

EFMA Zone Meeting Impairment in the Workplace

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Session Layout

- ▶ Impairment - what's changed
- ▶ What can we expect post Cannabis Legalization
- ▶ What does this mean in a work environment
- ▶ What do we do if we think someone is impaired
- ▶ Medical accommodations
- ▶ THC and CBD
- ▶ Moving forward

Impairment - what's changed

In a word - Nothing!

- ▶ WorkSafeBC requires Employees to be fit to work and to report to the supervisor if they or someone they work with are or may be impaired.
- ▶ Surrey Schools Regulation 5206.1 updated with changes to increase responsibilities regarding impairment for Managers, Supervisors and Workers.

Surrey Schools H&S Policy Updates

Every Manager has the responsibility to:

- ▶ Not assign employees to activities where a reported or observed impairment may create an undue risk to the employee or anyone else.
- ▶ Not knowingly permit a person to remain at any workplace while the person's ability to work is affected by alcohol, a drug or other substance so as to endanger the person or anyone else.
- ▶ Work with employees who report potential sources of impairment to ensure that the reported or observed impairment is effectively managed.

Surrey Schools H&S Policy Updates

Every Supervisor is responsible to:

- ▶ Correct and report unsafe work practices, including impairment or potential impairment.

Surrey Schools H&S Policy Updates

General Duties of Employees:

- ▶ Not enter or remain at any workplace while their ability to work is affected by alcohol, a drug or other substance so as to endanger the person or anyone else.
- ▶ Disclose potential effects of prescription and non-prescription drugs, and fatigue as potential sources of impairment which may affect their ability to safely perform their duties.

What can we expect post Cannabis Legalization

- ▶ No consumption of cannabis on school property or within a prescribed distance.
- ▶ Just as we don't permit consumption of alcohol on breaks or prior to work, same will be the case for recreational cannabis consumption.
- ▶ **Any** medication that may cause impairment should be disclosed to Employer.

What do we do if we think someone is impaired

Indications a person may be impaired: acting in an unusual way, disoriented, slurred speech, smell of cannabis or alcohol, drowsiness etc.

1. Ensure they are not a risk to themselves or others - pull from active duty
2. Ask them if everything is ok/are they feeling alright?
3. Call HR. HR will investigate to determine:
 - ▶ Culpable - employee had control over their actions - discipline
 - ▶ Non-culpable - unintentional or medical condition - monitoring
4. Arrange safe ride home
 - ▶ Ongoing support and supervision e.g. non-disciplinary reassignment when appropriate, EFAP support, accommodation etc.

What about Medical Cannabis?

- ▶ Employees with medical prescriptions that may cause them to be impaired must disclose to the employer
- ▶ Determination will be made if potential impairment can be safely accommodated in current role
- ▶ If safety sensitive position -> accommodation will be explored

What is a Safety-sensitive job?

- ▶ A job “in which incapacity due to drug or alcohol impairment could result in direct and significant risk of injury to the employee, others or the environment. Whether a job can be categorized as safety-sensitive must be considered within the context of the industry, the particular workplace, and an employee’s direct involvement in a high-risk operation. Any definition must take into account the role of properly trained supervisors and the checks and balances present in the workplace.”

