

Legalization and OSHA Anti-Retaliation Rules Post-Accident Drug Testing Considerations for Employers

Peter Gillespie
TheSciTechLawyer, Spring 2017
03.05.2017

In recent years, workplace drug tests showing positive test results have increased steadily to a 10-year high. Employers concerned by these findings face an uphill battle given the recent loosening of restrictions on marijuana use at the state level.

Moreover, despite the fact that marijuana remains illegal under federal law, the Occupational Safety and Health Administration (OSHA) has somewhat protected drug users from work-related discipline stemming from marijuana use.

Attorneys

Peter J. Gillespie

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