

# MARIJUANA FACTS FOR BUSINESS AND INDUSTRY

## Worker Productivity and Safety

- Workers who smoke marijuana are more likely to experience increased absences, tardiness, accidents, workers' compensation claims and job turnover.<sup>1</sup>
- Workers who test positive for marijuana use have 55 percent more industrial accidents, 85 percent more injuries and a 75 percent increase in absenteeism compared to non-smokers.<sup>2</sup>
- Marijuana is known to have the following effects:<sup>3</sup>
  - Short-term memory problems and impaired thinking
  - Loss of balance and coordination and changes in sensory perception
  - Impaired ability to perform complex tasks
  - Decreased alertness, concentration, and reaction time

## Employer Liability

- Legalization laws may not include specific protection in the workplace. Employers can still choose to test employees for marijuana and enforce a drug-free workplace.
- Since marijuana remains illegal under federal law, any workplace that receives federal funding or is subject to federal regulations requiring the testing of safety-sensitive workers must continue to consider marijuana a prohibited substance (Drug-Free Workplace Act of 1988).
- Marijuana may pose a litigation risk to employers. An estimate of the cost of defending an employment practices liability suit is between \$69,000 and \$107,000-not including any awards.<sup>4</sup>

## Employee Readiness

- Heavy marijuana abusers self-report that their use of the drug had negative effects on their cognitive abilities, career status, social life and physical and mental health.<sup>5</sup>
- According to the National Council of Alcoholism and Drug Dependence, Inc., marijuana smokers can have many of the same problems as tobacco smokers. This can include a daily cough, more frequent acute chest illness, and a heightened risk of lung infections, which can lead to employees taking time off of work.
- Legalization and increase use of marijuana may result in a diminished pool of trained job candidates. According to the U.S. National Survey on Drug Use and Health, youth with poor academic results were more than four times as likely to have used marijuana in the past year as youth with an average of higher grades. This is consistent with an exhaustive meta-analysis examining four dozen different studies by Macleod and colleagues, published by *Lancet*. Those researchers found that marijuana use is consistently associated with lower grades and a decreased chance of graduating from school.<sup>6</sup>

<sup>1</sup> Zwerling C, Ryan J, Orav EJ. "The efficacy of pre-employment drug screening for marijuana and cocaine in predicting employment outcome." *Journal of the American Medical Association* 264(20): 2639-2643, 1990.

<sup>2</sup> Zwerling C, Ryan J, Orav EJ. "The efficacy of pre-employment drug screening for marijuana and cocaine in predicting employment outcome." *Journal of the American Medical Association* 264(20): 2639-2643, 1990.

<sup>3</sup> Wadsworth EJ, Moss SC, Simpson SA, Smith AP. Cannabis use, cognitive performance and mood in a sample of workers. *Psychopharmacol* 20(1):14-23, 2006.

<sup>4</sup> Millman, George. "Medical marijuana poses litigation risks to employers." *Wall Street Journal*, August 15, 2013.

<sup>5</sup> Gruber AJ, Pope HG, Hudson JI, et al. Attributes of long-term heavy cannabis users: A case control study. *Psychological Medicine* 33(8): 1415-1422, 2003.

<sup>6</sup> Macleod, J.; Oakes, R.; Copello, A.; Crome, I.; Egger, M.; Hickman, M.; Oppenkowski, T.; Stokes-Lampard, H.; and Davey Smith, G. Psychological and social sequelae of cannabis and other illicit drug use by young people: A systematic review of longitudinal, general population studies. *Lancet* 363(9421):1579-1588, 2004.