

SPEAKING ENGAGEMENT

Green, Tested, and Protected: Reconciling ADA Rights in the Cannabis Workplace | Ali Jubelirer

International Cannabis Bar Association - Cannabis Law Institute 2025

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Speakers: [Alissa "Ali" Jubelirer](#)

Denver, CO

This presentation will examine how the Americans with Disabilities Act (ADA) applies in the cannabis workplace, focusing on mental health accommodations and how leave can also function as a reasonable accommodation. After a brief overview of ADA fundamentals, we will explore how cannabis employers are seeing increased requests for accommodations tied to mental health conditions-especially given the industry's younger workforce, where such issues are more prevalent. We will discuss the Equal Employment Opportunity Commission's position on what is and what is not a reasonable accommodation, and how those accommodations might manifest themselves in the workplace. We will also discuss how to handle requests for leave under the ADA, how the Family and Medical Leave Act (FMLA) and short-term disability (STD) benefits may apply, and when workers' compensation might come into play. In addition, we will look at the complicated role cannabis itself plays-particularly when employees use cannabis medically to manage mental health conditions. Unlike traditional workplaces with zero-tolerance drug policies, cannabis employers often focus less on usage and more on actual impairment. We will review practical considerations for evaluating impairment in the absence of reliable testing and offer strategies for maintaining compliance while promoting a safe and functional work environment.

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