

2018-03

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By E-mail: One Page plus attachment

Cannabis Legalization Effective October 17, 2018

Further to *Legislative Update No. 2018-02*, dated June 28, 2018, we advised about the upcoming legislative changes to legalize and regulate recreational cannabis in Canada. Effective October 17, 2018, the federal [Cannabis Act](#) will permit Canadians to purchase, grow, and possess cannabis and related products for recreational purposes. The BC [Cannabis Control and Licensing Act](#) (CCLA) and [Cannabis Distribution Act](#) will regulate how cannabis may be sold, distributed, and consumed in British Columbia, once legalized. The legislation includes significant restrictions aimed at preventing access to cannabis by minors under age 19, **including** vicarious liability for boards of education and administrators for certain violations of the CCLA.

BCPSEA Impairing Substances Toolkit

The legalization of recreational cannabis in Canada has required all employers to consider how they manage, and communicate with employees about, impairing substances in the workplace. Recognizing that public school employers are unique employers, tasked with fostering a safe and effective learning environment for a vulnerable population, BCPSEA has developed the attached *Impairing Substances in the Workplace Toolkit*. The Toolkit is intended to support British Columbia public school employers to effectively manage impairing substances in the school workplace, including cannabis, through the following resources:

1. Guide for Managing Impairment in the Workplace
 - An overview of the laws public school employers need to know to manage impairing substances in the workplace, and develop and apply an impairing substances policy.
 - A checklist summarizing the steps needed to make sure any impairing substances policy the district chooses to implement is legally defensible.
 - Best practices on intervention for districts to consider when impairment is suspected.
2. Template: Impairing Substances Policy
 - A template policy to communicate expectations to employees about what is acceptable/not acceptable regarding impairing substances in the workplace. Any policy applicable to students is outside the scope of this Toolkit.

A copy of the Toolkit has been shared with the BC Teachers' Federation and support staff unions.

Questions

Please contact your BCPSEA liaison if you have any questions. We will keep districts updated on any further legislative developments.

Attachment: *Impairing Substances in the Workplace Toolkit*