

# Cannabis and the Workplace

The legalization of recreational cannabis use in Canada will take effect in October 2018. As part of cannabis legalization, provincial governments are responsible for ensuring workplace safety.

At this time, 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. The Occupational Health and Safety Regulation states:

## ***Impairment by alcohol, drug or other substance***

- (1) *A person must not enter or 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.*
- (2) *The employer must 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.*
- (3) *A person must not remain at a workplace if the person's behaviour is affected by alcohol, a drug or other substance so as to create an undue risk to workers, except where such a workplace has as one of its purposes the treatment or confinement of such persons.*

WorkSafeBC understands the importance of this issue for many employers and has been reaching out to industry in 2018 with educational materials about workplace impairment and existing regulations.

To that end, WorkSafeBC is currently considering what tools its Prevention Officers need to promote compliance with those regulations. WorkSafeBC is also working with the provincial government's Cannabis Legalization and Regulation Secretariat, which is coordinating the provincial response to cannabis legalization from a broad variety of public-sector stakeholders.

WorkSafeBC is also consulting with other jurisdictions and provincial regulators across the country and will review any new national frameworks that may require the *Workers Compensation Act* or Occupational Health and Safety Regulation to be amended.

## **Key Facts**

- Many resources are available for employers, including:
  - [Workplace impairment: A primer on preparing for cannabis legalization](#), WorkSafeBC, May 2018.
  - [Workplace Strategies: Risk of Impairment from Cannabis](#), Canadian Centre for Occupational Health and Safety, June 2017.
  - [Construction Industry of British Columbia Substance Abuse Testing & Treatment Program Policy](#), developed jointly by Construction Labour Relations Association of BC and the Bargaining Council of BC Building Trades Unions.
- WorkSafeBC does not mandate testing for cannabis or other drugs in the workplace. Testing may be a feature of an employer's impairment-management strategy.

**For more information**  
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