

**PUERTO RICO ACT 15-2021  
PROVIDES EMPLOYMENT PROTECTION TO AUTHORIZED AND REGISTERED PATIENTS OF MEDICAL  
CANNABIS**

On July 29, 2021, the Governor signed into law Act 15-2021 as an amendment to Act 42-2017, which had legalized the use of medical cannabis in Puerto Rico. Act 15-2021 now prohibits discrimination in employment of authorized and registered patients of medical cannabis.

Act 15-2021 recognizes as a protected category under employment laws, patients registered and authorized to use medical cannabis that have identified with their employer. Consequently, an employer may not discriminate against an employee or candidate for employment because of his condition of being a registered and authorized patient who uses medical cannabis in recruiting, transferring, dismissing or in any other term or condition of employment. This protection will not apply if the employer shows by preponderance of the evidence that:

- the use of medical cannabis by the employee represents a real threat of harm or danger to the safety of persons or property.
- the use of medical cannabis by the employee interferes with the employee's performance or essential duties of the job.
- the use of medical cannabis by the employee exposes the employer to loss of licenses, permits or certifications under federal laws, regulations, programs or funds.
- the employee uses or is in possession of medical cannabis in the workplace and/or in working hours without written authorization by the employer.

Employers will not be penalized or denied contracts, licenses, permits, certifications, benefits or funds under Puerto Rico law for the only reason that it hires patients registered and authorized to use medical cannabis.

Act 15-2021 became effective immediately and must be interpreted liberally in favor of patients registered and authorized to use medical cannabis.

If you have any question or concern, please contact us.

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