

MARIJUANA, THE MOST COMMONLY DETECTED DRUG.

DO YOU TEST FOR IT?



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While marijuana legalization efforts in the U.S. continue, the positivity rates for marijuana (THC) have outpaced all other illicit drugs detected in the workplace in 2018. The positivity rate of marijuana among the workforce has hit an all-time new “high” since 2004. Last month, Quest Diagnostics released their annual Drug Testing Index which analyses more than 10 million workplace drug tests performed each year. This report examines both federal safety-sensitive and non-federal employee drug testing for the various types of drugs including marijuana. The news was not surprising—illicit marijuana use was the most commonly detected drug. What may be more surprising is that post-accident positivity rate increased in federally-mandated and general workforces by nearly 81% since 2014. Corresponding to this increase is the rise in “invalid” test results which indicates that more employees in federally-mandated occupations are creatively finding new ways to “cheat” on their urine drug test.

While the benefits of marijuana will continue to be hotly contested for both recreational and medicinal use, the effects are undeniable and can readily be drawn from Colorado’s experience. Since recreational legalization, marijuana-related traffic deaths increased 151%, marijuana-related hospitalizations have increase 148%, and 69% of THC users admitted driving while high in the past year. It doesn’t take a lot of imagination to correlate how this must be impacting the workplace. Fortunately, legalized marijuana for any application under the current laws in **all** states, protects employers. Quite simply stated, employers do not have to accommodate employees working ‘under the influence’ while on the job. There are no limits or exceptions.

In a recent survey of nearly 1,000 employers, 83% expressed concern with marijuana use in the workplace, citing among other things the decrease of quality new-hires along with the increase in expected costs. As one employer stated...

“... we cannot afford to have a worker's senses impacted in any way. The likelihood of increased accidents and the resulting increased in workers' compensation insurance are my primary concerns. If the accident rates and insurance increase too much, it could result in lost contracts/business.

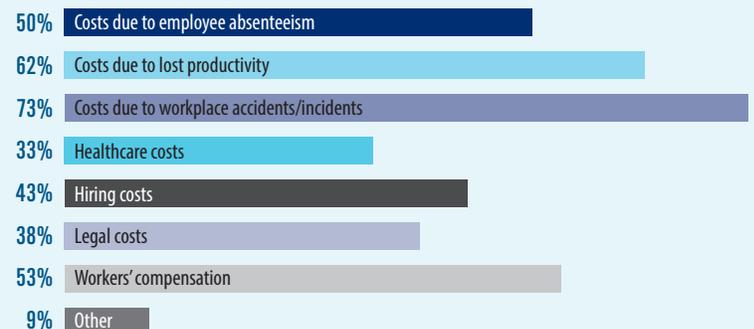
Lost productivity is also a concern.”

Expected on the rise with marijuana use, employers are anticipating increases in worker’s compensation, legal costs, healthcare costs, as well increases in accident and incidents as possibly already suggested by the 2018 Drug Index Report. What isn’t captured are the anticipated losses that may also occur from “poorer performance and subsequently lost clients [business],” as one employer stated. “The usage on a workplace will be costly.”

Assessing marijuana impairment is very complicated and individualized unlike alcohol impairment testing. Furthermore, there is no standardization on the potency of marijuana that is

used today compounding the effects on individuals. Currently, there is no test on the market that can assess the level of marijuana impairment, however there are alternative testing methods that can establish recent use in a non-invasive method. Oral fluid testing is currently the best practice as it can detect not only **recent marijuana** use, but exclude long-past use unlike urine testing. What is even more convenient, oral fluid can be collected anytime, anywhere.

If you are concerned about increased costs in the workplace due to legalized marijuana, what costs do you anticipate increasing?



PLEASE NOTE: Oral Fluid testing CANNOT be utilized for DOT mandated testing