

Policy 434: Legalization and Regulation of Cannabis/Marijuana

Effective Date: July 7, 2018

Revision Date:

Policy Statement

*Marijuana legalization policy across Canada is a top-down federal initiative driven largely by changing public attitudes and conditioned by the current realities of widespread use of marijuana often purchased through illicit means. The 2018 Legalization and Regulation of Cannabis in Canada (Bill C45 – Amendments to the Controlled Drugs and Substances Act) determines that adults 18 years of age or older may participate in recreational or medicinal use of Cannabis/Marijuana. The legislation includes **strict guidelines around selling to minors** and driving while impaired.*

Recreational marijuana at work will be treated like any other controlled substance (such as alcohol). Peigan Board of Education is responsible for the safety of all students and employees within our organization and we have the right to enforce a zero-tolerance policy against intoxication or impairment in the workplace. Medical Marijuana use at work or at school will be treated differently as employers are bound by duty to accommodate the Human Rights Code. By law, this means patients with medical marijuana prescriptions must be accommodated just like any other medical need or disability.

*Controlled substances and/or illicit drugs, including recreational cannabis/marijuana and/or alcohol, are **prohibited** from PBOE Education Campus (including all schools, board office, academy, Mii Kyaa Pii Center, and outbuildings) ensuring that our children, youth, parents, and staff are in a safe and caring education environment.*

As an education organization, Peigan Board of Education has four areas of focus:

- *Prevention and Discipline: Keeping cannabis/marijuana out of the hands of children and youth (See Policy 620)*
- *Workplace Safety: Safety on roads, in workplaces and in public spaces*
- *Human Rights: Protecting health by protecting rights*
- *Legislation: Laws for use of cannabis/marijuana*

Regulations – Workplace Safety (Staff)

1. PBOE prohibits the use of cannabis/marijuana at work or during working hours (including work hours away from office such as retreat, strategic planning, powwow, etc.).
2. PBOE prohibits employees from attending work while impaired/under the influence of cannabis/marijuana.
3. Workplace rules regarding non-medical use of marijuana will be enforced through the application of PBOE progressive discipline policy.
4. PBOE will follow the PBOE Discipline Policy (see Policy 428) which may result in termination in cases where an employee possesses or consumes drugs/alcohol at work.
5. Employees are responsible for **not** attending school or school functions while in possession of or while under the influence of any intoxicating, banned or controlled substances such as cannabis/marijuana.

Regulations – Human Rights (Employees)

6. A physician must indicate that this course is the best course of action to meet the employee's needs and indicate whether the employee is fit for duty. PBOE has the right to request for an independent physician to make a determination of fit for duty.
7. Medicinal marijuana use is described and will be ascribed as per the Government of Canada Controlled Drugs and Substances Act (as partially outlined below).
8. Employees using prescribed medicinal cannabis/marijuana may be required to change their duties and responsibilities to accommodate their medical condition.
9. A prescription for medical marijuana does not entitle an employee to be impaired at work.
10. A prescription for medical marijuana does not entitle an employee to compromise his or her safety, or the safety of others.
11. A prescription for medical marijuana does not entitle an employee to smoke in the workplace. In all cases, smokeable forms of marijuana are prohibited on PBOE grounds.
12. A prescription for medical marijuana does not entitle an employee to unexcused absences or late arrivals.
13. 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.
14. Medical marijuana should not be stored on school grounds and must be removed by the employee after administering the drug.

Medical document

- **8 (1)** A medical document provided by a health care practitioner to a person who is under their professional treatment must indicate
 - (a) the practitioner's given name, surname, profession, business address and telephone number, the province in which they are authorized to practise their profession and the number assigned by the province to that authorization and, if applicable, their facsimile number and email address;
 - (b) the person's given name, surname and date of birth;
 - (c) the address of the location at which the person consulted with the practitioner;
 - (d) the daily quantity of dried marihuana, expressed in grams, that the practitioner authorizes for the person; and
 - (e) the period of use.

Period of use

(2) The period of use referred to in paragraph (1)(e)

- (a) must be specified as a number of days, weeks or months, which must not exceed one year; and
- (b) begins on the day on which the medical document is signed by the practitioner.

Validity of medical document

(3) A medical document is valid for the period of use specified in it.

Attestation

(4) The medical document must be signed and dated by the practitioner providing it and must attest that the information in the document is correct and complete.

Reference to (<http://www.justice.gc.ca/eng/cj-jp/marijuana/law-loi.html>)

ALBERTA

Age: 18+

Where to buy: Privately-run storefronts plus government-operated online sales.

Grow your own: Up to four plants. Outdoor growing will be banned.

Where to smoke: Only where tobacco may be smoked.

Other notes:

No possession limits in private residences.

The new laws will allow **adults 18 and over** to possess up to 30 grams of dry or fresh cannabis, share up to 30 grams of dried cannabis with **other adults**, and buy dry cannabis or cannabis oil from a provincially regulated retailer.

<https://www.alberta.ca/assets/documents/cannabis-future-of-cannabis-alberta.pdf>