Canadian Human Rights Commission

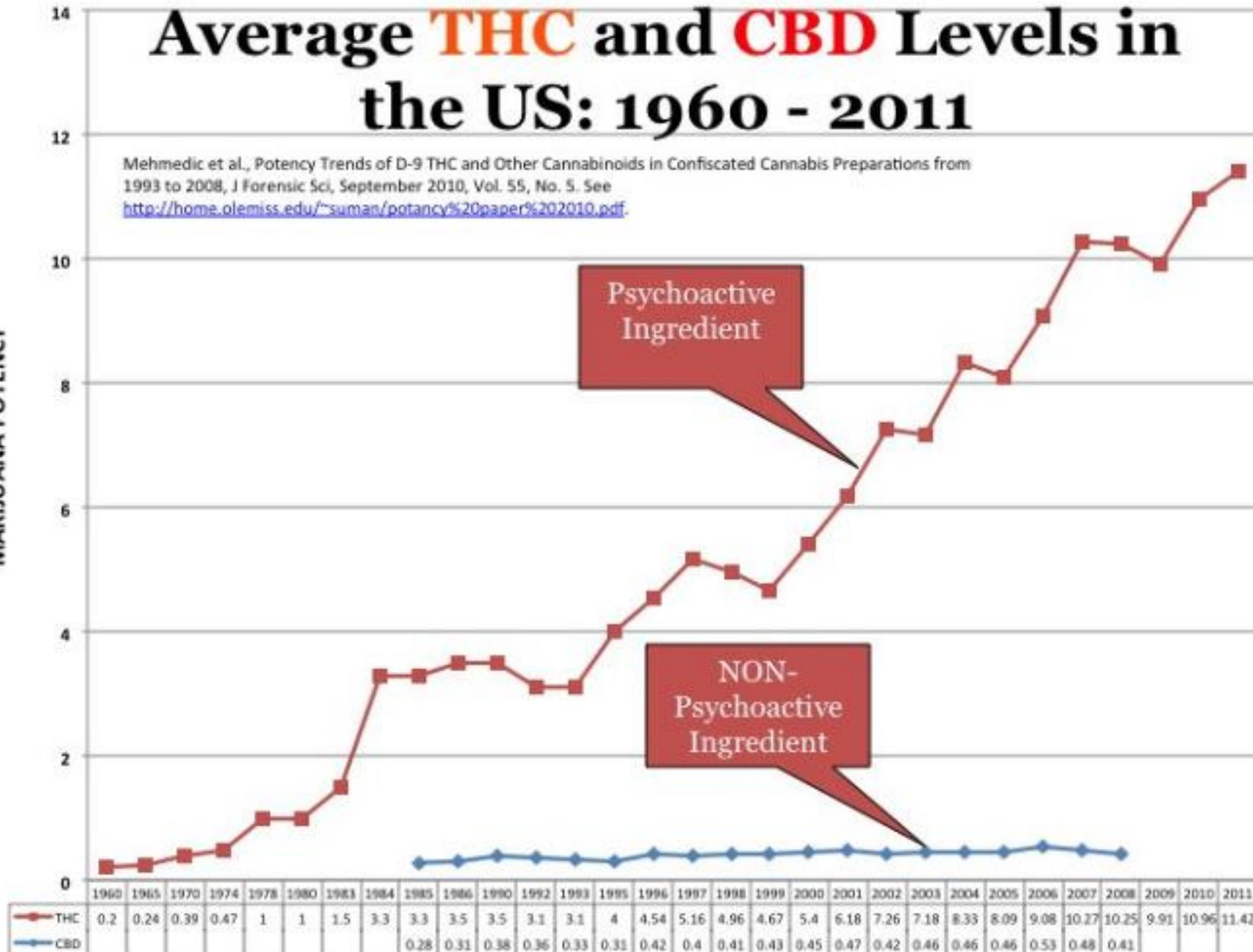
But It's just CBD (cannabidiol)!

- ▶ THC is the psychoactive compound in cannabis
- ▶ Potency in the 60's <1% THC, 90's 3% now up to 30% - CBD stable <1%
- ▶ CBD counteracts *SOME* of the impairing effects of THC but not all
- ▶ Unless CBD is synthetically produced or purified, it will **ALWAYS** contain THC
- ▶ Studies suggest CBD does not counter THC motor impairment
- ▶ Even if pure CBD, onus on employee to demonstrate non-impairment (Occupational Medical Opinion)
- ▶ **For ANY medication that has the potential to cause impairment, especially in safety-sensitive positions, there is a need to explore safer alternatives**

Average **THC** and **CBD** Levels in the US: 1960 - 2011

Mehmedic et al., Potency Trends of D-9 THC and Other Cannabinoids in Confiscated Cannabis Preparations from 1993 to 2008, J Forensic Sci, September 2010, Vol. 55, No. 5. See <http://home.olemiss.edu/~suman/potancy%20paper%202010.pdf>.

