

Canna-business

Cannabis considerations for your workplace

November 2018

Agenda

- Pot law 101
- Employer rights & obligations
- Accommodation
- Travel, testing, insurance
- Cannabis policies

Pot Law 101

Federal: Bill C-45

STATUTES OF CANADA 2018

CHAPTER 16

An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts

ASSENTED TO

JUNE 21, 2018

BILL C-45

Pot Law 101

Federal: Bill C-45

Rules:

- Minimum age of 18
- Possession up to 30 grams in public/ 5 grams for young persons
- Sharing up to 30 grams
- Grow up to 4 plants at home
- No budding/flowering plants in public
- No possession by organizations

Pot Law 101

Federal: Bill C-45

Promotion:

- Restricted to informational/brand-preference
- Restrictions on how cannabis is depicted
- Sponsorship restrictions

Pot Law 101

Provincial: Ontario

- Minimum age of 19
- Possession/sharing up to 30 grams
- Recreational **consumption** allowed except in enclosed public place, enclosed workplace, vehicles/boats
- Recreational **possession** allowed except restrictions re vehicles/boats
- **Medical consumption** allowed except lighted in enclosed public place/ enclosed workplace
- Purchase online only through OCS until 2019

Workplace Rules: Ontario

Legal to:

- Consume in non-enclosed workplace (medical and recreational)
- Consume medical cannabis in enclosed workplace except when smoked/lighted
- Possess

Employer rights

- Prohibiting use/possession of recreational marijuana at work
- Prohibiting impairment at work
- Requesting medical documentation

Employer Obligations

- Accommodation
- Workplace safety
- Compliance with regulations

Accommodation

- Duty to accommodate up to point of undue hardship
- Two disabilities: (1) underlying medical condition; (2) dependence
- Ways to accommodate:
 - Designated consumption areas?
 - Adjust responsibilities?
 - Leave of absence?
 - Alternative forms of consumption?

Other issues

- Benefits
- Travel
- Testing

Creating a cannabis policy

- ✓ Medical use
- ✓ Recreational use
- ✓ Impairment
- ✓ Possession/sharing
- ✓ Addiction disclosure
- ✓ Location of use
- ✓ Form of consumption
- ✓ Travel obligations
- ✓ Scent
- ✓ Disciplinary consequences for impairment at work
- ✓ Accommodation

Thank you

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