monday through Friday, 9am to 5pm) or dcps.mdat@dc.gov.
