



Cannabis Legalization



University
of Victoria

Canadian Institute for
Substance Use Research

A GUIDE FOR WORKPLACES

Quick summary of cannabis regulations

The federal [Cannabis Act](#) is the overarching federal law that defines which forms of cannabis are legal, how it may be sold and how much an individual may possess. In BC, cannabis is governed by the [Cannabis Control and Licensing Act](#) and the [Cannabis Distribution Act](#). These federal and provincial laws, together with amendments to several other pieces of legislation, create a legal context in BC in which:

People under 19 years of age may not:

- consume, possess, produce, supply, sell, purchase or attempt to purchase cannabis or cannabis accessories unless authorized to possess medical cannabis
- work in an environment associated with cannabis
- operate a vehicle, whether or not the vehicle is in motion, while there is cannabis in the vehicle unless the cannabis belongs to an adult passenger, was produced by a federal producer, and is still in unopened original packaging or is not readily accessible by the driver or passengers

Adults over 19 years of age may:

- possess up to 30 grams of dried cannabis or equivalent in a public place
- smoke or vape cannabis in most public spaces in which tobacco smoking is allowed

Adults may not:

- give, sell or promote cannabis or cannabis accessories to anyone under 19 years of age
- allow a minor to consume in a place under their control
- ask or allow a minor to purchase cannabis for them
- use cannabis on or beside school property
- smoke or vape cannabis in the workplace
- use cannabis in vehicles or operate a vehicle while impaired by cannabis
- operate a vehicle, whether or not the vehicle is in motion, while there is cannabis in the vehicle, unless the cannabis was produced by a federal producer and is still in unopened original packaging or is not readily accessible by the driver or passengers

For more information see:

- [Get Cannabis Clarity](#)
- [WorksafeBC-Substance use & impairment in the workplace](#)

Cannabis Legalization

A GUIDE FOR WORKPLACES

Cannabis is now legal without prescription for adults in Canada. As a result, workplaces face some new challenges. But new opportunities emerge as well.

This guide provides employers and employees with a framework to:

- identify key issues and opportunities
- adopt a holistic approach to cannabis, well-being, and the workplace
- access information to make informed and thoughtful decisions
- address the needs of all members of the workplace

The intent of this guide is not to tell employers or employees what to do. It does not assume that there are any one-size-fits-all solutions to the issues workplaces may face as a result of cannabis legalization. This guide does promote an inclusive approach to cannabis and the workplace.

A time to promote health and wellness

Humans have used cannabis – like other psychoactive substances – for thousands of years. Cannabis legalization provides adults with access to a safe supply produced and sold under strict regulation. This change in law may be difficult for some people to accept. Some may be worried about the effect of legalization on productivity and safety in the workplace. Others may insist cannabis is more dangerous than alcohol or cigarettes and should not be treated the same way. These concerns make now an ideal time to reflect on health and wellness in the workplace.

A health-promoting lens takes the emphasis off cannabis to focus on how the place of work can contribute to overall employee well-being. Employers can step back to view things from a wider perspective. They can think about what they are already doing to promote wellness and what can be done to optimize their efforts.

Opportunities for workplaces

Cannabis legalization offers a number of learning opportunities for workplaces. Below are some ways employers (and employees) can embrace changes taking place in our society.

Make well-being the focus

Working is one of the things in life that makes us feel good about ourselves. It provides us with the means to support our families and ourselves. Creating a physically and psychologically healthy workplace involves everyone. It requires us to acknowledge other people's behaviour, perspectives and experiences, and build shared values. When an employer's values and decisions promote staff well-being, workers are more motivated to strive to do their best, benefiting both the organization and the employees.

A supportive culture, the pattern of relationships and communications among people, is the foundation of a healthy workplace. Organizational values of diversity, fairness, respect and trust will be reflected in workplace culture and in the ways people behave and communicate with each other. Cannabis legalization is an opportunity to reflect on workplace culture and facilitate change if needed.

Most people know intuitively that using cannabis at work (or being impaired by any other mind-altering substance) is not a good idea. It is also not legal. There are some people, however, who may not think or feel they are impaired or may not feel their impairment impacts others or their organization. It will be important to engage with staff around how cannabis use may affect the workplace, including co-workers and customers/clients. This includes discussing which tasks could not be performed safely while under the influence of cannabis as well as considering perceptions of safety and overall productivity.

