Senate Bill No. 16 An Act Concerning the Adult Use of Cannabis.

Judiciary Committee

March 2, 2020

Good afternoon Sen Winfield, Rep Stafstrom and distinguished members of the Judiciary committee. My name is Kyle Zimmer, Health and Safety Director of The Operating Engineers Local 478 an organization that represents nearly 3000 heavy equipment operators and support staff throughout Connecticut.

IUOE Local 478 is opposed to Senate Bill No. 16 which permits the legal use of cannabis. Though there maybe benefits of the use of marijuana, for medical purposes, the construction industry as a whole, would suffer negative consequences that outweigh any possible benefits that use may hold.

Marijuana’s negative effects while working on a jobsite may include changes in sensory perception, altered thought processes, short-term memory problems, impaired decision making and a decrease in physical ability to perform certain jobsite tasks. All of the issues listed, are crucial to the “safety culture” on worksites.

Federal OSHA (Occupational Safety and Health Administration) currently recognizes four classifications of events that contribute to the majority of injuries and fatalities in the workplace they are as follows:

- Falls from elevation
- Caught In-Between
- Struck-BY
- Electrocutions

Due to IUOE Local 478’s efforts to bring awareness to “Lifestyle Issues” (Addiction, Suicide and Behavioral Health Issues), these are now being recognized as a fifth focus by OSHA. It has been discovered that some of those who have died from the four above, were either intoxicated or were suffering with mental health issues.

Allowing marijuana to be legally used will not only create issues for the industry, but will undoubtedly increase those statistics.

In the construction industry, we refer to being present at work as “presenteeism”. This means being able to focus on the present moment without distraction. Due to the dangers of the construction industry, presenteeism is not only important, but vital. It has been proven through
studies that marijuana delays reactions and interrupts focus. Even the slightest distraction can not only be dangerous to the operator and those around the operator, but to the public as well.

Currently, construction companies have policies in place to address impairment. Zero tolerance policies are in place for many substances. Policies hold steadfast that any impairment due to an intoxicant is unacceptable. Permitting the use of cannabis, when there is no way to test for or accurately measure the level of impairment, thwarts these protocols and leads to more costs from the employer, loss of work for the employee and possible delays on projects. There is no true way to measure if someone had used marijuana days, or even weeks prior, and it all has to be treated the same by the company policy, as the risks of someone getting injured or losing their life is not worth it.

IUOE Local 478 recognizes the exemptions for employers in certain situations in this bill. However, not one of those exemptions can guarantee that no employee, whether intentional or not, will walk onto a construction project, unknowingly or knowing, impaired due to the use of cannabis. Nor do those exemptions provide an employer an accurate and reliable means or method to detect or measure the level of impairment under the use of cannabis. Those exceptions do little to counteract the proliferation of availability of cannabis and the ensuing increase of the group of people using cannabis in Connecticut.

Introducing the effects the use of cannabis to the construction workplace puts everyone on or near the site in jeopardy. People’s lives, safety and wellbeing are of the upmost importance. This is not worth the risk.