

MARIJUANA - LEGAL OR NOT

Although recreational and medical marijuana are now legal in many states, employees must not be under the influence of marijuana at work. Legalization of marijuana does not mean that marijuana has any place in the work environment.

Think of marijuana like alcohol. Both are legal, but no one is permitted to be intoxicated at work, whether the intoxication comes from alcohol, marijuana, or any other substance.



Marijuana today is 10 to 40 times stronger than marijuana in the 1960s and '70s. No amount of usage is safe at work. Don't come to work high, and don't let your co-workers come to work high. It is very dangerous. It must never be used before work or during the work day.

Working on a construction site, production facility, warehouse, or any environment where there are tools and machinery can be hazardous. But doing so while intoxicated significantly increases the risk of injury. You need to be focused on what you are doing 100% of the time you are on the job. You cannot afford any distractions, especially not the distractions caused by the use of marijuana.

Marijuana has many effects that are not welcome at work. For example, it impairs judgement, memory, and coordination. It slows down reaction time. And causes disorientation, confusion, and anxiety.

It is no surprise that individuals who test positive for marijuana are involved in 55% more work accidents, and have 85% more injuries compared to those who tested negative for marijuana. Don't fall into one of these statistics. Be sober. Be safe.

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Discussion Questions

1. Why can't I use marijuana at work if it's legal in your state?

Your employer is responsible for your health and safety. That is why there are many work rules related to safety. Because of this legal obligation your employer has the right to direct your conduct on the job. Your employer can discipline you for not violating its safety rules. Even though marijuana is now legal in your state, it is still illegal under federal law as a Schedule 1 substance. And it is dangerous to use marijuana at work. Employers have the right to establish and enforce drug testing policies, drug-free workplace policies, zero-tolerance drug policies, and prohibit the use of marijuana, including during work hours or while under the influence of marijuana.

2. Can I be fired for using marijuana outside of work?

Yes, that is allowed under the law. Employers may refuse to hire, discharge, discipline, or otherwise take adverse employment action against an individual based on their use, possession, or distribution of marijuana.

3. What if I have a medical marijuana card?

Even if marijuana is legal, Medical Marijuana Control Programs do not require employers to accommodate employees who use medical marijuana. Employers can set rules for employees who are taking any prescription drug if the drug is known to have side effects that may safety in the workplace. Medical marijuana is not different than any other prescribed drug. It is not safe to use marijuana at work whether prescribed or not.

4. Can I be drug tested at work?

Yes. Employers have the right to establish and enforce drug testing policies, drug-free workplace policies, or zero-tolerance drug policies. These policies may include drug testing, which your employer can conduct randomly, as part of a pre-employment screening, after an accident in the workplace, or for reasonable suspicion. "Reasonable suspicion" exists when an employee behaves in a manner that might be caused by intoxication. Some examples of this kind of conduct include a lack of coordination, falling asleep on the job, slurred speech, blood shot eyes, poor judgment, and carelessness, among many others.

5. What if I'm not under the influence of marijuana at work, but I test positive?

Even if you are not under the influence of marijuana at work, you may still be subject to disciplinary action if you violate your employer's drug policies.

WEEKLY TOOLBOX TALK

Job _____ Number: _____

_____ Job Name: _____

_____ Date: _____

Superintendent: _____ Employee _____ #:

_____ Site _____ Specific _____ Topics:

_____ Crew _____ Safety _____ Recommendations:

_____ Reviewed _____ M.S.D.S _____ # _____ Subject:

_____ Meeting Attended By:

Employee / Empleado Signed / Firma Emp. # / Empleado #

Supervisor/Foreman Signature: _____