Things to consider:

- » What does a healthy workplace look and feel like?
- » How can we support health and wellness in our workplace?

Tips on creating a positive workplace culture:

- Engage with employees and co-workers genuinely and regularly
- Solve issues together
- Be transparent in all interactions
- Nurture opportunities for collaboration

Resources:

[WorkSafeBC Enhancing health & safety culture & performance](#)

Review and update policies

A health-promoting workplace fosters ongoing living, as well as the capacity for learning and work that both contributes to the goals of the organization and provides satisfaction and rewards meaningful to employees and employers alike. The role of healthy workplace policy is to create an environment that promotes the safety of all workers and upholds employee health. Healthy workplace policy addresses the physical environment, healthy lifestyles and corporate social responsibility.

Ensure physical environments are safe

The physical environment of work is a major part of an employee's working conditions. Addressing cannabis and other psychoactive substances in safety policy is especially important in workplaces where impairment through substance use may threaten the lives or well-being of others (e.g., jobs involving driving or operating machinery, those working with children, and many health care settings). While most employees know intoxication by cannabis, alcohol or any other substance is illegal, employers can encourage compliance through training and policy.

“WorkSafeBC has not identified a need to amend occupational health and safety requirements in the province. Cannabis impairment in the workplace is not a new issue, and B.C. has one of the most robust regulatory frameworks for workplace impairment in the country.”

—[Cannabis and the Workplace](#)

Cannabis legalization provides an opportunity to review current policy and, where needed, develop guidelines specific to cannabis use and how to respond appropriately to use in the workplace. For workplaces that include safety-sensitive positions, it can make sense to have a zero-tolerance policy for substance use. In other workplaces, such a policy could discriminate against those who use cannabis responsibly or for medical reasons.

Questions to consider:

- » How well does our current policy address safety concerns? Does this adequately address issues related to impairment by cannabis, e.g., does it distinguish between medical and non-medical cannabis use?
- » How might we make any needed adjustments in a way that promotes trust and inclusion?



Support healthy lifestyles

Supporting healthy lifestyles involves attention to workplace practices and resources that support employees in developing health-promoting practices. This might include good connections with co-workers, physical activity, nutrition, rest and use of substances, including cannabis. When employees are physically and mentally well, they are happier and tend to perform better.

People are healthiest when they have both a sense of belonging and a sense of empowerment. Developing policies that build a workplace culture of connectedness in which individuals have numerous opportunities to contribute to decisions that affect their health can support a productive working environment and healthy workers.

Supporting healthy lifestyles is more than posters and messaging. People must develop the capacity to make healthy choices. A supportive environment and adequate resources is the foundation on which capacity building takes place. Reviewing workplace policy around cannabis provides an opportunity to bring a comprehensive lens to the issue. This might involve providing information about impairment and safety risks or safer cannabis use. It will also include a focus on training and mentoring to help workers absorb the culture of the workplace and attention to ensuring workers have access to the needed resources (physical and human) to maintain healthy lifestyles.

Employers have a duty to accommodate workers who use cannabis for medical reasons. What is reasonably required for such accommodation varies by circumstance. Such use may not impair work performance, including safety and relations with others in the workplace, or create a safety hazard. Even in cases where an employee's cannabis use, for any reason, leads to dependence that may affect work performance, employers still have a duty to accommodate wherever possible.

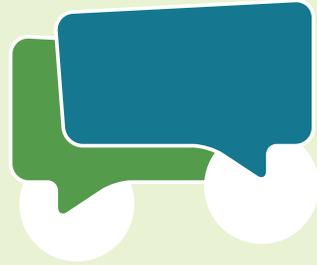
Employees have a responsibility to understand the potential impact substances such as cannabis might have on their performance and work with the employer to achieve a reasonable accommodation for medical use wherever possible. Occupational Health & Safety rules require an employee to inform their employer if they have a mental or physical impairment that may affect their ability to safely perform their job. It is up to the employee to seek accommodation from the employer. Working together will increase the likelihood that the solution meets the needs of everyone involved.

