



Questions employers are asking about Washington SB 5123:

What is SB 5123?

SB 5123 is a Washington law that prohibits employers from discriminating against a person in the initial hiring based on (1) their off-duty cannabis use away from the job or (2) an employer-required drug test result that is based on the detection and presence of non-psychoactive cannabis metabolites. The law goes into effect on January 1, 2024.

Who is exempt from SB 5123?

Positions for which drug testing is mandated under federal guidance are exempt. There are also a few exceptions for some private sector jobs within SB 5123; please refer to the statute for detailed information.

Can employers still test employees for drugs after they have been hired?

Yes, employers can still perform drug screening on employees post-hire, since SB 5123 applies only to pre-employment drug testing.

What are the best drug testing options for employers under SB 5123?

The best drug testing options for employers, if the employer wants to have an actionable marijuana drug screening result, the best drug testing options under SB 5123 are either laboratory-based or instant oral fluid drug testing. Oral fluid drug testing is an observed collection that is noninvasive. Furthermore, instant oral fluid drug testing provides immediate drug screening results, whereas a second oral fluid collection would need to be performed and sent to the laboratory to provide a confirmed result.

How can I still manage a safe workplace and have an actionable drug testing THC result?

At Quest Diagnostics, oral fluid drug testing (laboratory-based and instant) tests for parent THC, the psychoactive drug.

How can employers implement laboratory-based and instant oral fluid drug testing in their organization?

To implement laboratory-based or instant oral fluid drug testing in your organization, contact Quest Diagnostics; we are the global leader in workforce drug testing.

What are the benefits of using Quest Diagnostics?

Quest Diagnostics is the only laboratory that performs all drug testing in-house for all three matrices (urine, oral fluid, and hair). Quest Diagnostics has the experience and expertise to ensure that your drug testing program is conducted in a fair and accurate manner.

The above is based on interpretation of state laws by Quest Diagnostics; if you have any further questions about SB 5123 policy, legal, or other regulatory-related items, please consult an attorney.

For additional questions or to speak with someone, please contact us at WorkforceSolutions@QuestDiagnostics.com

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