

CANN // AMM

OCCUPATIONAL TESTING SERVICES



Legal Cannabis and your Workplace



CANNABIS BASICS

The Drug

Marijuana—also called *weed*, *herb*, *pot*, *grass*, *bud*, *ganja*, *Mary Jane*, and a vast number of other slang terms—is the dried flower of the cannabis plant. The cannabis plant contains over 500 chemical compounds of these compounds are a smaller group called cannabinoids (NIDA, 2019); and of these cannabinoids, the most commonly discussed are THC, CBD, and the terpenes. Cannabis can be consumed in different ways. Two common ways are: inhalation (smoking or vaping) and ingestion (eating or drinking). ([Health Canada, 2019](#))

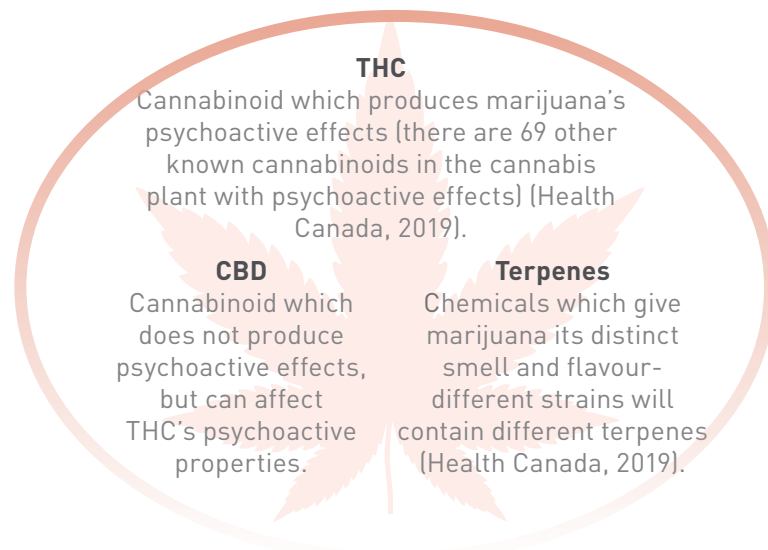
October 17, 2018:

Canada legalized recreational use, sale, production, distribution, and possession of controlled marijuana. This does not include edibles (candy, baked goods, etc.), or concentrates (oils, waxes, shatter).

Cannabis edibles, extracts, and topical products will be available for legal sale by October 17, 2019. ([Government of Canada, 2019](#)).

While cannabis is a legal substance in Canada, there are a few important things to note:

- THC is an impairing compound ([Health Canada, 2018](#)).
- Cannabis does not have a Drug Identification Number (DIN) from Health Canada ([Health Canada, 2019](#)).
- “Cannabis is not an approved therapeutic product, unless a specific cannabis product has been issued a drug identification number (DIN) and a notice of compliance (NOC). The provision of this information should not be interpreted as an endorsement of the use of this product, or cannabis and cannabinoids generally, by Health Canada:” ([Health Canada, 2018](#))



The Cannabis Act permits the sale of:

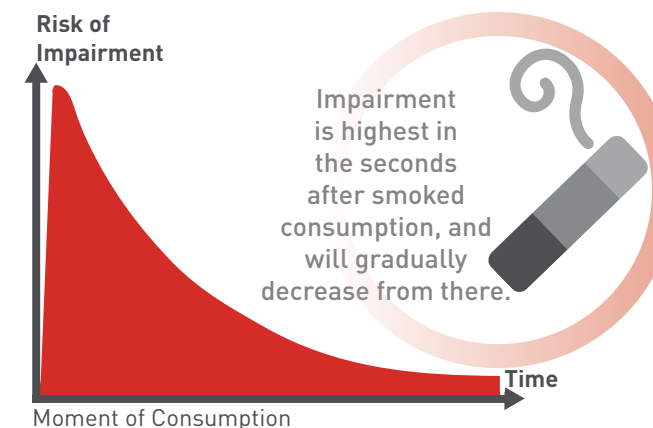
- Cannabis Oil
- Cannabis Plant
- Fresh Cannabis
- Dried Cannabis
- Cannabis Plant Seeds

“An important part of the Canadian Model is the work rule. It is clear and unequivocal. An employee shall not use, possess, or offer for sale, alcohol and drugs while at a company workplace or work site, or report to work with an alcohol and/or drug level in excess of the prescribed cut-offs.” (COAA, 2019).

