

Cannabis in the Workplace: SWPAOHN Educational Session



Romy A. Pinkovsky

September 22, 2018

Cannabis in the Workplace

Agenda

NOVA Chemicals Project Work

Legislative update

What is Cannabis

Potential impact of marijuana in the workplace

Occupational Health processes and procedures impacted by legalization of medical marijuana in Pennsylvania

Testing Methods for Cannabis



Cannabis in the Workplace

What do companies do?

- Employee Safety



- Impairment



- Accommodation



- No use



Cannabis in the Workplace

NOVA Chemicals Project Overview

Safety focused company. Ensure we have processes and systems ready to cover all provinces and US states we have employee's or facilities.

Legalized Medical: All our Canadian provinces

US states=CO,FL, IL, LA, MA, NJ, OH, PA, RI



 Recreational use - Legal In all Canadian provinces
October 2018 & United States already in CO, MA 

Cannabis in the Workplace

NOVA Chemicals - Prepares for legalization

- Cross Functional Team: HR, OH, Procurement, Responsible Care, & Consultant.
- Interdependencies: Legal, DriverCheck, & Communications

Project Work Streams

- A&D Policy Update
- OH Processes
- Safety Sensitive Definitions
- A&D Testing Methods
- A&D Flow Charts
- TA Processes (Preplacement)
- Contractor Guidelines

**THINK SAFE....
WORK SAFE....
BE SAFE**

Cannabis in the Workplace

New View and Culture “marijuana is no more dangerous than alcohol”



Cannabis in the Workplace

Legislative Update



United States: Illegal at Federal Level
Continues to evolve and change rapidly

31

As of June, 31 states, plus the territories of Guam and Puerto Rico and the District of Columbia have legalized cannabis for medical purposes



Pennsylvania: On April 17, 2016, Gov. Tom Wolf signed into law SB 3, Pennsylvania's compassionate medical cannabis legislation. The law went into effect on May 17, 2016, and the first dispensaries began serving patients in April 2018

Cannabis in the Workplace

Legislative Update

15

Fifteen US states have more restrictive laws limiting THC content for the purpose of allowing access to products that are rich in cannabidiol, a non-psychoactive component of cannabis.



There are considerable variations in medical cannabis laws from state to state including how it is produced and distributed, how it can be consumed, and what medical conditions can it be used for.

Cannabis in the workplace: PA Law

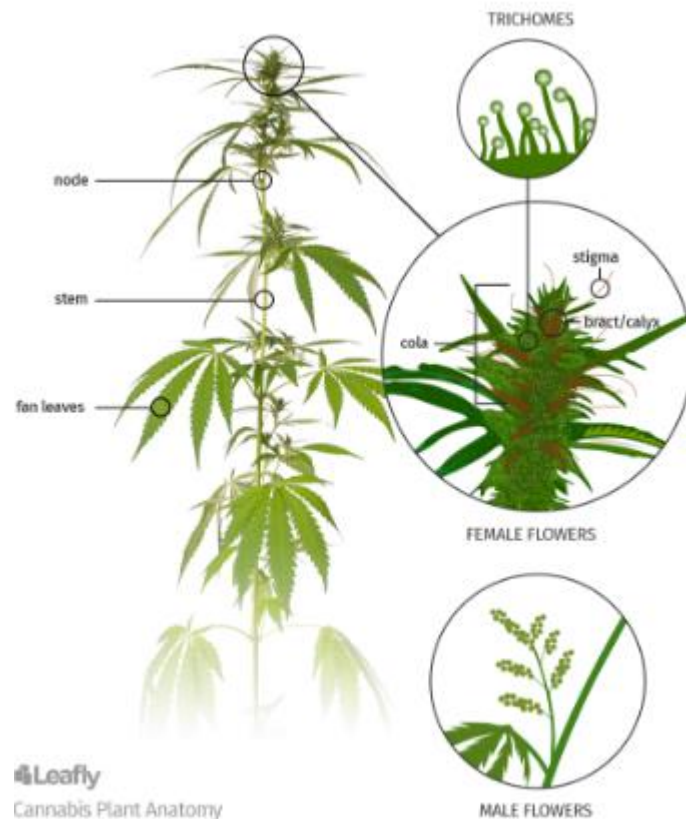
Patients can qualify for medical cannabis if they have a terminal illness or if they suffer from:

