

States vote 'yes' on marijuana, paid leave in meaningful election for HR, HR Dive, ft. Katherine Catlos

HR Dive quotes Katherine Catlos, KD SF partner and Chief Diversity & Inclusion Officer, on California Prop 22 - written by Ryan Golden published on November 4, 2020.

Employers in a number of states may need to shift compliance operations to account for the coming wave of recreational marijuana legalization in Arizona, Montana, New Jersey and South Dakota. A 2019 Paychex survey found that 38% of employers were unprepared to manage employee recreational use of cannabis, while 34% said the same of medicinal use. Employment law sources have previously emphasized the need to understand testing protocols as well as how pre-existing policies are impacted by new legislation. Some of the ballot questions specified that employers would not be prohibited from taking adverse actions based on employee marijuana use, but others did not.

Other initiatives could shake up entire industries. Passage of California's Prop 22, in particular, "is a huge win for digital platforms because they now have strong footing for a third 'flavor' of worker in California – employees, independent contractors, and now gig workers," Katherine Catlos, partner at Kaufman Dolowich & Voluck, said in an email statement. "Companies in California who hire app-based workers will continue to see substantial litigation on the issue in the near future and beyond."