



Many of you have asked if the Branch has a position statement on cannabis in the aquatic workplace. We have researched this matter and decided not to create a position statement but instead to share a comprehensive white paper on the topic provided by a top employment lawyer, Brad N. Cocke of Harris and Company LLP. This paper covers all the issues in a comprehensive way and is an excellent reference for managers, HR, unions, and employees alike. The paper concludes with the following 7 recommended actions for your workplace which we hope you have already or will discuss internally:

- Review and update your policies to reflect legal recreational use. Focus on impairment rather than legality or a particular substance (a policy restricting “illicit drug use” may no longer restrict cannabis);
- Train employees on your drug and alcohol policy. Educate them on the effects of use both on them and their coworkers;
- Safety first! Remind employees of their obligation to attend work fit for duty and of the employer’s obligations to ensure the workplace is safe;
- Train employees to recognize impairment and to identify and gather evidence on cannabis use;
- Communicate to your employees that legalization is not a license to show up to work impaired;
- Where an issue arises with respect to an employee using cannabis in the workplace, or attending work after using cannabis, gather all of the evidence before deciding whether a disciplinary approach (recreational) or accommodation (medical or pursuant to a substance use disorder) approach is required;
- Anticipate requests for benefits coverage. Consult with your benefits carrier regarding coverage for medicinal cannabis.

Anyone interested in further advice or perspective on this matter should contact Brad directly at [bcocke@harrisco.com](mailto:bcocke@harrisco.com) or call him at 778-328-2542.

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