

Addressing Labor Shortages: Overhauling Cannabis Testing Policies in the Trucking Industry (Op-Ed)

“Workplace policies, and those that regulate federal workers specifically, must adapt to this new reality and cease punishing employees for activities they engage in during their off-hours that pose no legitimate workplace safety threat.”

By Paul Armentano, NORML

The commercial trucking industry is facing a significant challenge as tens of thousands of workers leave their jobs due to outdated federal marijuana policies. This exodus is causing supply chain disruptions and contributing to higher prices for essential goods, impacting the lives of millions of Americans. **Paul Armentano, Deputy Director for NORML**, highlights the urgent need for federal action to reform these discriminatory policies.

The root of the problem lies in federal regulations dating back to 1988, which require all federally contracted workers to abstain from certain controlled substances, including cannabis. Despite the widespread legalization of cannabis across many states, Congress and federal regulators have failed to revisit these outdated provisions. As a result, commercially licensed drivers are subjected to random urinalysis screenings for cannabis use, even though these tests do not measure impairment but rather past exposure to the drug.

The flaw in these tests lies in their detection of **carboxy-THC**, an inactive metabolite of cannabis that can remain in urine for an extended period, sometimes up to 100 days after use. Consequently, positive test results do not indicate impairment or recent cannabis use. Nevertheless, since 2020, over 139,000 truckers have tested positive for past cannabis exposure, leading many to leave the industry altogether.

Armentano emphasizes that these discriminatory policies are no longer appropriate in today's landscape, where attitudes towards cannabis have shifted, and many states have legalized its use under certain circumstances. He highlights the need for workplace policies to adapt to this new reality and cease punishing employees for off-duty activities that pose no legitimate safety threat in the workplace.

Several states and major corporations have already taken steps to modernize their drug testing policies, recognizing that termination based solely on positive THC tests is unjustified. Additionally, new performance testing technologies are emerging to assess impairment accurately while on the job.

Armentano concludes by urging the federal government to follow suit and update its marijuana testing regulations to align with the changing cultural and legal status of cannabis. By doing so, policymakers can help address labor shortages in the trucking industry and ensure a fair and equitable workplace for all employees.

The call for federal action on this issue underscores the broader need for cannabis reform to reflect contemporary realities and promote justice and fairness in all aspects of society.

