

FAVORABLE
House Bill 525
Employment Discrimination – Use of Cannabis Products

House Economic Matters Committee
February 23, 2024

Christian Gobel
Government Relations

The Maryland State Education Association supports House Bill 525. House Bill 525 prohibits an employer from taking adverse employment action against an individual because of: i) the individual's use of cannabis products that is lawful under the laws in the state that occurs off the employer's premises during nonwork hours; ii) the individual's positive drug test for cannabinoids or cannabis metabolites, unless the individual used, possessed, or was under the influence of cannabis on the premises of the place of employment; or iii) the individual's prior arrest or conviction for a nonviolent cannabis offense that does not involve distribution to a minor.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our almost 900,000 students so they can pursue their dreams. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

MSEA appreciates the sponsor for initiating legislation that provides employment protections for workers who engage in off-duty, legal use of cannabis under Maryland law. No worker should be penalized in their place of employment for their responsible use of legal products that occurs outside the workplace and off-duty. Numerous other jurisdictions across the country have enacted legislation to provide anti-discrimination employee protections for recreational cannabis use and Maryland should join their ranks.¹ Moreover, the legislation would not require an employer to

¹ National Conference of State Legislatures, *Cannabis and Employment*,
<https://www.ncsl.org/health/cannabis-and-employment-medical-and-recreational-policies->



commit an act that would violate federal law, or prohibit an employer from taking adverse employment action against an employee for possessing or using intoxicating substances during work hours. MSEA believes this bill is reasonable and necessary to protect workers.

We urge the committee to issue a Favorable Report on House Bill 525.

[in-the-states](#) (updated January 22, 2024) (table listing jurisdictions that have enacted medical and recreational cannabis anti-discrimination employee protections and the associated year of reform.).