MARIJUANA POTENCY



Signs and Symptoms of Cannabis impairment

- ▶ Signs and Symptoms of Use: Bloodshot eyes, Giggling, especially in early stages of use , Increased appetite, also known as the “munchies”, “Bomb” burns on clothes - small multiple burn marks caused by falling bits of burning cannabis resin or ash, Paraphernalia associated with making cannabis joints including: Torn off pieces of cardboard from cigarette boxes, filter paper packets or other cardboard items used to make a “roach” - a type of filter, Bits of loose cigarette tobacco around the home, Unstained loose cigarette filters - discarded when the tobacco from the manufactured cigarette is used to make a joint.

Cannabis

Other forms cannabis use:

- ▶ Dabbing: TCH extracted into oil which is then evaporated into sticky goo or wax and put into vaporizer.
- ▶ Shatter: Dabbing that has been further refined.
- ▶ Concentrated hit means physical and mental effects are intensified.
 - ▶ Users have reported that this form can create psychotic breaks and hallucinations.
- ▶ Mooking: when marijuana and tobacco have been put together in a cigarette.
- ▶ Vaping: marijuana can be placed in a vape and smoked (leaves).
- ▶ Edibles: marijuana or hash oil that has been mixed with food or beverages.
 - ▶ Can take up to 30-120 minutes to digest. Thus most common way to overdose.

Cannabis

Effects

Rapid heart beat

Disorientation

Lack of physical coordination

Susceptibility to bronchitis

Brain abnormalities (those who have experience psychosis)

Changes structure of sperm

Disrupts woman's menstrual cycle

Affects memory

Cannabis

- ▶ Ontario Medical Association Report (2018) states that cannabis is addictive and 1 in 11 cannabis users will become dependant.
- ▶ Currently composes the highest percentage of patients in dependency treatment facilities.
- ▶ Marijuana does effect brain development - studies have linked early use can lead drug induced to psychosis and schizophrenia.
- ▶ Harms respiratory tract and increases chances of respiratory disease.

LEGALIZING AND STRICTLY REGULATING CANNABIS

The proposed Cannabis Act sets out a system for legalizing, strictly regulating and restricting access to cannabis

FEDERAL RESTRICTIONS TO PROTECT YOUTH

MINIMUM AGE OF 18 TO PURCHASE	PUBLIC EDUCATION AND AWARENESS CAMPAIGN	REQUIRING CHILDPROOF PACKAGING AND WARNING LABELS
PROHIBITIONS <ul style="list-style-type: none"> Products appealing to youth Packaging or labelling cannabis in a manner that makes it appealing to youth Selling cannabis through a self-service display or vending machine Promoting cannabis, except in narrow circumstances where the promotion could not be seen by a young person Penalties: Up to \$5 million fine or 3 years in jail 		TWO NEW OFFENCES <ul style="list-style-type: none"> Giving or selling to youth Using a youth to commit a cannabis-related offence Penalties: Up to 14 years in jail

I'M AN ADULT. WHAT WILL I BE ALLOWED TO DO UNDER THE NEW SYSTEM?

