



March 23, 2022

The Honorable Bill Quirk  
Assemblymember, 20th District  
1021 O Street, Suite 5120  
Sacramento, CA 94249-0025

**RE: AB 2188 (Quirk): Discrimination in employment: use of cannabis  
NOTICE OF SUPPORT**

Dear Assemblymember Quirk:

The California Cannabis Industry Association (CCIA) is pleased to support your bill, AB 2188, which would amend the California Fair Employment and Housing Act, making it unlawful for an employer to discriminate against a person in hiring, termination, or any term or condition of employment, based on the person's use of cannabis off the job and away from the workplace.

Common drug tests (urine and hair follicle) used by employers are unable to detect the presence of Tetrahydrocannabinol (THC), the compound in cannabis that may induce psychoactive effects. Instead, these tests are designed to detect the presence of cannabis metabolites, the non-psychoactive substances which remain in the body many weeks after a person has consumed. The presence of cannabis metabolites in the body do not indicate that a person is impaired.

AB 2188 provides critical protections for working Californians. With both medicinal and adult-use cannabis legal under California law, there are still no protections for workers who test positive for non-psychoactive cannabis metabolites. Twenty-one states currently have laws protecting employment rights for medical cannabis users. Five of those states, plus several cities, protect recreational cannabis consumers' employment rights.

AB 2188 represents an important step in bringing California's Fair Employment and Housing Act up to date and in line with the state's cannabis laws and regulations. For these reasons, CCIA is pleased to support your bill and thanks you for your leadership on this critical issue.

Sincerely,

LINDSAY ROBINSON  
Executive Director