

## Cannabis Use

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### Policy Statement

BCIT is committed to promoting the safety and well-being of the BCIT community and visitors to BCIT Premises. Cannabis impairment can have serious adverse effects on BCIT’s students, faculty members, employees, and anyone else attending BCIT Premises, due to the safety-sensitive nature of many programs offered at BCIT. Accordingly, BCIT—with limited exceptions as indicated (see “Special Situations”)—prohibits the use of Cannabis on BCIT Premises and prohibits anyone attending work, or a BCIT course, program, clinical placement, practicum, field trip, BCIT sponsored event, or volunteer activity whether on or off BCIT Premises, while impaired by Cannabis.

### Purpose of Policy

The purposes of this policy are to:

- Inform the BCIT community about BCIT’s position on the use of Cannabis on BCIT Premises, or where a person will be attending BCIT Premises, in light of the Government of Canada’s legalization of the recreational use of some forms of Cannabis, and the Government of British Columbia’s regulation of the use of Cannabis;
- Promote an environment that is safe for all persons attending BCIT premises, and in which the risks and negative effects associated with the use of Cannabis are minimized.

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## Who This Policy Applies To

This policy applies to all BCIT students, faculty members, employees, contractors, volunteers, and visitors to BCIT Premises.

## Related Documents and Legislation

### Legislation

*Cannabis Act*, SC 2018, c 16

*Controlled Drugs and Substances Act*, SC 1996, c 19

*Cannabis Control and Licensing Act*, SBC 2018, c 29

*Cannabis Regulations*, SOR 2018-144

*Human Rights Code*, RSBC 1996, c 210

### BCIT

Policy 1500, Code of Conduct

Policy 5102, Student Code of Conduct (Non-Academic)

Policy 4501, Accommodation for Students with Disabilities

Procedure 4501-PR1, Requests for Accommodation

Policy 7100, Safety and Security

Policy 7150, Occupational Health and Safety

Maquinna Residence Handbook

## Definitions

**BCIT Premises:** all property, campuses, and facilities, owned, leased, or operated by BCIT, including but not limited to Student Housing Properties that might otherwise be considered private in nature.

**Cannabis:** has the same meaning as defined in the *Cannabis Act* (Canada).

**Impaired or Impairment:** a deterioration or diminishment of an individual's physiological ability, functioning, judgment, or condition, including but not limited to being unable to function as that individual does under normal or usual conditions, or to function safely because of intoxication by any substance.

**Student Housing:** a student housing property operated by the BCIT Housing Office.

**Substance Use Disorder:** the condition as defined in the *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition (DSM-5), including Cannabis Use Disorder.

**Use Cannabis or Use of Cannabis:** smoking, vaping, eating, ingesting, consuming, applying, or otherwise introducing Cannabis into or onto the body.

## Cannabis Prohibition

With limited exceptions as indicated (see "Special Situations"), BCIT strictly prohibits the manufacture, offering for sale, sale, distribution, or use of Cannabis by any person on BCIT Premises.

Faculty members and employees are strictly prohibited from using Cannabis during working hours, including paid and unpaid breaks, whether on or off BCIT Premises.

The use of Cannabis while off BCIT Premises in circumstances such that a student, faculty member, employee, or volunteer is impaired when they attend work, or a BCIT course, program, clinical placement, practicum, field trip, BCIT sponsored event, or volunteer activity whether on or off of BCIT Premises, is strictly prohibited.

Students, faculty members, employees, and volunteers must be responsible with their use of Cannabis during the 24 hours preceding their attendance at work, or a BCIT course, program, clinical placement, practicum, field trip, BCIT sponsored event, or volunteer activity, whether on or off BCIT Premises, and must allow sufficient time for any impairment resulting from their use of Cannabis to have fully resolved.

## Duties and Responsibilities

### Community Responsibilities

The following requirements apply in all circumstances with regard to the use of Cannabis on BCIT Premises:

- With limited exceptions as indicated (see “Special Situations”), no person may use Cannabis in any form on BCIT Premises.
- Everyone should take reasonable steps to prevent a person who is impaired, or who appears to be impaired, by Cannabis from operating a motor vehicle, or any other machinery or equipment.

### Students living in Student Housing

Students living in Student Housing:

- Are responsible for their invited guests and those persons’ use of Cannabis while attending Student Housing.
- Are required to take all reasonable steps to ensure that their guests comply with all applicable laws, this Policy, BCIT policies, rules or processes of Student Housing, and requests made by a Housing Advisor or BCIT Safety, Security and Emergency Management in enforcing such rules or processes, and ensure that their guests depart safely.

### BCIT Housing

BCIT Housing may investigate any instance of the use of Cannabis in Student Housing.

### Faculty Members

Faculty members must appropriately supervise students and must take steps to ensure that no student attends a BCIT course, program, clinical placement, practicum, field trip, or BCIT sponsored event while impaired by Cannabis.

