

Medical Marijuana – Grudging Accommodation Policy



ABC Company has adopted a zero tolerance policy banning employees and applicants from using, possessing, or being impaired by illegal drugs, including marijuana. However, ABC Company also acknowledges that:

1. The federal *Medical Marijuana Access Regulations* (MMAR) make it legal for individuals to possess and use marijuana to treat specific medical conditions, provided that they obtain a valid prescription; and
2. Punishing or adversely treating employees or job applicants for their lawful marijuana use may constitute disability discrimination under human rights laws.

Accordingly, ABC Company will not discriminate against any person in hiring, termination, discipline, conditions of employment or otherwise penalize a person simply because that person:

1. Has or is seeking a legally valid prescription for medical marijuana; or
2. Tests positive for marijuana or metabolites, unless the person used, possessed or was impaired by marijuana at the workplace or during work hours.

Limitations: The above policy does not permit employees to use or ingest or be intoxicated by medical marijuana at work or during work hours. Employees who use or are impaired by medical marijuana while on duty are subject to discipline under the ABC Company zero tolerance policy, notwithstanding the fact that such use may be legal under the MMAR. ABC Company will exercise discretion to determine whether discipline is appropriate in accordance with its obligation to make reasonable accommodations under human rights laws.