

NATIONAL LAWYERS GUILD

April 7, 2008

Assemblyman Mark Leno
State Capitol Room 2114
Sacramento, CA 95814
Fax: 916-319-2113

RE: AB 2279 (Leno) Medical Cannabis Employment Non-Discrimination – SUPPORT

Dear Assemblyman Leno,

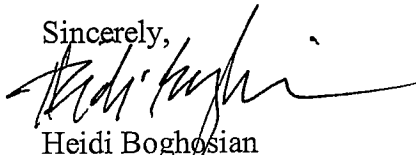
I am writing on behalf of the National Lawyers Guild, a 70-year-old national bar association, to send our support of AB 2279 (Leno). This bill will make it unlawful to discriminate in employment practices based on an employee's legal use of medical marijuana outside the work place and not during working hours. It would reverse the California Supreme Court's ruling in *Ross v. Raging Wire Telecommunications*, in which the Court ruled that an employee using medical marijuana with a doctor's recommendation as permitted by California law may be fired solely because of his/her status as a medical cannabis patient.

AB 2279 continues the State of California's commitment to the protection of medical cannabis patients' rights. In 1996, California voters passed Proposition 215, The Compassionate Use Act "to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes." In 2003, SB 420 (Vasconcellos) was signed into law to address issues that had arisen following the passage of Prop. 215, including the establishment of a qualified patient's right to use medical marijuana outside the workplace.

In its ruling, the California Supreme Court ignored the will of the voters and the legislature by invalidating the rights of more than 200,000 California patients to be free from discrimination in employment. AB 2279 restores this right, while preserving the rights of employers to take action against employees that come to work impaired or consume medical marijuana at the workplace.

The policy of this state should be to encourage gainful employment for those patients who are able to work. In addition to being an issue of basic human fairness, medical marijuana patients who lose their jobs could become an additional burden for state general assistance, MediCal, and other social service programs that are already stressed by chronic funding shortages. AB 2279 is a reasonable solution that protects patients, employers, and public safety. The National Lawyers Guild strongly urges your colleagues in the legislature and Governor Schwarzenegger to pass and sign AB 2279.

Sincerely,



Heidi Boghosian
Executive Director

132 Nassau Street, Room 922, New York, NY 10038 212-679-5100 Fax 212-679-2811 nlg.org

Heidi Boghosian
Executive Director

Marjorie Cohn
President

Russell Bloom and Judy Somberg
Executive Vice Presidents

Roxanna Orrell
Treasurer

Jake Martinez
Student Vice President

