



Partners Comment on Marijuana and Workplace Safety

News

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Business Insurance reported on **Kristin White's** and **Todd Logdon's** comments about marijuana and workplace safety at the American Society of Safety Professionals annual conference.

For her part, Kristin explained that since the federal government still considers marijuana an illegal substance, employers are not required to accommodate its use under the Americans with Disabilities Act. She does, however, recognize that there are many conflicting state laws and state court cases that support accommodating a worker with a medical marijuana card. Thus, Kristin recommends that employers pay close attention to the various state laws because it's at that level that she has seen a lot of activity and a lot of recent developments.

In addition to the myriad of state laws, Todd described that another challenge in this area is the lack of adequate testing. He explains that the testing that exists simply tests for the psycho-reactive THC but does not measure impairment. Todd notes that "...the tests simply detect the drug in one's system – and have 'limited use' in workers compensation cases where an injured worker is tested for drugs post-injury."

To read the article, visit [*Business Insurance*](#).

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