

Recreational marijuana and the workplace:

Policies and best practices to comply with the law and protect your business

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This special report briefly outlines the difficulties employers face in dealing with legalized recreational marijuana, the legal context at the federal and provincial/territorial levels, and how employers can manage the many challenges and reduce the risks associated with employee marijuana use by using effective and compliance-focused policies and best practices.

When you've finished reading the report, the next step may be to look for more detailed information to develop or update your policies and practices on drug and alcohol use, code of conduct, fitness for work, accommodation of disabilities and progressive discipline. You can find comprehensive guidance on all of these issues in [The Human Resources Advisor™](#) and expert-prepared policies in [PolicyProPlus™](#) from First Reference. [Find out more at the back.](#)

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Find out about any postings related to smoking you have to display in your workplace in our [free compliance checklists for Alberta and Ontario](#). Others can try [The Human Resources Advisor](#) free to find the information, plus extensive additional details on the issues in this report.

You might also like these free resources:

[Getting Started with the 11 HR Policies Required By Law \(plus 20 more that are essential for due diligence\)](#)

[The 10 Most Common Employment Standards Mistakes \(and how employers can avoid these costly HR errors\)](#)

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A. The workplace issues with legalized recreational marijuana

The legalization of marijuana/cannabis for recreational purposes creates a substantial challenge for employers with regard to whether, how and to what extent they can tolerate marijuana possession and use in the workplace or at work-related events.

Employers must deal with these issues in a manner that takes into account an employer's overarching obligation to ensure the health and safety of its workers and the rights of employees under medical marijuana regulations, the upcoming recreational cannabis legislation and other laws.

When legalization comes into effect—scheduled for October 17, 2018—marijuana will no longer be listed as a controlled substance under the **Controlled Drug and Substances Act** and the consumption and incidental possession will no longer be a crime under Canada's **Criminal Code**. Many expect that the recreational use of marijuana to rise as a result and employers are already concerned about the related challenges.

1. Health and safety

According to the World Health Organization, marijuana use can have both short- and long-term effects on people who use it.

In the short term, cannabis use can impair cognitive functioning and motor coordination, which can interfere with driving and increase the risk for injuries in general. A minority of first-time users may experience anxiety and psychotic symptoms. Acute exposure may also lead to heart attack and stroke in some at-risk individuals.

Long-term cannabis use can result in cannabis abuse or dependence in regular users. Long-term use may also play a role in the development of a broad range of other health conditions, such as mental illness, respiratory diseases, cancer and cardiovascular disease. However, there is limited or inconclusive evidence in these areas. (Source: World Health Organization, The health and social effects of nonmedical cannabis use, 2016)

Effects of cannabis

Marijuana, like alcohol and other drugs, can impair a worker's judgment. Generally speaking, the effects include the following:

- Relaxation, euphoria and overall happiness
- Increased appetite
- Heightened senses
- Lack of concentration
- Deficits in attention span and memory
- Changes to perception, thought formation and expression
- Drowsiness
- Time distortion
- Impaired motor functioning, such as slowed reaction time

While the intoxicating effects of alcohol have been studied for decades, relatively little research has been done on measuring the effects of cannabis in proportion to dosage and a user's tolerance.

Research into cannabis impairment and workplace health and safety

One recent study by the National Academies of Sciences, Engineering, and Medicine in Washington, D.C., **The Health Effects of Cannabis and Cannabinoids**, examines the association between marijuana and injury or death. The researchers conclude that cannabis impairment increases the chances of a motor-vehicle accident, but they are less certain about whether it has a significant effect on overall workplace safety, saying:

“There is insufficient evidence to support or refute a statistical association between general, non-medical cannabis use and occupational accidents.”

According to OHS Canada Magazine:

“This lack of certainty could become troubling when one considers marijuana use by a worker in a safety-sensitive position ... including construction, operating motor vehicles, healthcare, operation of heavy equipment, law enforcement and any task requiring a high level of cognitive function.”

In any case, the legalization of recreational marijuana might not have a significant immediate impact on the current work health and safety situation. Like it or not, there is already a lot of illegal use of marijuana in many industries.

