



LIFESAVING SOCIETY®
SOCIÉTÉ DE SAUVETAGE

The Lifeguarding Experts
Les experts en surveillance aquatique

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Information Bulletin for Canadian Swimming Pools and Waterfronts

Cannabis in the Workplace

Summary Statement

Safety supervision is the primary task of a lifeguard; being in an impaired state, for whatever reason, could result in a failure to respond appropriately to a drowning or other aquatic emergency.

Every pool and waterfront owner and operator should establish policies and procedures regarding the use of cannabis in the workplace by aquatic staff responsible for the safety and well-being of the public and co-workers.

Definitions

Lifeguard: a person with a current National Lifeguard certification appointed by the owner or operator to supervise bather safety while bathers are on the deck or beach, or in the pool or body of water.

Operator: the trained individual designated by the owner to be responsible for the day to day operation of an aquatic facility.

Owner: the person or corporation who is the owner of an aquatic facility.

Rationale

As of October 17, 2018, adults who are 18 years of age or older can legally possess up to 30 grams of legal cannabis (dried or equivalent in non-dried form) in public.¹

Employers have the right to set rules for the use of cannabis in the workplace in much the same way they currently set rules for the use of alcohol. Employers must take every reasonable precaution to ensure the safety of their workplaces, and they have the right to prohibit the use of cannabis at work and may also prohibit employees from attending work while impaired, especially for safety-sensitive positions.

“Safety-sensitive jobs are ones where impaired performance, for whatever reason, could result in a significant incident affecting the health or safety of employees, customers, customers’ employees, the public, property, or the environment.”²

Studies to date have shown that cannabinoids do impact psychomotor skills. Cannabis effects include alterations in reaction time, perception, short-term memory, attention, motor skills, tracking and skilled activities, which are all relevant to the effective provision of safety supervision and rescue response.

Employers and aquatic staff should also be aware that the time it takes for the effects of cannabis to wear off depends on how much and how often the substance has been consumed and whether it was smoked or ingested. Impairment can last for more than 24 hours after cannabis use, well after other effects may have worn off.³

Good policies will help set expectations, control workplace use of cannabis, provide a basis for disciplining employees and help your organization comply with its legal obligations, including obligations under Occupational Health & Safety and Human Rights Legislation.

Implementation

Workplace Policies

The use of recreational cannabis became legal in Canada on October 17, 2018. The Lifesaving Society recommends that employers review existing workplace policies and procedures regarding the use of alcohol, drugs and other substances in the workplace.

Key policies and terms to review may include:

- The definition of “workplace” for aquatic staff.
- Specific “fit for work” requirements for aquatic staff.
- A minimum “sober” time required before shift start.
- Provisions included in contracts for aquatic user groups (rentals, partnership agreements etc.).
- Accommodation provisions and processes to assist employees with addiction issues or disability-related medical cannabis use.
- Requirements for disclosure of cannabis addiction or medical cannabis use.

Employers and supervisors should plan regular on-the-job performance observations and audits, as well as train peers to assess and report behaviour that can affect safety.

Duty to Accommodate

Medical cannabis involves the same accommodation as any other doctor prescribed drug. However, employees do not have a right to be impaired in the workplace where their impairment may endanger their safety, the safety of co-workers and by extension, the public.

Employers must effectively communicate the responsibilities of their employees seeking to use medical cannabis.

The employer may be required to assign the lifeguard to other duties that don't present a safety risk or grant a medical leave of absence and reinstate the employee to their former position once they have recovered.

Recreational Users

Although the use of cannabis is no longer a criminal offence, workplace rules that apply to the impairment or possession and use of cannabis at work should continue to apply to all recreational users as it would for alcohol. It is essential to ensure that policies and sanctions are clear.

References

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14. The Occupational and Environmental Medical Association of Canada (OEMAC)- POSITION STATEMENT ON THE IMPLICATIONS OF CANNABIS USE FOR SAFETY-SENSITIVE WORK September 24, 2018, available online: <https://oemac.org/wp-content/uploads/2018/09/Position-Statement-on-the-Implications-of-cannabis-use.pdf>

Approval

- Approved by the Lifesaving Society Canada Board of Directors on 30 September 2019.

Disclaimer

Lifesaving Society Canada's National Safety Standards are developed using Coroners' recommendations, the latest evidence-based research, and reflect the aquatics industry's best practices at the time the publication was approved.

The purpose of these standards is to encourage swimming pool, waterpark and waterfront owners, managers, operators and regulators to adopt these standards, in order to prevent drownings in aquatic environments.

Lifesaving Society Canada's National Safety Standards do not replace or supersede local, provincial/territorial or federal legislation or regulations, but they are considered the standard to which aquatic facility operators should work towards, in order to enhance safety within their operations and to prevent drowning.