

## Colorado Marijuana Ruling Should Ease Employers' Concerns

News

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Denver Partner Danielle Urban was quoted in the May 10 [Denver Business Journal](#) article “Colorado Marijuana Ruling Should Ease Employers’ Concerns.” The article reported that the Colorado Court of Appeals held recently that an employee can be fired for testing positive for medical marijuana — even if that use occurred offsite and was legal under state law. The Court of Appeals decision, published April 25, held that an activity can be “lawful” under the state’s Lawful Activities Statute only if it’s legal under both state and federal law. That ruling could have broader implications for Colorado’s Amendment 64, which changed state law to legalize small amounts of marijuana for recreational use but did not change federal laws. Danielle noted that some Colorado employers are concerned that having zero tolerance for marijuana will hurt their ability to hire younger workers. “I know employers who feel that if they tested everyone, they’d have no employees in Colorado.” She added that some employers even wanted to allow off-duty use of marijuana after Amendment 64 passed because they said “they didn’t want to be hypocrites anymore.”

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