What the legalization of marijuana will do is normalize the use of cannabis and encourage people to be more open about it, because law enforcement will not penalize users anymore. But as with alcohol, it is simply not safe to perform certain work-related tasks or drive under the influence of marijuana.

General and specific OHS duties by jurisdiction

Canada has general duty provisions under Occupational Health and Safety legislation. The general duty provisions require every employer to ensure the health and safety of workers, as well as require every worker to protect his health and safety and that of other workers. These provisions affect all provincially regulated workplaces.

Three Canadian jurisdictions—British Columbia, Newfoundland and Labrador and Yukon—have specific provisions respecting impairment that apply to all workplaces covered by their respective occupational health and safety legislation. These provisions include responsibilities for employers to not knowingly permit a person to work while impaired, and responsibilities for workers to not enter or remain at a workplace while impaired and to disclose impairment.

Six jurisdictions—Saskatchewan, Manitoba, Ontario, Quebec, Northwest Territories and Nunavut—have specific provisions respecting impairment that apply to specific industries such as mining and oil and gas.

Four jurisdictions—New Brunswick, Prince Edward Island, Alberta and Nova Scotia—have no provisions specifically referring to impairment in the workplace.

2. Employer concerns about managing the legalization of cannabis

According to the Conference Board of Canada report, **Blazing the Trail: What the Legalization of Cannabis Means for Canadian Employers**, 52 percent of employers are concerned about how legalization of recreational cannabis will affect the workplace.

The biggest concerns are:

1. Workplace safety—especially in safety-sensitive roles
2. Impairment or intoxication
3. Increased use of cannabis—both inside and outside the workplace

4. Workplace drug testing for impairment
5. Accommodation needs and costs for addiction and prescribed use
6. Productivity, motivation, absenteeism, presenteeism and employee performance

The report finds the concerns justified given the uncertainties and lack of evidence when it comes to evaluating impairment from cannabis use. Compared to alcohol, the effects of THC on the human body are different and less predictable, and impairment due to cannabis use is more difficult to establish.

For example, a frequent cannabis user might have recently ingested the drug and have more than 5 nG/mL of THC in his or her bloodstream, but not be impaired. (Phillips and others; Hartman and Huestis; Marijuana in the Workplace, The Conference Board of Canada.)

3. Human rights

Marijuana use can already trigger an employer's duty to accommodate under human rights legislation, in respect of both individuals who are medically authorized to use medical marijuana and those who are using it for recreational use and suffering from marijuana addictions. Accommodation issues arising from marijuana use will not change with the legalization of marijuana. However, the concern is that addiction to recreational marijuana will rise because the use of marijuana will increase even with employees who have never tried it before.

Employers should take a proactive approach to dealing with this changing landscape. To this end, we have outlined some key elements to consider and action items to help manage the use of recreational marijuana in the workplace. This can include reviewing your workplace's policies on drugs and alcohol, workplace conduct and accommodation of disabilities.

B. The legal environment

First, let's understand the legal definition of marijuana and the legal framework established by federal, provincial and territorial governments in Canada for the use and possession of marijuana.

Marijuana or cannabis?

Cannabis is the common name for a hemp plant belonging to the genus *Cannabis*. "Cannabis" is the term preferred by Canada's federal government and the scientific sector. "Marijuana" is a common term used by the public and is most often used in reference to the dried flowers and leaves of the cannabis plant. Marijuana is a slang term and thus not scientifically precise. However, because "marijuana" is the commonly used term in HR and employment law, we will use the terms cannabis and marijuana interchangeably. When we discuss legislative provisions, the term cannabis will be used.

"Cannabis" commonly refers to the plant *Cannabis sativa* and contains chemical substances such as "cannabinoids." These cannabinoids are made and stored in the plant's trichomes (tiny, clear hairs that stick out from the flowers and leaves of the plant) and can affect how cell receptors in the human brain and body behave and communicate with each other.

