

## Muskegon Lakeshore Chamber Education Statement Regarding Initiative to Legalize Marijuana

The Muskegon Lakeshore Chamber is asking voters to be aware of the business issues related to the 2018 Recreational Marijuana Ballot Proposal. A new law may threaten the ability of employers and communities to provide safe, drug-free workplaces and quality made products. The majority of Muskegon County's largest employers have zero-tolerance drug policies. They plan to continue those zero-tolerance policies in the future.

We hope that voters consider all issues related to the legalization of Marijuana before they cast their vote.

### Brief Law Description

The proposed law allows adults 21 and older to purchase, possess, use and grow marijuana. It allows individuals to keep up to 10 ounces of Marijuana in their homes and cultivate up to 12 plants for personal use.

### Issues

**Finding qualified workers.** The number of workers who fail drug tests has increased significantly in recent years. The number of available drug-free workers may dictate the size or scale of a business. Less available workers will force businesses to relocate or stifle growth resulting in a lower number of jobs available locally.

**Open-ended liability.** Under the federal Occupational Safety and Health Administration, employers are required to provide their employees with a place of employment "free from recognizable hazards that are causing or likely to cause death or serious harm to employees." Failure to do so opens employers to liability and lawsuits.

**No explicit statutory protections for employers.** The proposal raises questions related to drug-free workplace policies and employer rights. Will a Michigan employer be able to:

- Enforce drug-free workplace policies?
- Legally define mental or physical impairments related to marijuana use?
- Terminate employees for cause due to a positive drug test without eligibility for unemployment insurance (UI) benefits; and/or
- Deny workers' compensation (WC) benefits if a workplace injury was caused by the injured employee's use of marijuana?

**Other Federal limitations.** On a federal level this activity is still illegal, therefore, the regulatory environment is unclear and confusing for a number of industries such as banking, transportation, manufacturing, healthcare and other related industries.

**No impairment test.** The lack of accurate impairment testing and measurements create significant human resources dilemmas as employers attempt to guarantee safe work environments and quality made products.

**State Law Violations.** Education is needed regarding laws related to driving under the influence. Work time missed and fines/legal fees hinder employee credibility and financial independence.

**Future Workforce.** Research supports that use of marijuana by teenagers may cause additional health concerns including marijuana as a "gateway drug". The health of local residents overall will impact future generation workforce availability.