

WorkSource Information Notice (WIN)

Employment System Administration & Policy

☒ Policy-related | ☐ Fiscal | ☐ Performance | ☐ Q&A | ☐ Other

Number: WIN - 0057
Date: April 28, 2014
Expiration Date: N/A

TO: Workforce Development System Partners

FROM: Amy L. Smith, Director

SUBJECT: Guidance on the use of Federal Funding to Support the Marijuana Industry

Purpose:

To communicate federal guidance concerning the use of federal funding to support the marijuana industry.

Action Required:

Workforce Development Councils (WDCs) and their contractors, as well as Employment Security Regional Directors, must distribute this guidance broadly throughout the system to ensure that staff and partners in the WorkSource System are familiar with its content and requirements.

OMB Circular A-133 Sec. 400(d) requires pass-through entities (defined in WIN 0052) to advise subrecipients of requirements imposed on them by federal laws, regulations, and the provisions of contracts or grant agreements as well as any supplemental requirements imposed by the pass-through entity.

Content:

1. Background

WIN 0032 Attachment A (Job Order and Referral Requirements) communicated that federal funds cannot be used to support job orders or employers trying to fill positions that promote or support the use, possession or distribution of marijuana. Since that time, ESD has received numerous questions regarding the provision of other WorkSource services that directly or indirectly support the marijuana industry.

2. Guidance

Federal law still classifies marijuana as a Schedule 1 narcotic (21 U.S.C. 812), therefore marijuana is still illegal from a federal standpoint. Grant agreements between the Department of Labor (DOL) and the state require funds to be expended in accordance with all applicable federal statutes, regulations

and policies. As such, federal funds cannot be used to provide services that directly or indirectly support the marijuana industry. This restriction applies to services and programs under WIA, Wagner-Peyser, Trade Adjustment Assistance, VETs, and National Emergency Grants.

The scope of this requirement applies to all WorkSource services that directly or indirectly support the use, possession, growth or distribution of marijuana. This includes, but is not limited to: job orders, job referrals, employer outreach, hiring events, career counseling, and training.

In addition, the prohibition applies to all levels of the supply chain that supports the marijuana industry, including but not limited to manufacturers of packaging & products related to the sale and support of the marijuana industry, etc.

References:

- [WorkSource Information Notice #0032 \(Job Order and Referral Requirements\)](#)
- [WorkSource Information Notice #0052 \(WorkSource Glossary of Definitions\)](#)
- [U.S. Drug Enforcement Administration](#)

Website:

<http://wpc.wa.gov/adm/policy>

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