- Amyotrophic Lateral Sclerosis.
- Autism.
- Cancer.
- Crohn's Disease.
- Damage to the nervous tissue of the spinal cord with objective neurological indication of intractable spasticity.
- Epilepsy.
- Glaucoma.
- HIV (Human Immunodeficiency Virus) / AIDS (Acquired Immune Deficiency Syndrome).
- Huntington's Disease.
- Inflammatory Bowel Disease.
- Intractable Seizures.
- Multiple Sclerosis.
- Neuropathies.
- Parkinson's Disease.
- Post-traumatic Stress Disorder.
- Severe chronic or intractable pain of neuropathic origin or severe chronic or intractable pain in which conventional therapeutic intervention and opiate therapy is contraindicated or ineffective.
- Sickle Cell Anemia.

Cannabis in the Workplace

What is Cannabis?

- Anything derived from the cannabis plant
- Over 100 + different cannabinoids
- Delta -9-tetrahydrocannabinol = **THC**
- Cannabidiol = **CBD** (not psychoactive)
- Influences Endocannabinoid system (CB1, CB2)
 - Appetite
 - Mood
 - Memory
 - Pain Sensation



Cannabis in the Workplace

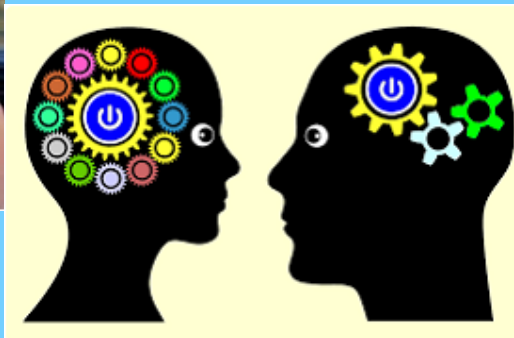
Common Forms of Cannabis

Plant	Oil	Edibles
		

Cannabis in the Workplace

How does marijuana impair?

- Euphoria and Relaxation
- Time distortion
- Difficulty with divided attention
- Cognitive Impairments – memory and learning



Cannabis in the Workplace

Marijuana and Pilot performance Study

- Experienced pilots trained on a flight simulator
- Given one joint of marijuana
- Tested before, and 0.25, 4, 8, 24, 48 hours after
- Significant impairment seen up to 24 hours
- 7/9 showed impairment at 24 hours
- Only one had awareness of the drug's effects.

Leirer, V.O., Yesavage, J.A., Morrow, D.G., Marijuana Carry-Over Effects on Aircraft Pilot performance. Aviation space environ Med 1991 Mar;62(3):221-7

Cannabis in the Workplace

Types of Impairment

- Acute: Effects (immediate)

1-4 hour after inhalation /8-12 hours after oral ingestion

Impacts psychomotor and cognitive performance

- Impaired hand eye coordination
- Slowed reaction time
- Dizziness
- Distortion of time and distance
- Impaired decision making
- Decrements in concentration, attention, and retention of information.

Cannabis in the workplace

Types of impairment

- Residual: After – effects (8 hours after and chronic use long term effects)
 - Non –acute impairment occurs during the period after the psychotropic effect of cannabis have subsided. (After the “High”)
 - Residual impairment can last 24 hours or longer after last use.
 - Studies have shown even impairment can last up to 28 days
 - Low doses of THC can result in performance deficits days after last use.
 - Episodic Memory , Attention, Concentration, Abstract reasoning, decision making.
 - Residual impairment in neurocognitive functions and to lesser extent in psychomotor functions despite their subjective perception they have returned to baseline.

