

## Cannabis in the Workplace

Recreational cannabis is set to be legalized in Canada on October 17, 2018. The Chamber has prepared this informational sheet for employers with a variety of resources regarding both your responsibility and your role as an employer as this legislation comes into effect.

### Recreational Cannabis in the Workplace

According to WorkSafeBC, the Occupational Health and Safety Regulations that apply to workplace impairment will not need to be amended. [Here](#) is a primer from WorkSafeBC on the existing regulations around workplace impairment that also apply for cannabis use.

As with other substances, workers are required to “ensure that the worker’s ability to work without risk to his or her health or safety, or the health or safety of any other person, is not impaired by alcohol, drugs or other causes.” (WorkSafeBC)

Employers have the right to set rules for non-medical use of marijuana in the workplace, much the same as for alcohol. Employers are encouraged to develop policies and procedures around impairment in the workplace if they don’t have them already. [This resource](#) from the Canadian Centre for Occupational Health and Safety looks at developing a policy and how to identify impairment in the workplace. [See here](#) for more information.

### Medicinal Marijuana in the Workplace

Go2HR provides information [here](#) about the employer’s duty to accommodate workers who are eligible to use medicinal marijuana. The duty to accommodate has limits; for example: it does not mean that employees are entitled to be impaired at work, they cannot compromise their safety or the safety of others, smoke-free laws still apply, and employees are not entitled to unexcused absences or late arrivals.

It’s also likely that zero-tolerance policy for use or possession of marijuana in the workplace will become unenforceable once legalization takes effect.

### Basic Facts about Cannabis Legalization

- 19 is minimum age to purchase, sell or consume cannabis
- 30 grams is allowed for possession in a public place
- Consuming cannabis will be prohibited everywhere that vaping and tobacco smoking are prohibited, as well as anywhere that children commonly gather.
- Each province will regulate the sale and distribution of cannabis.

[Here](#) is a link to British Columbia’s Cannabis Control and Licensing Act.

*Special thanks to our Chamber neighbors at the Tofino-Long Beach Chamber of Commerce for researching and preparing this document.*