Questions to consider:

- » How well do our current workplace practices and resources support
 - positive interaction among co-workers?
 - appropriate physical activity and rest?
 - healthy nutrition and substance use?
- » How do our current policies promote a caring, supportive workplace? What might be changed to ensure all workers feel connected and respected?
- » How do our current policies accommodate medical cannabis in the workplace? How might they be improved?
- » To what degree do employees feel comfortable disclosing potential impairment? How might we create an environment where appropriate disclosure was the norm?

Dialogue

Dialogue is a conversation in which participants seek to understand each other. While talking is a part of the conversation, listening and asking good questions are skills that are more important. The goal is not to come away having convinced someone about something, but to have gained understanding of another's perspective.



Opening dialogue with all stakeholders in the workplace – employers, supervisors, staff – can help to create a broad understanding of the views within the organization. This understanding provides a critical foundation from which to develop shared approaches that respect everyone. Dialogue also helps participants develop skills for the civil exchange of ideas, skills that are so important in democratic communities. In dialogue, we discover new ideas that allow us to evolve our thinking and become lifelong learners. We also increase capacity to build stronger teams.

Dialogue is an especially important tool, in the workplace and elsewhere, as we enter an era of legalized cannabis. People have different perspectives on cannabis. While people in the workplace do not need to think and believe alike, they do need to work together in harmony.

For Dialogue resources see [Let's Talk Cannabis](#)

“Real dialogue depends on us being passionately committed to our world, and simultaneously, passionately committed to other worlds. It is possible to work for the realization of our values and interests, but to do so in a way that remains continuously open to inquiry and dialogue.”

—Margaret McKee ¹

Here are some questions your workplace may wish to consider:

- » How does the physical design of our workplace create spaces for or encourage spontaneous dialogue?
- » What is our workplace culture (norms of attitude and behaviour)? Do these norms help or hinder our work? Is there anything we might do to improve our workplace culture?

¹ M. McKee, *Excavating Our Frames of Mind: The Key to Dialogue and Collaboration*, *Social Work* 48:3 (2003) 404.

Safer Cannabis Use

Some people will choose to use cannabis, regardless of rules or regulations. For those considering using cannabis, here are some things to think about and ways to reduce harm.



Before you use cannabis, ask yourself ...

- **Do I really want to use it?** Sometimes cannabis helps. Sometimes it makes things worse.
- **Can I trust my source?** Legal cannabis sources are tested for quality while street cannabis is not.
- **How much THC is in it?** THC or delta-9-tetrahydrocannabinol is the most well-known psychoactive cannabinoid that causes impairment. Too much THC can also cause other unwanted effects (e.g., psychosis, paranoia).
- **How much CBD is in it?** Cannabidiol or CBD is another cannabinoid. Unlike THC, CBD does not cause psychological impairment. There is some evidence that CBD may block or lower some of the effects of THC and may contribute to the health benefits associated with cannabis use.

It's safer to ...

- **Avoid using too much too often**, especially if you're young. Human brains are not fully developed until early adulthood. Regular use (daily or almost daily) over time can lead to dependence. You may start needing it just to feel normal.
- **Wait at least six hours** before driving or operating machinery (longer if impairment persists).
- **Avoid smoking.** Vaping or edibles are not as harmful to your lungs. If you do smoke, don't hold in the smoke. Most of the THC is absorbed in the first few seconds.
- **Go slowly** when eating or drinking cannabis; these modes take longer to deliver effects. Once those come, you can get higher than expected. Try a little and wait at least an hour before using more. Same advice when trying a new strain – go slowly.

... **Continued**

Safer Cannabis Use (continued)

It's safer to ...

- **Avoid mixing substances.** Adding tobacco to a joint means adding another drug along with cancer-causing toxins. Drinking alcohol while using cannabis intensifies the effects, including impairment, and makes them last longer than expected.
- **Avoid synthetic cannabinoid products.** Designed to copy the effects of THC, synthetics (e.g., K2 or Spice) have contents in most cases untested and unknown, and which can change from product to product, ranging from being really weak to super strong. Synthetic cannabis use has been linked to seizures, irregular heartbeat, panic attacks, agitation, hallucinations and in some cases, death.
- **Skip cannabis** or seek medical advice if you have (or a member of your family has) a history of psychosis or a substance use disorder. Cannabis use increases risk that symptoms of these conditions will reappear or get worse. If you are pregnant or breastfeeding, it's safest to avoid using cannabis.



