



Workplace Safety Following the Legalization of Marijuana

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The Statute: Employment Policies

“This chapter may not be construed to require an employer to permit or accommodate the use, consumption, possession, trade, display, transportation, sale or growing of cannabis in the workplace. This chapter does not affect the ability of employers to enact and enforce workplace policies restricting the use of marijuana by employees or to discipline employees who are under the influence of marijuana in the workplace.”

NOTICE

**THIS IS A
DRUG-FREE
WORKPLACE**

Put in Plain Terms



An employer may

- Prohibit any use of cannabis at work.
- Prohibit any possession of cannabis at work.
- Have policies that restrict the use of marijuana by employees.
- Discipline employees for employees being under the influence at work.



The Statute: Non-Discrimination

“[An]...employer...may not refuse...to employ...or otherwise penalize a person 21 years of age or older solely for that person’s consuming marijuana outside of the...employer’s...property.”



Revising Your Drug and Alcohol Policy

1. Redefine “illegal drugs.”
2. Cover all “substances.”
3. Define “impairment.”
4. Get safely home.
5. Marijuana
 - No possession
 - No use
 - Discipline for impaired at work



A Recent Unemployment Case



“Finally, although the claimant denied being intoxicated at the time of the hearing, he acknowledged smoking marijuana twenty minutes prior to start of the hearing. The claimant’s testimony was not always clear and his speech was slurred during at least one part of his testimony”

