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Marijuana Policy Needed in Workplace

“Whether it is legal or not,” Dr. Dale Masi told the Bermuda *Royal Gazette*, “you have to have a policy protecting the rights of the employer and the employee regarding marijuana in the workplace. People don’t realize that they can still be fired or referred to the EAP if medical marijuana affects their job.”

Here is the ten-point policy presented by Dr. Masi.

1. The company will inform all of its employees on its marijuana policy.

2. The company will ensure that the policy on marijuana has included input from its various stakeholders.

3. The company will train supervisors on their responsibility in implementing the policy on marijuana in the workplace.

4. The company will educate its employee assistance program on its policy.

5. The employer can request evidence of a prescription for marijuana if an employee states he/she is taking cannabis for a medical reason.

6. The company may have a zero-tolerance policy for marijuana use by employees during work hours. “*Medical marijuana may be legal, but workers should beware that employment protections may not extend to marijuana use in the workplace.*” (Bononi Law Group, LLP)

7. The company has zero-tolerance if an employee chooses to utilize prescription medical marijuana during work hours, resulting in impaired job performance.

8. The company has a zero tolerance for positive marijuana drug-test results.

9. The company holds the right to have a mandatory EAP referral or “last-chance agreement” if the manager deems necessary.

10. The employer needs to determine the role of the EAP in working with employees with marijuana use and/or abuse.

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