Resources for employers:

- [WorksafeBC- Substance use impairment in the workplace](#)
- [Workplace Strategies: Risk of Impairment from Cannabis](#)
- [Construction Industry of British Columbia Substance Abuse Testing & Treatment Program Policy](#)

For more information see:

- [Safer Cannabis Use](#)
- [Canada's Lower-Risk Cannabis Use Guidelines](#)



Be a socially responsible workplace

All workplaces are part of the community. Corporate social responsibility is an organization's efforts to build and improve its relationships with the community. This often means going over and above what is required or legislated for operation. Cannabis legalization provides opportunities for employers to consider new connections to the community. For example, an employer might collaborate with a local university to support research on cannabis effects in the workplace. Or, an employer with document design capacity might partner with health and education organizations to develop quality educational resources related to cannabis. The possibilities are almost endless. The products of these partnerships will be of benefit in the workplace and beyond.

Questions to consider:

- » How might you engage your employees in contributing to being a socially responsible workplace?
- » What might a long-term plan for social responsibility look like in your workplace?





Going forward

While legalization has changed the status of cannabis among adults, cannabis use rates are not likely to increase very much in the short term.² What will change is the way cannabis is viewed within society.

As a legal substance, cannabis will likely become more socially acceptable to the general public. Rates of cannabis use will presumably depend on the same factors as alcohol and tobacco use. These include price, availability, perceived benefits, promotion and the degree to which other options are available for achieving those same benefits. The legalization of cannabis means we must ensure that workplaces have the tools and processes to navigate a world where cannabis is available.

Some questions to reflect on:

- » What does a healthy workplace look and feel like?
- » How can we support safety, health and wellness in our workplace?

Cannabis legalization provides a variety of regulatory tools that can be used to promote a balanced approach to cannabis. What's more, legalization invites opportunity for open dialogue with various stakeholders in the workplace – employers, employees, regulatory bodies, and others.

Rather than focusing only on the dangers of cannabis (i.e., risks of workplace impairment), employers can choose to build capacity and resilience among people in their workplaces. This requires a focus on the desired workplace culture.

Further, there is now space to explore and reflect on some of the big questions. How did cannabis prohibition affect our society? How might availability through a legal market change our society? How have stereotypes and stigmatization helped or hindered well-being? How do we make sure the needs of all people are respected and honoured through the changes we are making in our society? In these explorations, cannabis legalization becomes the beginning rather than the end of discussion. It provides multiple opportunities for employers, employees, and organizations to nurture healthy inclusive workplaces.

² William C. Kerr et al., *Changes in Marijuana Use Across the 2012 Washington State Recreational Legalization: Is Retrospective Assessment of Use Before Legalization More Accurate?* *Journal of Studies on Alcohol and Drugs* 79:3 (2018) 495–502.

3 Common cannabis myths

Myth #1

cannabis leads to laziness
and lack of productivity

Some people believe that using cannabis leads to laziness and lack of productivity. Yet many people who use cannabis regularly have full-time jobs and busy households. Others might point to the fact that young people who use cannabis heavily tend to drop out of school. But most often, there are deeper reasons for quitting school. Cannabis use is much more likely a way of not thinking about those reasons. In the nine US states that have legalized cannabis, to date, there is no evidence of vastly increased use. People are not losing their jobs or shirking their family responsibilities.



Myth #2

cannabis is not like
alcohol so you can use
cannabis and drive

THC, one of the main psychoactive components of cannabis, does lead to impairment. Strains with higher levels of THC are likely to cause greater impairment. Ability to think clearly and concentrate – so important to operating vehicles, machinery and tools – is altered while under the influence of THC, as are perception, short-term memory, and reaction times. Therefore, combining cannabis use with activities that require unimpaired attention – driving, engaging in safety-sensitive or decision-critical work, and caring for young children – is a serious concern.

THC is a central nervous system depressant, similar to alcohol. Thus, combining cannabis and alcohol leads to even further impairment and increase in risks for harms, including potential for crashes or other accidents.