✓ [ALLOWED]	✗ [PROHIBITED]
POSSESSION UP TO THE LIMIT <ul style="list-style-type: none"> Up to 30 grams in public of licit dried cannabis and equivalent in non-dried Sharing up to 30 grams among adults 	DRIVING WHILE IMPAIRED BY A DRUG (INCLUDING CANNABIS)
PURCHASE AND CONSUMPTION <ul style="list-style-type: none"> From a licensed retailer Minimum age of 18 (or higher if set by province/territory) Up to possession limit (30 grams) Initially available: dried and fresh cannabis, cannabis oil Other products (e.g. edibles) available later 	DRIVING WITHIN TWO HOURS OF HAVING AN ILLEGAL LEVEL OF DRUGS IN BLOOD (NEW)* <ul style="list-style-type: none"> Penalties can range from \$1,000 to life imprisonment depending on the level of drugs in blood and whether someone was hurt or killed
HOME CULTIVATION <ul style="list-style-type: none"> Up to 4 plants per residence From legal seeds/seedlings Local oversight (e.g. registration or permit) Make cannabis-containing products at home, such as food and drink No use of dangerous organic solvents 	ILLEGAL DISTRIBUTION OR SALE <ul style="list-style-type: none"> Tickets for small amounts Up to 14 years in jail
MEDICAL <ul style="list-style-type: none"> Access to cannabis for medical purposes will be maintained Authorization of health care professional Home or designated production Direct order from licensed producer with secure delivery through mail or by courier 	POSSESSION OVER THE LIMIT <ul style="list-style-type: none"> Tickets for small amounts Up to 5 years less a day in jail
	GIVING OR SELLING TO YOUTH (NEW) <ul style="list-style-type: none"> Up to 14 years in jail
	USING A YOUTH TO COMMIT A CANNABIS-RELATED OFFENCE (NEW) <ul style="list-style-type: none"> Up to 14 years in jail
	TAKING CANNABIS ACROSS INTERNATIONAL BORDERS <ul style="list-style-type: none"> Up to 14 years in jail
	PRODUCTION OF CANNABIS BEYOND HOME CULTIVATION LIMITS OR WITH DANGEROUS ORGANIC SOLVENTS <ul style="list-style-type: none"> Tickets for small amounts Up to 14 years in jail
	<small>* In proposed regulated driving legislation.</small>

This document reflects the provisions of the Cannabis Act as reported to the House of Commons by the Standing Committee on Health on October 5, 2017.

Leafly A Visual Guide to Cannabis Quantities

one gram

one eighth ounce

quarter ounce

half ounce

one gram

half gram

one ounce

1 oz = 28.35 g
 1/2 oz = 14g
 1/4 oz = 7g
 1/8 oz = 3.5g
 1g = 1,000 mg

Note: Size dependent on flower density.

Medical Use

2016 - Health Canada symptoms and conditions cannabis is most often prescribed:

- ▶ Severe refractory nausea and vomiting associated with cancer chemotherapy
- ▶ Loss of appetite and body weight in cancer patients and patients with HIV/AIDS
- ▶ Pain and muscle spasms associated with multiple sclerosis
- ▶ Chronic non-cancer pain (mainly neuropathic)
- ▶ Severe refractory cancer-associated pain
- ▶ Insomnia and depressed mood associated with chronic diseases (HIV/AIDS, chronic non-cancer pain)
- ▶ Symptoms encountered in the palliative/end of life care setting

Buffer Zones

- ▶ Local governments use buffer zones to ensure that cannabis-related businesses (and possibly consumption) occur outside a reasonable zone around vulnerable populations (e.g., school children). Local governments are given the authority to decrease the distance to as little as 100 feet, except around schools and playgrounds, where a 1,000-foot zone must be maintained.

Workplace Cannabis Use

According to the BC Employment Standards Act:

- ▶ The cognitive skill needed to operate equipment safely may be impaired by cannabis use. The degree of impairment will depend on many factors (e.g., potency, timing and frequency of use, and size of the dose).
- ▶ There is currently no scientifically standardised test for impairment of cannabis use, any assessment of impairment is by definition subjective.

Moving Forward... What Surrey Did

District initiative to remind all staff:

- ▶ Expectation to be fit for work regardless of new recreational cannabis laws
- ▶ No consumption, possession, smoking of cannabis on school property or within a prescribed distance (to be defined) by **anyone.**
- ▶ Potential or unintentional impairment must be disclosed
- ▶ Failure to comply may lead to discipline up to and including dismissal
- ▶ Impaired persons can not remain at work - arrange for safe way home.
- ▶ Consult HR and document observations and interventions