The leaves and cannabinoids of cannabis plants contain almost 500 distinct compounds, the principal ones being delta-9-tetrahydrocannabinol (Δ 9-THC or THC), cannabidiol and cannabinol. Of these compounds, THC is responsible for many, if not most, of the euphoric and addictive effects of cannabis.

Cannabis is most often inhaled as smoke from a dried herbal product, but it can also be vapourized and made into a variety of products, including:

- Dried herbal material (i.e., "marijuana")
- Oil (e.g., "hash oil")
- Hash (i.e., compressed resin)
- Concentrates (e.g., "shatter")
- Foods and beverages containing extracts of cannabis (i.e., "edibles")

Cannabis can also be ingested in pill form or absorbed through the skin via creams, salves or skin patches.

The federal framework for the production, distribution, sale, possession and use of recreational marijuana

The federal **Cannabis Act** (Bill C-45) will legalize access to recreational cannabis in Canada when it comes into force on October 17, 2018, and will also control and regulate how cannabis is grown, distributed and sold.

Key highlights of the **Cannabis Act** include the following, effective October 17, 2018:

- Adults 18 and older will be able to legally buy and cultivate small amounts of marijuana for personal use (maximum four plants, with a maximum height of 100 cm)
- Adults 18 and older will be able to possess up to 30 grams of dried cannabis or its equivalent in public, share up to 30 grams of dried marijuana with other adults and buy cannabis or cannabis oil from a provincially regulated retailer
- Adults will also be permitted to make legal cannabis-containing products (food or drinks) at home
- Prohibition of some cannabis-related activities (e.g., sale of cannabis or cannabis accessories to a young person; using or involving a young person to commit certain cannabis-related offences)
- Provision of a framework in relation to permitted and prohibited promotion and sponsorship of cannabis and cannabis accessories
- Establishment of a statutory basis on which the designated minister can issue licences and permits for authorized cannabis-related activities
- Travellers entering Canada will still be subject to inspections for prohibited goods, including cannabis

The Act also amends the **Non-smokers' Health Act** to prohibit the smoking and vaping of cannabis in federally regulated places and conveyances.

Until the **Cannabis Act** comes into effect on October 17, 2018, existing laws remain in effect and cannabis possession, sale and use are still illegal.

Also, the regulations for medical cannabis will not change when cannabis is legalized. For a more detailed summary of the **Cannabis Act**, read the **Recreational Marijuana in the Workplace** commentary in [The Human Resources Advisor online](#), Ontario, Western or Atlantic editions from First Reference.

An Act to amend the Criminal Code (offences relating to conveyances)
(Bill C-46)

An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts, which also comes into force October 17, 2018, seeks to address drug-impaired driving by:

- Enacting new criminal offences for driving with a blood drug concentration that is equal to or higher than the permitted concentration
- Authorizing the Governor-in-Council to establish blood drug concentrations
- Authorizing peace officers who suspect a driver has a drug in their body to demand that the driver provide a sample of a bodily substance for analysis by drug screening equipment that is approved by the Attorney General of Canada
- Modernizing offences and procedures relating to conveyances
- Increasing certain maximum penalties and minimum fines

Specifically, the new offences vary with the level of drugs (or a combination of drugs and alcohol) in the blood. These levels will be established by regulation. However, the government has proposed the following levels for cannabis:

- **2 nanograms (ng) but less than 5 ng of THC** per millilitre (ml) of blood within two hours of driving: Having between 2ng and 5ng of THC would be an offence punishable on summary conviction with a maximum fine of \$1,000
- **5 ng or more of THC:** Having 5 ng or more of THC per ml of blood within two hours of driving would be a hybrid offence which could be prosecuted either by indictment in more serious cases or by summary conviction in less serious cases
- **Combined THC and alcohol:** Having a blood alcohol concentration of 50 milligrams (mg) of alcohol per 100 ml of blood, combined with a THC level greater than 2.5 ng per ml of blood within two hours of driving would also be a hybrid offence

Regulations supporting Bill C-45

The Cannabis Act Regulations to support the **Cannabis Act** were filed in the Canada Gazette, Part II, on July 11, 2018. In brief:

- The Cannabis Regulations will establish the rules and standards that will apply to the production, distribution, sale, importation and exportation of cannabis by federal licence holders.
- The Industrial Hemp Regulations sets out the requirements for cultivators of industrial hemp. As is currently the case, cultivators of industrial hemp must grow from the hemp varieties approved for commercial cultivation.

