

The Effect of Marijuana on Employers

Increased acceptance, availability and use on the job causes safety, productivity, and legal issues

In states where marijuana sales and use have been legalized, employers face increased use, reduced safety, reduced productivity, and legal confusion.

- Colorado and Washington legalized recreational marijuana as of January 1, 2013. Between 2012 and 2013, workplace positive drug tests for marijuana rose by 20 percent in Colorado and 23 percent in Washington².

Safety Concerns

- Marijuana-positive post-accident drug testing increased 6.2 percent between 2014 and 2015³.
- Postal workers who tested positive for marijuana on a pre-employment urine drug test had 55% more industrial accidents, 85% more injuries, and 75% greater absenteeism compared with those who tested negative⁴.
- People who drive within three hours of consuming marijuana are twice as likely to cause an accident as sober drivers⁵.
- The average potency of marijuana has risen to between 12% and 15% THC⁷. A study using marijuana that contained 13% THC found users' executive function and motor skills were impaired for many hours⁸.

Productivity Concerns

- A typical marijuana high lasts about two hours. Impairments to memory, cognitive ability, and the speed of processing information can last up to 24 hours⁶.
- 15% of past-month marijuana users say that at some point within the last 30 days they didn't show up for work because they "just didn't want to be there." This compares to only 7.9% of past-month alcohol users and 7.4% of the general population⁹.
- Marijuana use is associated with an "amotivational syndrome" supported by research¹⁰.
- A 25-year-long Norwegian study found that regular marijuana users were less dedicated to work¹¹.
- Finding qualified workers will be more difficult. Adolescents who use marijuana weekly are 6 times less likely to complete high school, 3 times less likely to enter college, and 4 times less likely to earn a college degree¹³.

Legal Concerns

Marijuana remains illegal under federal law, so any workplace that receives federal funding must continue to consider marijuana a prohibited substance. The Drug-Free Workplace Act does not mandate testing, but certain other federal regulations do. Workers in Arizona and Colorado have sued employers who dismissed them after they failed a drug test. In various states:

- Courts have upheld an employer's right to operate a drug-free business¹⁴.
- Employees dismissed because they use medical marijuana are entitled to unemployment compensation¹⁵.

Vape pens are like e-cigarettes but contain capsules of concentrated marijuana oils. They leave no marijuana smell, making it very easy for employees to hide when they've been using marijuana on the job.

- The employer and insurance company of a worker who suffered an on-the-job injury were required to pay the worker's costs for medical marijuana to treat the injury¹⁶.
- Workers have sued on the grounds that current marijuana tests do not prove impairment.

Testing Concerns

- There is no reliable breath test for marijuana.
- Urine tests only show that the employee has used marijuana at some time in the past.
- New blood tests can now identify "active" marijuana still being metabolized.
- These tests are being challenged in court because there is currently no scientifically established blood, urine, breath, or saliva level for marijuana that proves impairment.

Taxation

- In fiscal 2016, Colorado's total marijuana revenue for both recreational and medical marijuana was about \$134 million. This was barely 1% of Colorado's total state tax revenue¹⁸.
- The 2016 Colorado budget was \$26.8 billion. The education portion alone of Colorado's 2017 budget is \$6.3 billion¹⁹.

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