



## Medical vs. Recreational Marijuana and What Employers Can do to Manage

Type	What is it?	What can Employers do?
Medical	<ul style="list-style-type: none"> <li>- Mindset: think as of any other impairment causing medication.</li> <li>- Employee has prescription/authorization from medical</li> <li>- Must be obtained from approved vendor by Health Canada (dispensaries are not approved vendors, Canada has list online, below is the link)</li> <li>- No DIN so not regular prescription drug</li> </ul>	<ul style="list-style-type: none"> <li>- Have a policy that employees <u>need to disclose</u> any impairment causing medical (prescribed, authorized, or non-prescribed)</li> </ul> <p>When managing cases when employees disclose:</p> <ul style="list-style-type: none"> <li>- employers can ask which approved vendor the employee is using to obtain their medical marijuana</li> <li>- can request a declaration that all conventional therapies were ineffective</li> <li>- can request information about the strain and potency as this can impact impairment (this is reasonable medical information so you as an employer can properly accommodate)</li> <li>- have a duty to accommodate, it is typical that safety sensitive positions are not appropriate for employee to continue in and accommodation is in a non-safety sensitive position, however each case has its own facts that need to be looked at</li> </ul>
Recreational	<p>Mindset: Think of it as how you manage alcohol today</p> <p>Refers to the upcoming Cannabis implementation proposed July 2018</p>	<ul style="list-style-type: none"> <li>- Just because it is legal doesn't mean employees have the right to bring into work (think alcohol); best defense is a well written policy.</li> <li>- Employers can still have a policy for safety sensitive positions that they must meet the A&amp;D policy; education is very important as employees in these positions need to understand that with current testing protocol they can't expect to use recreational marijuana and still pass an A&amp;D test so they could still be putting their job on the line even when it is legal.</li> <li>- Your policy should cover that employees cannot:             <ul style="list-style-type: none"> <li>o Bring cannabis or cannabis products to work (for example any legal or illegal impairment cause substances, can state alcohol, illegal drugs, recreational marijuana)</li> <li>o consume cannabis or cannabis products while on work property</li> </ul> </li> </ul>