Information on the above regulations can be found [here](#). These regulations will come into force at the same time as the **Cannabis Act**, on October 17, 2018.

Federal officials have said that recreational marijuana license holders and other people with key positions within a cannabis company, like the master grower, will need to have a security clearance in order to operate.

When the **Cannabis Act** and its regulations come into force on October 17, 2018, cannabis will cease to be regulated under the **Controlled Drugs and Substances Act** (CDSA) and will instead be regulated under the **Cannabis Act**.

Provincial/territorial frameworks for recreational marijuana

While the decision to legalize cannabis was made by the federal government, provinces and territories have been given the task of developing regulations in certain areas such as impaired driving, age limit (provinces and territories can choose to go higher than 18 years of age), public health, education, taxation, home cultivation (growing plants at home), distribution and wholesaling, retail model, retail locations and rules, regulatory compliance, public consumption, and land use and/or zoning.

The provincial legal frameworks with respect to recreational cannabis are evolving. [The table in the appendix](#) summarizes the status and content of provincial and territorial cannabis frameworks. Employers can find the latest details on how the law will apply in your jurisdiction in [The Human Resources Advisor](#), which is updated weekly with new HR and payroll compliance information.

C. The effects of the legalization of recreational cannabis on employers and how they can be managed

An employee using marijuana can have an adverse impact on the employer's business, clients, associates and the public. Employers should become aware of the various hazards associated with marijuana use and develop strategies to prevent and control them.

As with alcohol and other prescribed drugs, legalization of recreational marijuana will not give employees the right to liberally possess or use marijuana in the workplace without the employer's consent. While using cannabis for recreational purposes will no longer be illegal, employers can still restrict its use and possession in their workplaces.

Employers can also be assured that existing restrictions on the smoking of tobacco in the workplace will apply equally to the smoking of marijuana.

Employers will continue to be able to expect their employees to show up clear-headed, sober and able to perform their jobs. Subject to medical conditions, employers will still be entitled to discipline employees whose recreational use of marijuana has an adverse impact on their job performance or could endanger their co-workers or customers.

However, while employers have the right to restrict the use and possession of marijuana in their workplace to prevent impairment and other health and safety issues, they are equally bound by the duty to accommodate to the point of undue hardship employees who use marijuana for medical purposes to treat an illness or medical condition. This also means that individuals who register as clients under the Marijuana for Medical Purposes Regulations to use marijuana must show that they are authorized to possess the marijuana for medical purposes within the strict limits set out in the Regulations.

Employee usage of medical marijuana should be treated in accordance with existing policies and procedures on the use of prescription medications in the workplace.

Policies are essential to protect your organization

Workplace policies will certainly be your most effective tool for managing the effects of legalized recreational cannabis in the workplace. Good policies will help set expectations, control workplace

use of marijuana, provide a basis for disciplining employees, and help your organization comply with its legal obligations, including obligations pursuant to occupational health and safety and human rights legislation.

In practical terms, employers will have to review and amend existing workplace policies and procedures when or before the federal and provincial/territorial Cannabis Acts come into force on October 17, 2018, to remove any express policy references to marijuana as an illegal drug or usage as an illegal activity.

Important policy considerations: What will your policy look like?

To illustrate, according to Damian Rigolo, Brian Thiessen and Shaun Parker at Osler, key policy terms to review, update and consider include:

- The definition of “drug”: Does recreational marijuana need to be separated?
- The definition of “workplace”: Is it broad enough?
- Whether current prohibitions on the use of alcohol in the workplace and during the workday are sufficient to address recreational marijuana
- Whether exceptions to recreational marijuana use, similar to exceptions for alcohol use, will be permitted in the following situations:
 - During breaks or at lunch hours
 - At client functions
 - At company functions
- Will there be exceptions to using different forms of marijuana?
- If your existing “fit for work” requirements are sufficient
- Whether a minimum “sober” time before work will be required
- If disclosure of marijuana addiction or medical marijuana use should be required
- Whether you have adequate accommodation provisions and processes to assist employees with addiction issues or disability-related medical marijuana use

While we are waiting for legalization to come into force, we recommend that employers review and prepare to amend existing policies and procedures or create a stand-alone marijuana use in the workplace policy.

