Katherine DiCicco Pens Article On New Jersey's Marijuana Laws and What They Mean for Employers

Publication
3.10.22

In a bylined article in the *New Jersey Law Journal*, **Katherine DiDicco** discussed New Jersey's recent "boom in marijuana legalization laws," including the medical marijuana law, the Jake Honig Compassionate Use Medical Cannabis Act, and the recreational marijuana law, titled the Cannabis Regulatory Enforcement Assistance and Marketplace Modernization Act.

"Predictably, attorneys in the state of New Jersey have also seen a boom in clients questioning the meaning of these laws, which may ultimately end in additional litigation between employees and employers (and has already)," she wrote.

In the article, she covered whether or not pre-employment and random drug testing is still permitted, how and when employers should utilize the services of a "Workplace Impairment Recognition Expert," known as the "WIRE," how to accommodate employees who are medical marijuana patients, and more.

"In simple terms, use of marijuana cannot be the only reason for any adverse employment action, such as termination or failure to hire or promote," wrote Katherine. "Moreover, employers must be aware that they may be obligated to accommodate medical marijuana patients, if such an accommodation is possible and would not pose an undue hardship on the employer. Medical marijuana patients may also be entitled to reimbursement of the expenses associated with such treatment under an employer's workers' compensation plan."

Read the full article in the *New Jersey Law Journal* (subscription required).

Related People

Copyright © 2024 Fisher Phillips LLP. All Rights Reserved.

Katherine M. DiCicco
Associate
908.516.1084
Email

Related Offices

New Jersey

Copyright © 2024 Fisher Phillips LLP. All Rights Reserved.