

## **Prohibition on Pre-employment Marijuana Drug Testing**

Effective May 10, 2020, New York City employers will be banned from requiring prospective employees to submit to testing for the presence of any tetrahydrocannabinols or marijuana in their systems as a condition of employment. This prohibition does not apply to persons applying to work (i) in law enforcement; (ii) at a building construction site; (iii) as a laborer, worker, or mechanic on a public work site; (iv) in any position requiring a commercial driver's license; (v) in any position requiring the supervision or care of children, medical patients, or vulnerable persons as defined in the New York Social Services Law; or (vi) in any position with the potential to significantly impact the health or safety of employees or members of the public as determined by the Commissioner of Citywide Administrative Services or the Chairperson of the New York City Commission on Human Rights. This prohibition also does not apply to drug testing required (i) by the federal, state, or city departments of transportation; (ii) as a condition of any federal contract or grant from the federal government; (iii) for purposes of safety or security in accordance with any federal or state statute, regulation, or order; or (iv) by a collective bargaining agreement to which an applicant's prospective employer is a party.