What should a policy include?

Remember, any policy dealing with recreational marijuana use must adhere to existing human rights laws and existing or upcoming changes to occupational health and safety laws (e.g., Saskatchewan is consulting with interested stakeholders on possible changes to the OHSA regarding impairment due to marijuana), and must provide an accommodation framework by which employees can come forward regarding addiction to marijuana or a medicinal marijuana prescription.

With this information in mind, employers can balance employees' rights and the need to protect the workplace and meet health and safety obligations by updating or establishing a workplace policy that:

- Restricts the smoking of marijuana in the workplace
- Subject to medical conditions, restricts the use and possession of recreational marijuana in the workplace or at company sponsored events, to prevent its possible negative consequences such as impairment
- Prohibits all employees from attending work while under the influence or impaired (employees should notify their employer if using medical marijuana)
- Subject to medical conditions, outlines progressive disciplinary action where an employee fails to comply with the policy or to disclose the use of medical marijuana

Most importantly, the policy must be communicated to all employees, applied consistently, monitored and reviewed at least once a year if need be. Also, management should be trained on how to identify signs of impairment and how to respond appropriately.

Human Resources PolicyPro[®] published by First Reference has compliance-focused policies on drugs and alcohol, fitness for work, code of conduct and accommodation of a disability that already deal with medical marijuana and are currently being reviewed to include how to deal with and manage the use of recreational marijuana in the workplace.

Managing the use of recreational marijuana/cannabis in the workplace

Your best response to dealing with and managing marijuana use in the workplace is to take the following steps:

- Address the potential for impairment as part of a health and safety hazard assessment
- Audit and update (or establish) your existing practices and policies on alcohol and drugs, code of conduct, fitness for work, accommodation of a disability and progressive discipline to address how your organization will deal with issues derived from the use of recreational marijuana
- Discover compliance gaps and develop strategies to close those gaps and comply
- Establish a concise health and safety policy and program on the use of any substance that can cause impairment
- Determine the actions the workplace can take regarding impairment
- Implement accommodation practices where necessary, including therapeutic needs and substance dependence
- Communicate new and updated policies to employees and management
- Provide training on the policies to employees
- Provide training to the management team to ensure they know how to apply the new and amended rules and the policies and how to detect and respond to impairment
- Apply the alcohol and drug policy and other related policies consistently and discipline employees for breaching such policies
- Monitor your policies periodically and review them at least yearly to ensure effectiveness
- Create a supportive, healthy and safe workplace environment

As for implementing a drug test, if the company is engaged in safety-sensitive work, a drug test may be warranted. Remember that in Canada, a drug test must be used “only in limited circumstances” and put in place after alternative, less-intrusive methods for detecting impairment and increasing workplace safety have been explored.

Meeting your duty of care

Occupational health and safety legislation across Canada requires employers to ensure a safe workplace. Directors and management can be personally liable under occupational health and safety legislation and the **Criminal Code** for not ensuring a safe workplace. In order to support a due diligence defence (the employer took all reasonable care that a reasonable person would have taken in the circumstances) against workplace-safety-related personal liability, your directors and managers need to, among other things:

- Take time to understand the effects of marijuana and the issues it can create
- Review, revise and adopt policies to address marijuana in the workplace
- Ensure that policies to address marijuana are implemented and enforced

Written rules alone aren't enough

Applying all the steps to manage the use of recreational marijuana in the workplace will help employers go a long way toward showing they acted reasonably. To meet their duty of care, employers must:

- Take active steps to foresee specific risks
- Conduct regular training
- Develop, implement, review and update policies and procedures
- Conduct inspections and audits
- Promptly act on risks that come up
- Make and keep detailed written records including distribution of policies and procedures, orientation, training, meetings, inspections and audits, accident investigations and actions to address issues, coaching and disciplinary enforcement, Joint Health and Safety Committee meetings, policies, procedures, instructions, forms and checklists, medical certificates and first-aid records, and statistics of accidents and near-misses

How can First Reference help you meet your duty of care?