### BCIT Safety, Security and Emergency Management (SSEM)

BCIT Safety, Security and Emergency Management is responsible for:

- enforcing this Policy and for intervening where any person is or appears to be impaired in circumstances that constitute a breach of this Policy.
- documenting breaches of this Policy and centralizing reporting.

## Special Situations

BCIT provides reasonable accommodation to BCIT students, faculty members, and employees in accordance with the *Human Rights Code*.

### A. Medicinal Use

Where a BCIT student, faculty member, or employee is required to use Cannabis for medical purposes either on BCIT Premises or at a time that could cause them to be impaired while at work or while attending a BCIT course, program, clinical placement, practicum, field trip, or BCIT sponsored event, whether on or off BCIT Premises, they are required to adhere to the following:

- If a faculty member or employee, they must notify the Human Resources Department, prior to using medical Cannabis at work or attending work impaired, to enable BCIT to seek to accommodate the faculty member or employee's use of medical Cannabis, to the point of undue hardship.
- If a student, they must notify the Accessibility Services prior to using medical Cannabis at such times, to determine whether their use of Cannabis can be accommodated. Students should refer to Policy 4501 – Accommodation for Students with Disabilities – but must note that the requirement under this Policy to disclose use of Cannabis supersedes the voluntary disclosure provisions under Policy 4501.
- A student, faculty member or employee is not required to disclose their specific medical diagnosis, but must provide a copy of their medical document or prescription authorizing their use of Cannabis in order for BCIT to consider a request for accommodation. Any medical document or prescription relied on must be issued in accordance with the requirements of the *Access to Cannabis for Medical Purposes Regulation*.

If a faculty member or employee uses Cannabis in breach of this Policy, without first disclosing their need to use Cannabis to the Human Resources Department, they will be subject to discipline up to and including termination of employment.

If a student uses Cannabis in breach of this Policy without first disclosing their need to use Cannabis to the Accessibility Services, this will be considered a violation of the Student Code of Conduct – Non-Academic Policy.

### B. Addiction or Substance Use Disorder

BCIT understands that certain individuals may develop an addiction or Substance Use Disorder related to their use of Cannabis which may be defined as a disability. The aim of this section is to ensure safety by encouraging students, faculty members, and employees with addictions or Substance Use Disorders to come forward and obtain treatment before their use of Cannabis may compromise safety.

Where a BCIT faculty member or employee has or suspects they may have an addiction or Substance Use Disorder, they are required to notify the Human Resources Department prior to their use of Cannabis on BCIT Premises, prior to their use of Cannabis during working hours (including paid and unpaid breaks), and prior to their attending work impaired.

Where a BCIT student has or suspects they may have an addiction or Substance Use Disorder, and where that addiction or Substance Use Disorder does not render them unable to do so, they are required to notify the Accessibility Services prior to their use of Cannabis on BCIT Premises,

or their attending a BCIT course, program, clinical placement, practicum, field trip, or BCIT sponsored event while impaired. Students should refer to Policy 4501 – Accommodation for Students with Disabilities – but must note that the requirement under this Policy to disclose use of Cannabis supersedes the voluntary disclosure provisions under Policy 4501.

It is fundamental to safety on BCIT Premises that students, faculty members, and employees comply with this Policy and disclose their addiction or Substance Use Disorder before breaching this Policy and placing themselves and others at risk.

Where a student discloses an addiction or Substance Use Disorder, BCIT will assist them through Student Health Services. Where a faculty member or employee discloses an addiction or Substance Use Disorder, BCIT will assist them through the Employee and Family Assistance Program. No student, faculty member, or employee who discloses an addiction or Substance Use Disorder will be disciplined because of the individual's disclosure or their involvement in a rehabilitation effort.

If a faculty member or employee uses Cannabis in breach of this Policy without first disclosing their use to the Human Resources Department, they will be subject to discipline up to and including termination of employment.

If a student uses Cannabis in breach of this Policy without first disclosing their use to the Accessibility Services, this will be considered a violation of the Student Code of Conduct – Non-Academic Policy.

### **C. Accommodation**

Where a student, faculty member, or employee discloses their use of Cannabis for medical purposes, or discloses an addiction or Substance Use Disorder in accordance with this Policy, BCIT will work with that individual (and their union or association where applicable), to determine what, if any, accommodation could reasonably be provided to accommodate the individual's use of Cannabis, to the point of undue hardship.

The provision of reasonable accommodation to persons with disabilities related to the use of Cannabis requires cooperation and collaboration between the individual requesting the accommodation, their union or association where applicable, and BCIT. Individuals requesting accommodation have a duty to facilitate a reasonable accommodation offered by BCIT.

## **Procedures Associated With This Policy**

None.

## **Forms Associated With This Policy**

None.

## **Amendment History**

		<u>Approval Date</u>	<u>Status</u>	
1.	Creation:	Policy 7200 version 1	2019 May 29	Replaced
2.	Under Review:	Policy 7200 version 2	2020 Dec 03	In Force

### **Scheduled Review Date**

2023 DEC 03, or sooner if there are changes to the applicable regulatory framework, or changes in the relevant operational circumstances that the Executive Sponsor recommends addressing.