



WORKFORCE INNOVATION AND OPPORTUNITY ACT POLICY MANUAL

CHAPTER 2 - SECTION 1600

SUBJECT: Use of WIOA Funds for Activities Related to Medical and Recreational Marijuana

1600 BACKGROUND AND PURPOSE

This section provides policy and procedures for the Local Workforce Development Boards (LWDBs) to use on the standards of the Workforce Innovation and Opportunity Act (WIOA) funding related to recreational/medical marijuana and to clarify the use of WIOA Title I-B funds for activities relating to marijuana containing Tetrahydrocannabinol (THC).

References: WIOA of 2014 (P.L 113-128); 20 CFR § 683.630 (c); Arizona Revised Statutes, Title 36, Chapter [28.2](#), and United States Drug Enforcement Administration Title 21 United States Code (USC) Controlled Substance Act (21 U.S.C. [812](#)).

1601 DEFINITIONS

Marijuana - Refers to any form of a product containing THC. Forms include but are not limited to dried marijuana, topicals, concentrates (including hash, THC/marijuana oils, wax and shatter), and edibles (referring to any form of marijuana that is mixed with food or drinks). To view the full list, refer to the Controlled Substance Act listed above.

1602 MEDICAL/RECREATIONAL MARIJUANA AND WIOA FUNDED PROGRAMS

WIOA Title I is a federally funded program. Federally funded programs and services are bound by law, in relation to marijuana containing THC. WIOA Title I-B Training, Career and Supportive Services shall not provide training, job seeker services, and/or business services that support the marijuana industry.

.01 There are no exceptions to this prohibition.

Legislative changes by states, including Arizona, do not alter federal law, existing suitable criteria, or Executive Branch policies regarding marijuana. LWDBs must develop a policy to ensure the following services are not being supported and/or provided in relation with the marijuana industry containing THC which shall at a minimum, address the following:



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- A. Job Seekers and/or business services such as:
1. A customer entering or retaining employment that is related to the growing, selling, producing, handling, or distribution of marijuana in any form.
 2. Referrals and/or posting of job orders related to the growing, selling, producing, handling, or distribution of marijuana.
 3. Self-employed or small business goals, or ventures associated with the marijuana industry. This includes:
 - a. Businesses that have related activity that involves marijuana as a component of the business;
 - b. Businesses that include marijuana production, processing, transportation, sales, or other marijuana-related activities as a component of their business;
 - c. The purchase of marijuana in any form on behalf of a customer, or assisting a customer in the acquisition or consumption of marijuana; or
 - d. Gardening that results in the establishment of a dispensary or other marijuana-based industry employment;
- B. Training and Career Services shall not support:
1. Education in fields of study specific to the marijuana industry;
 2. Training for a job involving growing, selling, producing, handling, or distribution of marijuana; or
 3. Employer-based training (e.g., On-the-Job Training, Customized Training, Incumbent Worker Training, Apprenticeship Training, Work Experience - WEX) at a worksite involving growing, selling, producing, handling, or distributing of marijuana.
- C. Supportive Services funding may not be used for marijuana products.