Employers are encouraged to consult [The Human Resources Advisor](#)—Ontario, Atlantic or Western edition—for a more in-depth discussion on compliance and best practices on the topics of recreational and medicinal marijuana in the workplace.

The Human Resources Advisor will help employers understand in greater detail:

- The issues with the use of recreational marijuana
- The federal and provincial frameworks for the production, distribution, sale, possession and use of recreational marijuana
- The effects of the legalization of recreational cannabis on employers
- Managing the use of recreational marijuana (cannabis) in the workplace
- The 10 essential components of legally sound policy and change management, which includes:
 - Assessing hazards related to use of recreational marijuana in the workplace
 - Auditing practices and reviewing policies
 - Education and training
 - Responding to impairment at work
- Medical marijuana in the workplace
- Accommodation of marijuana dependency, addiction or medical use

As stated earlier, we are currently adding and updating sample policies dealing with the use of recreational marijuana in PolicyProPlus to help you implement your health and safety program to manage and control the use of marijuana in the workplace. You can try [The Human Resources Advisor](#) and [PolicyProPlus](#) for free today!

D. Appendix: Provincial cannabis laws and highlights

| Jurisdiction | Laws | Highlights |
|--------------------------------|---|---|
| <p>Alberta</p> | <p>Bill 26, An Act to Control and Regulate Cannabis, received royal assent on December 15, 2017</p> <p>Bill 29, An Act to Reduce Cannabis and Alcohol Impaired Driving, received royal assent on December 15, 2017</p> <p>Bill 6, Gaming and Liquor Statutes Amendment Act, 2018, received royal assent on June 11, 2018</p> | <p>Must be 18 to purchase or possess cannabis</p> <p>Private retailers to operate physical stores under the supervision of the province's liquor commission</p> <p>Provincial government to operate online retail</p> <p>Cannabis sales will not be permitted where alcohol, pharmaceuticals and tobacco are available for sale</p> <p>Zero tolerance for drug-impaired driving for drivers in the province's graduated licensing program</p> <p>Maximum of four cannabis plants per household</p> <p>Landlords and condominium boards can make rules restricting cultivation</p> |
| <p>British Columbia</p> | <p>Bill 30, Cannabis Control and Licensing Act, received royal assent on May 31, 2018</p> <p>Bill 31, Cannabis Distribution Act, received royal assent on May 31, 2018</p> | <p>Must be 19 to purchase or possess cannabis</p> <p>The province will use a government-run wholesale distribution model through its liquor distribution branch</p> <p>Public and private retail operations will be permitted</p> <p>Cannabis use will generally be permitted where tobacco consumption is permitted, but non-medical consumption will be banned in areas frequented by children including beaches, parks and playgrounds</p> <p>Maximum of four cannabis plants per household</p> |

| Jurisdiction | Laws | Highlights |
|----------------------|--|--|
| Manitoba | <p>Bill 25, The Cannabis Harm Prevention Act (various acts amended), received royal assent on June 2, 2017</p> <p>Bill 11, The Safe and Responsible Retailing of Cannabis Act (Liquor and Gaming Control Act and Manitoba Liquor and Lotteries Corporation Act Amended), received royal assent on June 4, 2018</p> <p>Bill 25, The Non-Smokers Health Protection and Vapour Products Amendment Act (Prohibiting Cannabis Consumption in Outdoor Public Places), received royal assent on June 4, 2018</p> | <p>Must be 19 years old to purchase or possess cannabis</p> <p>The province's Liquor and Gaming Authority will regulate the purchase, storage, distribution and retail of cannabis; the Manitoba Liquor and Lotteries Corporation will secure and track the provincial cannabis supply</p> <p>Private retailers will be used to sell cannabis to consumers</p> <p>Communities within Manitoba will be allowed to hold a plebiscite to prohibit cannabis sales</p> <p>Individual cultivation of cannabis in private homes is prohibited</p> |
| New Brunswick | <p>Bill 16, Cannabis Control Act, received royal assent on March 16, 2018</p> <p>Bill 17, Cannabis Management Corporation Act, received royal assent on March 16, 2018</p> <p>Bill 18, Cannabis Education and Awareness Fund Act, received royal assent on March 16, 2018</p> <p>Bill 20, An Act to Amend the New Brunswick Liquor Corporation Act, received royal assent on March 16, 2018</p> | <p>Must be 19 years old to purchase or possess cannabis</p> <p>Cannabis stored or grown in a private home must be kept in a locked container or room</p> <p>The province's liquor corporation will operate cannabis retail operations through a subsidiary</p> |

