

**Workforce Development Services Related to Industrial Hemp &
Marijuana/Cannabis Industries Policy
Q&A**

Q1: The draft policy indicates federal funding such as WIOA and Wagner Peyser cannot be used to support the cannabis industry but does not indicate state and local funds cannot be used to support this industry. Given our career center staff are funded in part by state (and in some instances local) funds, if we document that the time spent servicing this industry is funded ONLY through these state/local resources, then there is no restriction against helping these local employers, is this correct? If not, please cite the specific law that prevents the use of local and state funding for employer services to these legal establishments.

A1: It is the responsibility of the individual career center to ensure that it remains compliant with all applicable laws and guidance. Should a career center wish to utilize permissible state or local resources to support the marijuana/cannabis industry, clear documentation must be maintained and related funding sources must be closely tracked and auditable. This includes, but is not limited to:

- use of staff time,
- equipment,
- platforms/databases, and
- any other resources that were paid for or purchased related to that work.

Q2: The issuance discusses allowed/prohibited employer activity but lacks guidance on the use of Federal funding (WIOA) to send job seeker customers to training opportunities in the cannabis industry. I believe it would be assumed that we cannot refer or fund them. Additionally, keyword “cannabis” in MOSES Training module shows there are 5 courses in MOSES related (loosely) to cannabis (accounting courses and a DEI workshop), and 2 courses using keyword “marijuana” (HR related information courses)

A2: The policy has been updated to provide clarity regarding the above to comment.

Federal funds cannot be used to service the Marijuana/Cannabis industry. This includes but is not limited to use of staff time, equipment, platforms, and any resources that were paid for or purchased.

As an aside, the courses currently found in MOSES appear to fall under the umbrella of “addressing substance abuse in the workplace from a Human Resources perspective” and are only state funded trainings (only have WTF approval). MDCS will continue to monitor and review available courses in MOSES.

Q3: Related to the question above, if a job seeker chooses to fund their own training, would they be able to receive Section 30 (TOPS) approval? Our local community college has 3 online certificate programs for cannabis, they are each 8 weeks, I could not locate information on the number of hours.

A3: If a job seeker chooses to fund their own training, they may receive Section 30 (TOPS) approval. The course and the individual customer’s training proposal would be reviewed by the Department of Unemployment Assistance’s Section 30 Unit and determinations issued on an individual basis.

Q4: Can a business be a licensed industrial hemp grower in the Commonwealth and also produce/offer retail sales for marijuana/cannabis as well?

If yes, my concern is that Career Centers may inadvertently post a job linked to the marijuana/cannabis industry. If we do our due diligence and verify a business has an active hemp license, verify the jobs are for the hemp production, processing and or retail, but they also produce, process and/or sell marijuana/cannabis as well. Are we allowed to post jobs and offer services? If their staff are cross trained or both products are processed in the same facilities, we may run into grey area.

A4: **Yes**, it is possible that an employer can be licensed to grow both industrial hemp and marijuana/cannabis. **Yes**, if the employer has an “**active**” industrial hemp license issued by MDAR and/or if the employer’s name appears on MDAR’s listing of licensed industrial hemp growers, MCCs can provide services to these employers and jobseekers seeking employment related to industrial hemp. MCC’s should continue to do their due diligence, reviewing the job offer, to ensure that it meets local, state, and federal minimum standards. If the job offer appears to be in violation of this policy the MCC’s should not post or service, the job order.