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The [recreational use of cannabis](#) is legal in 9 U.S. states

([Alaska](#), [California](#), [Colorado](#), [Maine](#), [Massachusetts](#), [Nevada](#), [Oregon](#), [Vermont](#), and [Washington](#), and the [District of Columbia](#)), so these issues aren't limited to Canada.,



Cannabis legalization: Is your mill ready?

October 11, 2018

By WSPS

Oct. 11, 2018 – Cannabis is set to be legalized for recreational use as of Oct. 17, 2018. For many employers still struggling with how to accommodate employees who have been prescribed cannabis for medicinal purposes, this will create new challenges and questions. How do you define impairment and fitness for work? What types of tasks are safety sensitive?

"If you're an employer, it's reasonable to be worried," said Dan Demers, senior manager, strategic business development for CannAmm Occupational Testing Services. "There are a lot of unknowns and a lot at stake."

Five things you need to know

1. Cannabis is much more potent than it was even a decade ago and there's no consensus on a clear, safe limit. This makes it hard to measure and compare, which means there is no consistent standard.
2. Cannabis and alcohol affect the body differently and require separate approaches.
3. What people do on their own time matters. Cannabis affects critical cognitive functions in various ways and these impacts may linger for a significant period after use.
4. It's easy to create a policy on your own. The difficulty lies in creating a policy that can withstand a legal challenge – and without a strong policy, your company may be vulnerable.
5. The larger your workforce, the more likely that substance use will impact your workplace.

What to do

- Act sooner rather than later and implement a policy before recreational use becomes legal.
- Balance a strong position on safety with a full commitment to accommodating medical conditions.
- Draft a comprehensive, legally defensible policy that addresses medical cannabis and recreational cannabis use, as well as all other required content in a fitness-for-duty program.

Mindful of the need for action, the CEO Health + Safety Leadership Network recently held a panel discussion about the steps and strategies leaders should take to mitigate risk in their organizations. Established through the efforts of WSPS in 2014, the CEO Health + Safety Leadership Network is a distinguished group of leaders who share a



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commitment to building sustainable businesses and communities in order to optimize organizational health and safety performance.

Here is a sampling of insights from the discussion, captured in "Marijuana in the Workplace: Conversations About the Impact on Employers and Employees," a white paper published by WSPS. You can download a free copy here. Participants agreed that understanding all of the nuances of this issue will take time and experience.

What employers need to know

- Prior to legalization, cannabis is the most prevalently used illicit drug in Canada.
- Consuming recreational cannabis at work is and will remain illegal.
- Cannabis use, particularly THC products (the principal psychoactive constituent), can cause residual impairment for 24 to 48 hours.
- The legislation may affect the entire organization, not just safety-sensitive positions.

Basic principles when dealing with cannabis in the workplace

- Safety should always come first.
- Protecting employees' rights is important, but employers have rights, too.

How to move your organization forward

- Review highlights of the federal cannabis legislation and your province's new workplace rules.
- Update your hazard assessments to include the potential for impairment.
- Create a policy and program on the use of any substance that can cause impairment. Write the policy in a way that leaves room for dialogue. Include definitions of key terms, such as "impairment" and "fitness to work".
- Consider the entire organization's needs, not just safety-sensitive positions.
- Consult with stakeholders and experts.
- Follow what leading organizations are doing, such as the Toronto Transit Commission (TTC). In the white paper, you'll find an interview with Megan MacRae, the TTC's executive director, human resources, on the organization's drug and alcohol testing program.

Your workplace will benefit by:

- Mitigating risk and avoiding policy missteps
- Building organizational trust
- Promoting open and honest communication
- Improving employee engagement
- Demonstrating commitment to employee health and well-being

As the pulp and paper industry continues to focus on critical priorities such as production, optimization and cost, new challenges such as the legalization of recreational cannabis provide an opportunity to create competitive advantages by revisiting the organization's culture. Impairment, whether due to drugs (prescribed or illicit), alcohol or fatigue serves as a reminder to revisit or build appropriate policies.



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How WSPS can help

- Download WSPS's white paper, Marijuana in the Workplace: Conversations About the Impact on Employers and Employees. wspcs.ca
- Host a one hour on-site information session with Larry Masotti, our WSPS subject matter expert - call 1 877-494-WSPS (9777) or email customercare@wspcs.ca to book.
- Sign up for our online e-course: Impairment and Cannabis in the Workplace (90 minutes)

[Workplace Safety & Prevention Services \(WSPS\)](#) is the largest health & safety association in Ontario. A leader in providing impactful risk management solutions, WSPS offers unparalleled health and safety expertise, insight and solutions.

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