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Benefits *Bulletin*

Benefit News to Keep You in the Know and the Now

Cannabis in the Workplace

With the legalization of cannabis last month, there have been a lot of questions about how it impacts the workplace. There are two forms of cannabis: recreational use, legalized October 17th and medicinal use, which has been legal for over 15 years.

Recreational Use

The recent legislation makes it legal for Canadians to use cannabis in a recreational manner. However, there are still restrictions about when and where it can be used. Cannabis use will fall under most workplace drug and alcohol policies. As with alcohol, the legalization of cannabis does not entitle an employee to use it at work, come to work under the effects of it, or use it as an excuse for lateness/ absences. Doing so will subject the employee to discipline as outlined in the company drug and alcohol policy.

Medicinal Use

Medical cannabis has been legal for a number of years. Employees who have a prescription for medical cannabis are entitled to accommodation by their employer. Accommodation does not mean that an employee can smoke at work, be impaired at work, be late or absent, or compromise the safety of themselves or others. Accommodation does mean modification to an employee's position or work hours and breaks. It may require that the employee is removed from a safety-sensitive position. Employers must balance their obligation to provide a safe work environment for everyone with its requirement to accommodate an employee's medical needs. Therefore, it would be prudent for employers who have been presented with a doctor's note to request a functional abilities report that will enable them to modify the job to accommodate the cannabis use.

Employees have an obligation to notify their employer of a medical condition or treatment that may cause impairment or impact workplace safety and to work with them to find suitable job modifications if necessary. Failure to notify employers and/or provide a doctor's note, may lead to discipline under the relevant drug and alcohol policy.

Group Coverage

Cannabis has not been assigned a drug identification number (DIN) by Health Canada as of yet. As such, it is not eligible under the drug program of your group plan. However, it is permitted under most health care spending accounts and some insurance companies are allowing it to be covered under the health care component. However, this is not yet widespread and providing coverage requires an amendment to the plan. Just as you may amend your plan to include vision care or major dental coverage, so too, will you have to amend the plan for medical cannabis.

Cannabis will be a special authorization drug and will be viewed as a treatment of last resort. Patients will be asked to try more traditional therapies before progressing to a cannabis prescription. Further, it is only approved for the treatment of a select few conditions which varies between insurance companies. For example:

Sun Life: *Cancer (with severe or refractory pain; or with nausea or vomiting associated with cancer treatments); Multiple Sclerosis (with neuropathic pain; or with spasticity); Rheumatoid Arthritis (with pain that failed to respond to standard therapy); HIV/AIDS (with anorexia; or with neuropathic pain);* Individuals requiring palliative care

Manulife: stiffness and involuntary muscle spasms in patients suffering from Multiple Sclerosis; nausea and vomiting in patients undergoing chemotherapy; and chronic neuropathic pain.

If you wish to discuss adding medical cannabis to your group benefit plan, talk to your GMS Insurance advisor.