



Policy Name: Medical Cannabis Accommodation Policy	Policy No: Council 600-##
Committee approval date:	September 3, 2019
Council approval date:	September 16, 2019
Approval authority:	Council Resolution
Revision date(s):	
Department/Division:	Corporate wide

1. Purpose

The Town has a duty to accommodate employees who are prescribed medical cannabis, and as such this Policy will set out how the Town will work with employees who use medical cannabis.

2. Policy Statement

The Town of Pelham is committed to providing equal treatment without discrimination because of a prohibited ground, including the use of prescribed medical cannabis, as described by Ontario's *Human Rights Code*. The Town of Pelham will work to ensure that individuals are able to work effectively and safely, up to the point of undue hardship.

3. General Provisions

3.1 A Qualified medical practitioner refers to a person who is registered and entitled under the laws of a province to practice medicine in that province and has not been named in a notice issued under the Narcotic Control Regulations.

3.2 Employees may only use medical cannabis with appropriate documentation in their names from a qualified medical practitioner as defined by the *Access to Cannabis for Medical Purposes Regulations*.

3.3 If an employee must use medical cannabis while at work and requires accommodation to do so, they must inform Human Resources. An employee does not have to disclose their specific medical diagnosis; however, they must provide a note from their doctor and a copy of the appropriate documentation if accommodation is required.



3.4 All information provided in regard to medical cannabis use is considered confidential and will be treated as such, keeping an employee's privacy as a top concern second only to safety.

3.5 Employees who have a medical condition which requires additional accommodation can discuss their cannabis use schedule in the context of the general accommodation plan with the Town of Pelham and their qualified medical practitioner.

3.6 Employees may be required to work with the company's service provider, who will provide direction and support for the use of medical cannabis.

3.7 The Town of Pelham will work with the individual who requests accommodation to ensure that the measures taken are both effective and mutually agreeable.

4. Use of Medical Cannabis While at Work

4.1 If an employee takes medical cannabis during regular working hours, they shall do so only at the recommended dosage and frequency of the doses.

4.2 The Town of Pelham asks that where possible employees who require medical cannabis use a method of consumption other than smoking.

4.3 Employees who choose to smoke medical cannabis must abide by the Regional By-law 112-2013 and the Town's Smoke Free Workplace Policy.

4.4 Employees who choose to smoke medical cannabis are not permitted to smoke in the presence of other employees.

4.5 Clear direction is required from a qualified medical practitioner regarding the ability of the employee to operate equipment while using medical cannabis.



5. Employee Expectations

5.1 Management must:

- I. Treat employees who use medical cannabis the same as all other employees using prescription medication.
- II. Provide accommodation up to the point of undue hardship.
- III. Be aware of the effects of cannabis use and ensure employees are not placed in any safety-sensitive situations.
- IV. Assess the effects of the use of cannabis on an employee's performance on the job.
- V. Ensure that the use of medical cannabis does not adversely affect the safety of the employee or their co-workers.
- VI. Ensure that any employee who asks for help due to a drug or alcohol dependency is provided with the appropriate support (including accommodation) and is not disciplined for doing so.
- VII. Respond to any employee queries regarding the use of medical cannabis, while maintaining the privacy of an employee's specific situation at all times.

5.2 Employees must:

- I. Work with The Town of Pelham to develop accommodation plans that are mutually agreeable.
- II. Follow the agreed-upon accommodation plan and the guidelines of this policy.
- III. Never share their medication with any other employee, even those who may have a similar prescription.
- IV. Maintain ongoing communication with management regarding the effects of cannabis on their ability to perform their job duties.
- V. Never participate in activities which could cause a safety risk, such as driving while under the influence of cannabis.