| Jurisdiction | Laws | Highlights |
|----------------------------------|--|---|
| Newfoundland and Labrador | <p>Bill 20, Cannabis Control Act, received royal assent on May 31, 2018</p> <p>Bill 23, Liquor Corporation Act, received royal assent on May 31, 2018</p> <p>Bill 22, An Act to Amend the Smoke-Free Environment Act, 2005, received royal assent on May 31, 2018</p> | <p>Must be 19 years old to purchase or possess cannabis</p> <p>Use restricted to private residences</p> <p>Maximum of four cannabis plants per household</p> <p>The province's liquor corporation is responsible for, among other things, buying, importing and controlling the sale of cannabis</p> <p>Private retailers to be used to sell cannabis</p> |
| Northwest Territories | <p>Bill 6, Cannabis Legalization and Regulation Implementation Act, received royal assent on June 1, 2018</p> | <p>Must be 19 to purchase or possess cannabis</p> <p>The territory's liquor commission will be responsible for the importation and sale of cannabis</p> <p>Communities within the Northwest Territories will be allowed to hold a plebiscite to prohibit cannabis</p> <p>Public smoking of cannabis will be restricted</p> <p>Maximum of four cannabis plants per household</p> |
| Nova Scotia | <p>Bill 108, Cannabis Control Act, received royal assent on April 18, 2018</p> | <p>Must be 19 years old to purchase or possess cannabis</p> <p>The distribution and sale of cannabis will take place through the province's liquor corporation</p> <p>Limited public use will be permitted; use will be restricted by the province's Smoke-free Places Act</p> <p>Maximum of four cannabis plants per household</p> <p>Cannabis use in vehicles will be prohibited</p> |

| Jurisdiction | Laws | Highlights |
|------------------------------------|---|--|
| <p>Nunavut</p> | <p>Bill 3, Cannabis Statutes Amendment Act, received royal assent on June 13, 2018</p> <p>Bill 7, Cannabis Act, received royal assent on June 13, 2018</p> | <p>Consumption and possession of recreational cannabis will be banned in private vehicles</p> <p>Police officers will be granted warrantless search and seizure powers in some cases where officers have reasonable and probable grounds to believe that cannabis is present in a private vehicle or in the possession of someone travelling in a private vehicle</p> <p>Distribution and sales to be managed by the territory through its liquor control board</p> <p>Public consultations will be required prior to opening a cannabis store or lounge</p> |
| <p>Ontario</p> | <p>Bill 174, Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, 2017, received royal assent on December 12, 2017</p> | <p>Must be 19 years old to purchase, possess or cultivate cannabis</p> <p>Bans the use of cannabis in public, workplaces and motor vehicles</p> <p>Distribution and sales to be managed by the province through its liquor control board</p> <p>Maximum of four cannabis plants per household</p> |
| <p>Prince Edward Island</p> | <p>Bill 29, An Act to Respond to the Legalization of Cannabis, received royal assent on June 12, 2018</p> <p>Bill 31, Cannabis Taxation Agreement Act, received royal assent on June 12, 2018</p> | <p>Must be 19 years old to purchase or possess cannabis</p> <p>The province's liquor corporation will operate cannabis retail operations through a subsidiary</p> <p>Use of cannabis will be restricted to private residences, with some exceptions</p> <p>Individual cultivation of cannabis will have to occur within the person's home and plants would have to be inaccessible to any person under the age of 19 who lives there</p> |