CANNABIS AND YOUR WORKPLACE

Short Term Effects of THC from Cannabis Use

- Fatigue
- Anxiety
- Slowed reaction times
- Ability to judge distance and speed
- Impairment in memory and attentiveness
- Damage to blood vessels
- Decrease in blood pressure
- Increase in heart rate ([Health Canada, 2019](#))



Risk of Cannabis Impairment

With legalization now in full swing, the risk which cannabis-impaired employees pose should be on your mind.

The THC in cannabis is what is primarily impairing, and can be detrimental to safety-sensitive work as it impairs many abilities: driving, coordination, memory, judgement, or attentiveness.

The minimum reasonable abstinence period from cannabis use in any form, prior to performing safety sensitive duties, is 24 hours. As an employer you have to decide what you say about abstinence expectations, remembering there is remarkable support to hold that line at 24 hours or more:

- [Canadian Department of National Defense / Armed Forces](#)
- [Health Canada](#)
- [National Safety Council](#)
- [Occupational and Environmental Medical Association of Canada](#)
- [Ontario Zero Tolerance for Commercial Vehicles](#)
- [Transport Canada, Aviation](#)
- [World Health Organization](#)

Additionally, combining THC with other substances (alcohol), especially sedatives (opioids or benzodiazepines), can also increase the effects of THC, thus increasing an individual's level of impairment.



Cannabis is therefore NOT legally considered a prescription.



A medical authorization will NOT allow a positive drug test for THC to be overturned by the Medical Review Officer ([DOT, 2019](#)).



Employees may have medical authorization from a doctor for cannabis; however, they must still be in compliance with your drug and alcohol policy and arrive to work fit for duty.



- Employers must learn what the legal requirements are, and how to comply with them wherever their business operates:
 - As an employer, you want to ensure your employees are still fit for duty and in compliance with your drug and alcohol policy.
- Many aspects of cannabis law fall under provincial/territorial jurisdiction, thus specific laws differ across Canada.

HOW TO MITIGATE THE RISKS



Policies

- Ensure your employees are 100% clear on the goals and desired outcomes of your drug and alcohol policy and Fit for Duty Program: do they understand the standards to which they are being held, and do they understand what will happen if they test positive for cannabis, other drugs or alcohol?
- **How we can help:** CannAmm offers a Policy Starter Tool Kit, which offers a series of questions, and a template, designed to get your drug and alcohol policy ready for legal review.

Training

- Ensure everyone in your workplace is on the same page when it comes to health and safety programs.
- There are cannabis-specific training courses available for employers, employees, supervisors and managers, so everyone can understand the signs and symptoms, and how impairment can affect your workplace.
- **How we can help:** CannAmm offers a variety of expertly-developed in-person and online training for employers and employees:
 - Cannabis Workplace Safety Training for Employers
 - Cannabis Workplace Safety Training for Employees
 - Supervisor Drug and Alcohol Awareness Training (DOT)
 - Supervisor Drug and Alcohol Awareness Training (Non-DOT)
 - Employee Drug and Alcohol Awareness Training



Continued Education and Training

Continuing your training is useful in:

- Keeping your employees in the loop on D&A policy updates
- Keeping up to date with industry developments
- Keeping up to date with legal developments
- **How we can help:** In addition to our online training, we also offer general online safety courses; or, you can contact us at learning@cannamm.com

Drug and Alcohol Testing:

- Pre-access (prior to entry into a safety sensitive project/site or rotation to a safety sensitive role)
- Randomly
- Pre-employment (with a negative test being a condition of employment)
- With Reasonable Cause
- Post-Incident
- Drug testing will detect not only the presence of cannabis, but also cocaine, opioids, phencyclidine or amphetamines, and can be performed in conjunction with a breath alcohol test.

**These tests are not meant to detect impairment, but rather to flag a safety risk to your other employees, and your working environment.*

