The Weed Worry

Are you feeling conflicted about whether your company should drug test now that recreational marijuana is legal in so many states? You aren’t alone and it’s by design that you are feeling that way. The cannabis industry works hard to control the narrative, focusing on a comparison to alcohol. Check out these headlines from a recent Google search:

* “Why not regulate marijuana like alcohol?” (Source: Common Sense for Drug Policy)
* “No High Risk: Marijuana May Be Less Harmful Than Alcohol” (Source: NBC News)
* “10 Reasons Marijuana Is Better for You Than Alcohol” (Source: Hightimes)

As you study you will find that comparing marijuana to alcohol is based on three key points: Marijuana is less addictive, less dangerous and less harmful to the user’s health than alcohol. The counter argument exists and is backed by independent data, real-world experience, and just plain logic. For example, we know:

* Marijuana is the #2 substance of abuse in America, second only to alcohol http://www.samhsa.gov/data/sites/default/files/NSDUH-FRR1-2014/NSDUH-FRR1-2014.pdf
* Marijuana is **addictive** just like alcohol <http://www.drugabuse.gov/publications/research-reports/marijuana/marijuna-addictive>
* Marijuana **impairs** a person’s ability to operate a car or other heavy machinery just like alcohol <http://www.durgabuse.gov/publications/research-reports/marijuna/does-marijuana-use-affect-driving>
* Marijuana causes **harm to the human brain** just like alcohol <http://www.drugabuse.gov/publications/research-reports/marijuana/how-does-marijuana-use-affect-your-brain-body>

The truth is that legalizing marijuana leads to more people using it, more people driving under its influence, and more employees being at work under the influence. Take those reasons and apply them to the staggering THC percentages found in today’s marijuana and the problem is illuminated. In past decades one could find marijuana that topped out at 6-10% THC. With controlled growth environments and cross breeding, labs are testing product in the 22%-29% THC, and the concentrated oils used in edibles is over 90% THC! Marijuana is fat soluble and not water soluble, it doesn’t eliminate from the body the way alcohol does and therefore cannot be regulated anywhere near the same way as alcohol. It stores in the fat cells, so everyone handles it differently and that causes impairment to look differently. This fact alone makes it impossible to create basic standards of measurement the way we do alcohol, and it leaves workplace and roadside impairment testing without a scientific instrument to back it up. When pressed, the toxicologists admit that any instrument of that nature is at least 10 years away.

Employees who abuse drugs or alcohol are costing employers over $81 BILLION annually in lost productivity AND they have health care costs 3X higher than other workers. Employers must consider their bottom line as a major factor for embracing a drug free workplace, but employers also have an obligation to exercise some measure of authority and control over employees for the safety of others. I am one that believes that most people are inherently good, and I think a lot of people have the same thought. In a company of 100 people, there are about 90-95% of them that are there to work hard for you, follow the rules for safety, and just do the job. Why is it that business owners are catering to the 5 or 10% that run them a giant risk? A no-tolerance policy makes the most sense given the facts of the matter.

Expressions of personal freedoms are not compromised when you as the employer set a no-tolerance policy, those that choose to use will just have to work elsewhere. Whether you are a small business owner that has worked tirelessly to build a successful company, or an HR manager put in the position to manage the employees of a larger company, you have a job to do. It is your responsibility to keep people safe and maintain the well-being of your company. If an employee has THC or any illicit drug in their system, that must be dealt with. The good news is that drug testing does not always have to be punitive. In my experience, I have witnessed many employers use it as a tool to help the people they care about. Implementing a second or last chance agreement that involves help from a Substance Abuse Professional, follow-up drug testing and a return to employment can be a life saver to the employee and its family.

If you are considering dropping marijuana from your drug testing panel, or dropping your program altogether, I urge you to reconsider. Marijuana use is increasing, and the dangerous effects of people under the influence spreads to all corners of society, including the workplace. If you choose not to test for marijuana, even if the drug is legal in your state(s), you and your company can still be held legally responsible for the actions of employees who, while under the influence, cause harm to others. It is legal to test for marijuana in all 50 states and it makes good business sense to do so.