



Presented by **PretiFlaherty**
LEGAL PAPERS
The Maine Cannabis Law
Breakfast Series

2019

SESSION 3

The New Weed Workforce

Employment Law Issues and
Workforce Management

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INTRODUCTION

WELCOME

PreTiFlaherty



AGENDA

PART 1

Employment Law Issues

Steve Langsdorf

PART 2

Workforce Management

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Employment Law Issues



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Marijuana in Maine

- Available to anyone who wants it in all forms.
- Medical and Adult use:
 - ✓ Who and how?

Anti-Discrimination Provisions

- Medical and Adult Use
- Exceptions
 - ✓ Professional negligence
 - ✓ Schools
 - ✓ Public Places
 - ✓ Motor Vehicles
 - ✓ CDL's, Law Enforcement

Treat Marijuana Like:

- Medical: Prescriptions
- Adult use: Alcohol

No Valid Way to Test for Impairment

So what can you do as an employer?

- Performance based expectations.
- Document, document, document.

Accommodations

- Consider accommodating people with disabilities who use medical marijuana.

Remedy

- No remedy at the Maine Human Rights Commission.
- Private cause of action.

Bourgoin v. Twin Rivers (Workers Comp Issues)

- Worker's Comp insurers not required to pay for medical marijuana because its illegal under federal law.

Workforce Management



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Hiring and Training Considerations

- Regulatory Considerations
- Best Practices in Hiring
- Position Descriptions, SOPs and Your Employee Handbook
- Protecting Confidential Business Information

Effective Workforce Management

- Secondary Employment (moonlighting) Issues
- Physical Security and Diversion Avoidance
- Workplace Ergonomic and Safety Considerations
- Minimizing Employee Turnover

Q&A

THANK YOU FOR COMING



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