| Jurisdiction | Laws | Highlights |
|--------------|---|---|
| Quebec | <p>Bill 157, An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions, received royal assent on June 12, 2018</p> | <p>Must be 18 years old to purchase or possess cannabis</p> <p>Distribution and sales will be managed by the province via the new Société québécoise du cannabis</p> <p>Zero-tolerance policy for driving while under the influence of cannabis</p> <p>Individual cultivation of cannabis in private homes will be prohibited</p> |
| Saskatchewan | <p>Bill 112, The Miscellaneous Vehicle and Driving Statues (Cannabis Legislation) Amendment Act, 2017, received royal assent on May 30, 2018</p> <p>Bill 115, The Residential Tenancies Amendment Act, 2017, received royal assent on May 30, 2018</p> <p>Bill 121, The Cannabis Control (Saskatchewan) Act received royal assent on May 30, 2018</p> <p>Bill 122, The Cannabis Control (Saskatchewan) Consequential Amendments Act, 2018 received royal assent on May 30, 2018</p> | <p>Must be 19 years old to consume non-medicinal cannabis</p> <p>Zero tolerance for drug-impaired driving</p> <p>Consumption in public spaces (including schools and daycares) will be prohibited</p> <p>Province plans to ban possession of any amount by a minor; violations to be punished by fine and seizure; possession of more than five grams will be a criminal offence under the Youth Criminal Justice Act</p> <p>Maximum of four cannabis plants per household; landlords can make rules restricting cultivation</p> <p>Saskatchewan Liquor and Gaming Authority (SLGA) will select 51 stores in 32 communities to sell cannabis</p> |
| Yukon | <p>Bill 15, Cannabis Control and Regulation Act, received royal assent on April 24, 2018</p> | <p>Must be 19 to purchase, possess or cultivate cannabis</p> <p>The territorial government will own and operate at least one retail store and provide an option for online purchases</p> <p>Private retail will be permitted through a controlled licensing regime</p> <p>Use of cannabis will initially be restricted to privately owned residences and adjoining property</p> <p>Maximum of four cannabis plants per household</p> |

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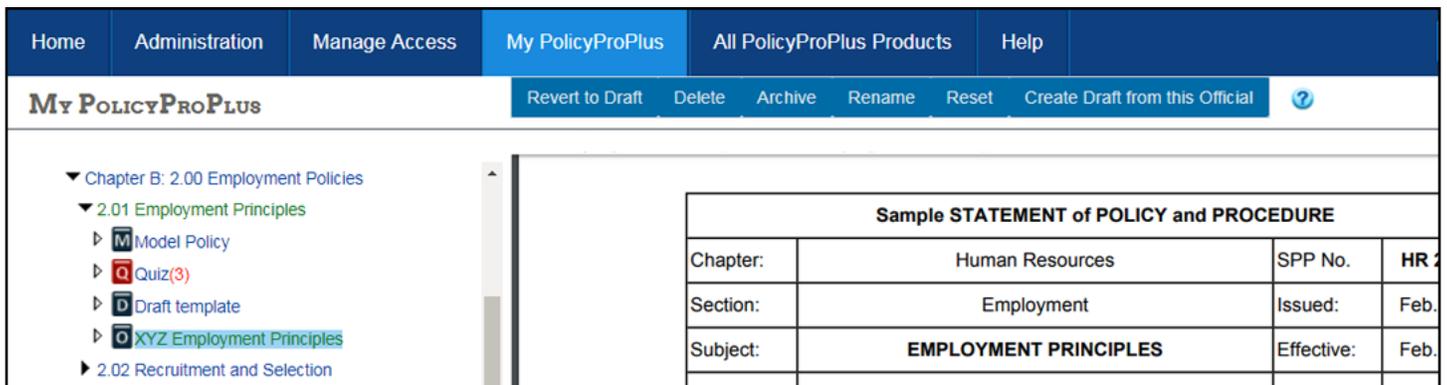


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