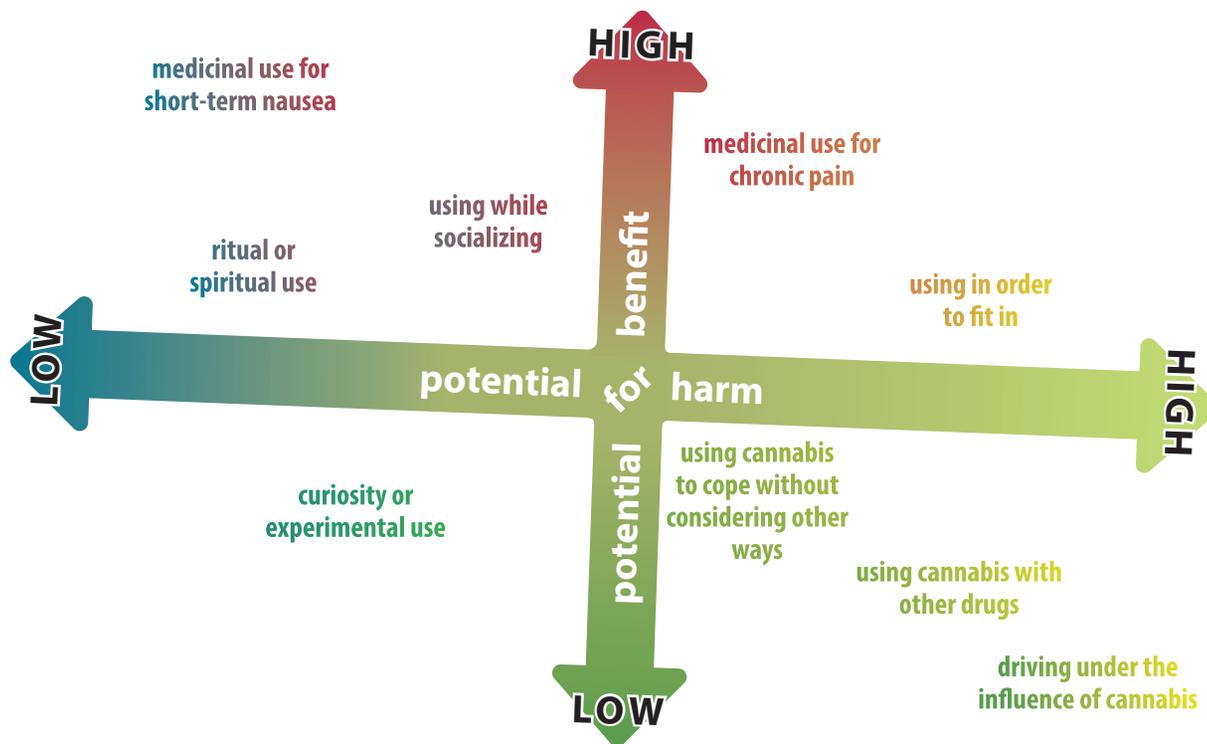
Myth #3

cannabis is a medicine,
so it does not cause harm

It is common to assume if something is good, it cannot be bad. This binary thinking helps us make quick decisions in our daily lives, but it gets us into trouble when applied to complex issues where the effect depends on many factors. Cannabis, similar

to other drugs (including prescription medicines), can be both helpful and harmful. Just think of the list of side effects that come with some prescription medications. It is helpful to recognize that benefits and harms are not binary opposites but, as illustrated in the diagram below, coexist in various combinations. Deciding whether the benefits outweigh the harm depends on several considerations such as the reason for using, the importance of that reason, the availability of other options and more.

For more information
see [Here to Help](#)



Cannabis has been used, for example, to help with moderate chronic pain, and reduce nausea and promote appetite. Some people struggling with PTSD or other challenging experiences have used cannabis as a “time away” from memories to provide a much-needed rest from the pain of everyday life. On the other hand, heavy, long-term smoked cannabis use can cause lung problems. The benefits and harms of using cannabis, similar to other drugs, are complex, and must be weighed for each person, and in each situation. Generally, the risk of harms from using cannabis increases with the amount used and the frequency of use.

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