

# How Marijuana Legalization Impacts the Workplace

## Now May Not be the Time to Legalize Marijuana in Virginia

Virginia would benefit from realistically considering the data and implications of marijuana legalization as efforts are made to rebuild a forward thinking, 21<sup>st</sup> century workforce in light of the pandemic. Workforce development, safety, and recovery affects all constituents either directly or indirectly. There are many ramifications of marijuana use, some of which are unintended, negative consequences.

*Does marijuana effect employee readiness, safety, and productivity?* Yes. Marijuana effects not only the appetite area in the brain causing the munchies but it effects movement, reaction time, executive functioning, concentration, decision making, memory, attention, learning, and ability to quickly adapt to changes. Impairment was evident in 2018 when a truck stopped on a train track in Crozet as a train carrying lawmakers crashed into it; the truck driver still tested positive for marijuana 5 hours after the crash.

*Does legalization and availability increase marijuana use?* Yes. Workforce marijuana positivity rates have dramatically increased in the past few years in states that have expanded the commercial marijuana industry [3]. This expansion is combined with increases in marijuana use, employers foregoing drug testing (as was documented in a nursing home [1]), and social acceptance of use as a result of legalization all of which results in a more dangerous and costlier workplace environment. For example, California (where marijuana was legalized in 2016) had a 60% increase in transportation and warehouse applicants testing positive for marijuana in 2017 versus 2015 and Rhode Island reported the cost of marijuana to outweigh revenues by 25% due to work place injuries, absenteeism, and impaired driving [2].

The below list [2] shows some recent increases in workforce drug positivity rates from the year states legalized marijuana until 2019, which were at a sixteen-year peak in 2019:



Nevada: 142% increase since 2016 (1.9% vs. 4.6%)  
Oregon: 136% increase since 2014 (1.9% vs. 4.5%)  
Massachusetts: 113% since 2016 (2.7% vs. 3.8%)  
Washington: 86.3% increase since 2014 (2.2% vs. 4.1%)  
Colorado: 63% increase since 2013 (1.9% vs. 3.1%)  
California: 45% increase since 2016 (2.2% vs. 3.2%)  
Michigan: 44% increase since 2017 (2.7% vs. 3.9)  
Massachusetts: 40% increase since 2016 (2.7% vs. 3.8)

*What are marijuana use patterns in the workforce?* Marijuana is the most prevalent illicit drug of use and abuse in the US. In 2018, more than a third of young adults (12 million) aged 18 to 25 were past year marijuana users. In that same year, 2 million adults aged 26 or older had a diagnosable marijuana use disorder/addiction. [1] According to Quest Diagnostics [2], marijuana continues to be the most common drug found across all workforce categories including the federal safety-sensitive workforce. "Changing attitudes toward social acceptance and increased potency could pose heightened risks especially in safety-sensitive positions and those states exploring legalization," said Barry Sample, PhD, senior director, science and technology for Quest Diagnostics.

*Are there challenges for employers?* Yes. There is no measure for marijuana impairment and blood marijuana levels don't indicate impairment because marijuana effects the brain and body for weeks after use. Tolerance, psychological dependence and physical addiction can build for marijuana; all of which is accelerated by increases in THC potency. Employers struggle with writing and enforcing equitable guidelines.

**WEED WAS ~5% to 25% THC, WEED NOW ~20% TO 95% THC**



[1] [www.learnaboutsam.org](http://www.learnaboutsam.org)

[2] Key substance use & MH indicators in the US: results from the 2018 national survey on drug use and health, SAMHSA, Aug 2019

[3] <https://www.wsj.com/articles/legalized-marijuana-gives-hiring-managers-a-headache-11553346000>

This flyer is the third in a series of six from the Community Coalitions of Virginia (CCoVA; <https://communitycoalitionsofva.com/>). Previous flyers covered financial ramifications of and quick facts on marijuana and legalization. Please direct questions and comments to Dr. Mary Crozier, Immediate Past Chair of CCoVA and member of CCoVA's Legislation Committee; [mkcrozier@gmail.com](mailto:mkcrozier@gmail.com)

