

Can You Smoke at Work in the Cannabis Industry?

Smoking Rules in the Cannabis Workplace

As the legal cannabis industry continues to grow, so too does the need for clear and enforceable workplace policies—especially regarding the smoking or consumption of cannabis on the job. While cannabis businesses may deal directly with the plant, that doesn't mean employees are free to light up during work hours or on company property.

In fact, setting boundaries around smoking in the cannabis workplace is essential for ensuring compliance with state laws, promoting a safe environment, and maintaining professionalism. This article explores the legal, safety, and cultural considerations surrounding cannabis consumption in the workplace and provides guidance for creating effective policies that balance employee rights with business responsibilities.

Understanding the Legal Landscape

Even in states where recreational or medical cannabis is legal, that legality does not necessarily extend to cannabis consumption at work. Employers are generally still allowed to restrict or prohibit cannabis use in the workplace, just as they can with alcohol.

Here's what employers and employees need to keep in mind:

Federal Law Still Prohibits Cannabis: Under the federal Controlled Substances Act, cannabis remains a Schedule I substance. This matters for businesses that receive federal funding or fall under federal regulations, such as DOT or government contractors. On-site use can create compliance risks in such cases.

State Laws Vary: Some states protect off-duty use of cannabis but still allow employers to enforce **drug-free workplace policies**. Others, like California, are moving toward legislation that limits employer testing unless there's clear evidence of impairment.

Medical Cannabis Is Not a Free Pass: Even employees with medical cannabis cards may be restricted from using or being impaired while at work, especially in safety-sensitive positions.

Smoking on the Job: Safety Comes First

In any workplace, safety is a top priority. In the cannabis industry—where employees may work with machinery, operate vehicles, or handle chemicals—**impairment poses serious risks**.

That's why even cannabis companies must have clear rules prohibiting smoking on the job. Key concerns include:

Reduced Reaction Time and Focus: Cannabis can impair coordination and judgment, increasing the risk of workplace accidents.

Secondhand Smoke Exposure: Smoking indoors or near others may pose health risks or violate clean air regulations.

Impact on Product Quality: In cultivation and production settings, smoke or residue can compromise product purity or violate regulatory standards.

For these reasons, most cannabis businesses enforce strict no-smoking policies during work hours, even for their own employees.

Designing a Clear Cannabis Smoking Policy

An effective workplace cannabis smoking policy should outline what is and isn't allowed, taking into account legal obligations, safety standards, and company culture. Here's what to include:

Define the Scope of the Policy

Clarify that the policy applies to all forms of cannabis—smoked, vaped, or otherwise consumed—and whether it covers company premises, vehicles, and remote work environments.

Specify Prohibited Areas

In most states, **smoking indoors is prohibited by law**, including cannabis smoke. Outline where smoking is not allowed (e.g., offices, grow rooms, break areas) and whether there are any designated outdoor smoking zones.

Clarify Expectations for Work Hours

Make it clear that employees are expected to **remain sober during work hours**. Consumption before or during shifts should be strictly prohibited unless state law and specific roles permit otherwise.

Address Medical Use

If employees are registered medical cannabis patients, the policy should outline procedures for reasonable accommodations—balanced with the employer's duty to maintain a safe workplace.

Explain Consequences

State the disciplinary actions for violating the policy, ranging from warnings to termination, and ensure consistency in enforcement.

Cannabis Culture vs. Workplace Conduct

It's important for cannabis employers to strike a balance between embracing the culture of cannabis and enforcing professional standards. While the industry may have roots in activism and personal freedom, today's legal cannabis businesses operate in a highly regulated, competitive environment.

Creating a “chill” atmosphere doesn’t mean compromising on professionalism or safety. Educating staff about the why behind smoking restrictions helps build understanding and cooperation.

Challenges in Remote or Hybrid Work Environments

What about employees who work from home?

In remote settings, policies around cannabis consumption may be harder to enforce—but they still matter, especially if the employee is:

Handling sensitive information.

Operating heavy machinery from a home site.

Engaging with clients or regulators via video call.

In these cases, employers may still require sobriety during working hours, regardless of location. Policies should clarify this distinction.

Handling Policy Violations

If an employee is caught smoking cannabis during work hours or is suspected of being impaired:

Document the Incident: Record what was observed—behavioral signs, context, witnesses.

Follow Established Procedures: Apply the same steps as you would for alcohol or prescription drug misuse. Consistency is key.

Offer Support if Needed: If appropriate, offer access to counseling or employee assistance programs, especially if the use may stem from a dependency issue.

Legal Considerations for Employers

Before enforcing any cannabis use or smoking policy, it’s wise to consult with legal counsel. Make sure your policy:

Complies with **state cannabis laws**

Aligns with **local smoking ordinances**

Accounts for **employee privacy rights** and **disability accommodations** when applicable

Also, maintain **confidentiality** when handling violations or discussing medical cannabis usage.

Just because a business operates in the cannabis space doesn’t mean cannabis use during work should be tolerated. A professional, safety-oriented workplace requires thoughtful policies—especially regarding smoking rules.

By crafting a clear, respectful, and legally compliant policy, cannabis businesses can protect their team, stay ahead of legal risks, and continue building a responsible industry from the ground up.

Whether you’re running a dispensary, grow operation, or cannabis tech startup, setting expectations around cannabis consumption is a smart move for safety, for compliance, and for long-term success.

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