



## **CANNABIS & SUBSTANCE USE POLICY**

Story Institute

PTIB# 4423

DLI#O266418531812

Effective Date: Jan 6, 2018

Revision Date: Oct 15, 2019

### **Responsible**

Senior Educational Administrator, senior staff and Instructors

### **Policy**

To ensure that all employees are fully capable of executing their responsibilities on shift without impairment:

1. Employees are not permitted to consume non-medicinal cannabis or any cannabis containing THC within 8 hours of arriving for their work shift, in the same way that they are not permitted to consume alcohol or any other non-prescribed, mind-altering drug. (See “Duty to Accommodate” below for limited exceptions in the case of medically prescribed CBD products.)
2. When on shift and/or in the presence of students, employees, students, instructors, and all guests working with the school cannot be under the influence of cannabis or demonstrate levels of impairment where the senior staff feel it affects the safety or the professional conduct of the people under the influence.
3. When on shift or in class, and/or in the presence of students, employees, students, instructors, and all guests working with the school cannot carry the smell of marijuana or alcohol on their person, or display cannabis or cannabis-related products (such as pipes, bongs, papers, grinders, etc.)
4. Employees cannot consume non-medicinal cannabis or cannabis containing THC on any space operated by Story Institute even if no students are present.
5. Anyone who believes someone is under the influence of cannabis, alcohol, or other substances that may impair their behaviours, must report to the supervisor any staff that is on premise who may be under the influence of cannabis containing THC.

### **Frequently Asked Questions**



## **DOES LEGALIZATION OF MARIJUANA MEAN EMPLOYEES CAN BE IMPAIRED AT WORK?**

No. Employers will have the right to set rules for non-medical use of marijuana in the workplace in much the same way that employers currently set rules for use of alcohol. In particular, employers may prohibit the use of marijuana at work or during working hours and may also prohibit employees from attending work while impaired. Workplace rules regarding non-medical use of marijuana may be enforced through the application of the employer's progressive discipline policy.

## **DOES THE DUTY TO ACCOMMODATE EXTEND TO MEDICAL MARIJUANA?**

Yes. The duty to accommodate, as required by provincial and federal human rights legislation, extends to disabled employees who use medical marijuana. These employees are to be accommodated in the same way as an employer accommodates any other disabled employee who has been prescribed medication. Accommodation is also required for employees who may have an addiction disability. However, the duty to accommodate is not without limits.

## **HOW FAR DOES THE DUTY TO ACCOMMODATE EMPLOYEES USING MEDICAL MARIJUANA EXTEND?**

Human rights legislation requires that a disabled employee be accommodated. What, precisely, does this mean in the context of medical marijuana?

- A prescription for medical marijuana does not entitle an employee to be impaired at work;
- A prescription for medical marijuana does not entitle an employee to compromise his or her safety, or the safety of others;
- A prescription for medical marijuana does not entitle an employee to smoke in the workplace;
- A prescription for medical marijuana does not entitle an employee to unexcused absences or late arrivals;
- The employer is, however, required to attempt to find suitable workplace accommodation for disabled employees who have a prescription for medical marijuana use, just as would be required for any other disabled employee with a medical drug prescription.

## **Do employees using medical marijuana have to disclose this information to their employer?**

While it is not a legal requirement, employees should notify their employer if they are using medical marijuana or prescription drugs that could cause impairment if they are in a safety-sensitive position. Ideally, this information will be disclosed upon hiring or upon being prescribed medical marijuana.