

July 2017, Vol. 13 Issue 7

## CCOHS WHITE PAPER ON CANNABIS

The Canadian Centre for Occupational Health and Safety released a white paper last month titled: *Workplace Strategies: Risk of Impairment from Cannabis*. The CCOHS white paper is available to download for free at:

[www.ccohs.ca/products/publications/cannabis/](http://www.ccohs.ca/products/publications/cannabis/)

The paper is a good resource for employers concerned about the pending decriminalization of cannabis and the potential increase in recreational use by workers. The paper also provides some excellent guidance and resources for employers concerned about impairment in the workplace from other sources, be it prescribed medications (including medicinal marijuana), alcohol, or illicit drugs, as well as information regarding accommodating workers.

## EMPLOYER'S LEGAL OBLIGATIONS

In Prince Edward Island there are no specific OH&S rules related to drugs and alcohol or impairment in the workplace. However, employers in PEI have a duty to take every reasonable precaution to protect the occupational health and safety of persons at or near the workplace. As part of this duty, employers should consider whether a worker's impairment could be a potential workplace hazard to themselves, to other workers or to the public. Employers must also recognize the duty to accommodate workers who have medical conditions or disabilities, which could include addiction or using cannabis for medical purposes.

## WORKPLACE POLICIES

Rather than focus specifically on use of cannabis by workers, employers are encouraged to develop workplace policies related to impairment from any source. A best practice tip is to develop the policy through consultations between labour and management, which can include consultations with the Joint Occupational Health and Safety Committee if one exists in your workplace. The CCOHS white paper contains a sample policy in Appendix A.

## RECOGNIZING IMPAIRMENT

The CCOHS white paper also provides a table (Table 1) which may provide some guidance for employers, managers and supervisors in recognizing impairment. The CCOHS white paper recommends training for supervisors in being able to identify impairment in workers, as well as recommending fair and equal enforcement of workplace policies and procedures. An important note is provided which indicates that it is not the role of the supervisor or employer to diagnose a possible substance use or dependency problem, but to identify if an employee is impaired, and to take appropriate steps as per the workplace policy.

## RESOURCES

For more information, employers may find the following resources helpful:

---

*Problematic Substance Use that Impacts the Workplace - A Step-by-Step Guide & Toolkit to Addressing it in Your Business/Organization*

**Atlantic Canada Council on Addictions (ACCA)**

[www.healthpei.ca/index.php3?number=publications&dept=&id=1823](http://www.healthpei.ca/index.php3?number=publications&dept=&id=1823)

---

*Substance Abuse in the Workplace Fact-sheet*

**Canadian Centre for Occupational Health and Safety (CCOHS)**

[www.ccohs.ca/oshanswers/psychosocial/substance.html](http://www.ccohs.ca/oshanswers/psychosocial/substance.html)

---

*Workplace Rights: A Guide to the PEI Human Rights Act for Employers & Employees*

**PEI Human Rights Commission**

[www.gov.pe.ca/humanrights/index.php3?number=1037797&lang=E](http://www.gov.pe.ca/humanrights/index.php3?number=1037797&lang=E)

---

Additional resources on this topic can be found at pages 27, 28, and 29 of the CCOHS white paper.