Cannabis in the workplace

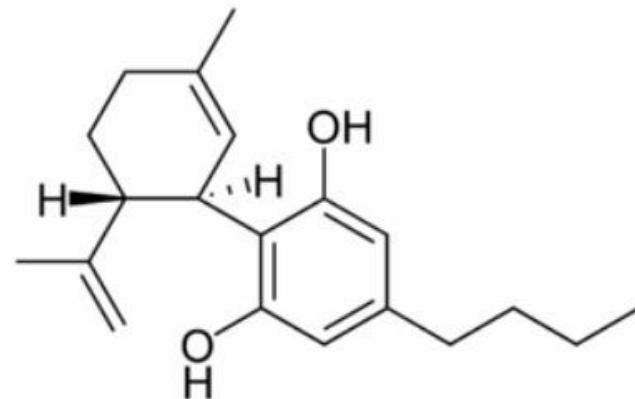
Types of impairment

- Withdrawal:
 - Can occur within 24 hours after last use of cannabis and can be present within 12 hours
 - Common Symptoms: Anxiety, irritability, anger/aggression, insomnia and decreased mood and appetite.

Cannabis in the Workplace

Cannabidiol – CBD

- Very big area with marketing “wellness” & “cosmetic”
- Not itself psychoactive
- Available in an oil form
- Presence of THC in All are available
- Will still test positive
- Low THC so less impairing but cannot state “no impairment”
- Often purchased from dispensary or illegally online – no quality control



Cannabis in the workplace

Who is using marijuana? We are not immune at our companies?

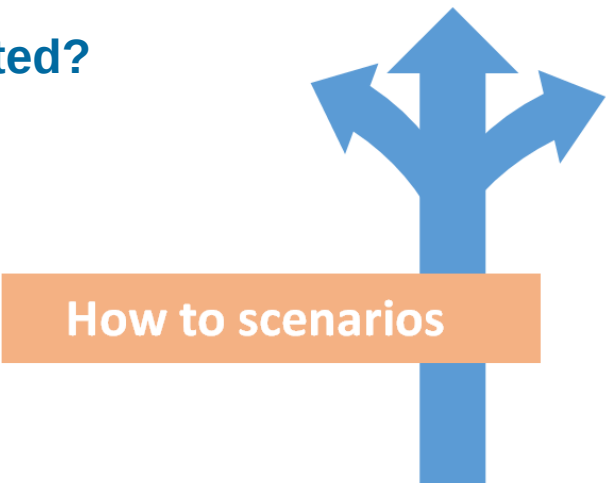
“Mother are you sure your marijuana is purely medicinal?”



Cannabis in the Workplace

What Occupational Health processes could be impacted?

#1 - An employee comes into your office and tells you they recently started using medical marijuana for Chron's Disease. What actions do you take at your company?



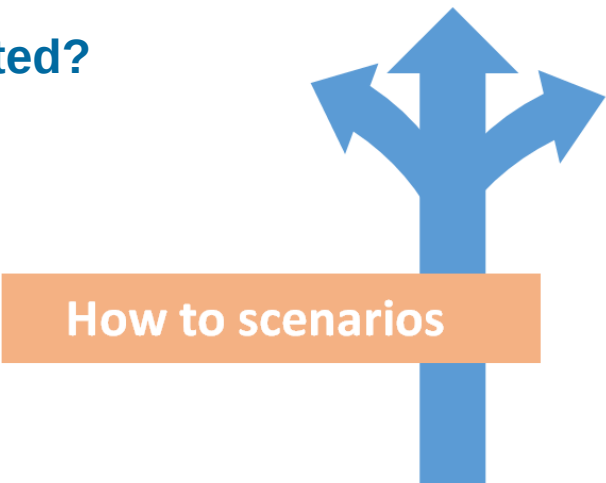
How to scenarios

- Are you aware of what your Alcohol and Drug Policy says?
- Does your company have safety sensitive jobs?
- Do you have a medical verification process to evaluate each medical marijuana case according to state law?
- Do you know if the health insurance your company offers covers medical marijuana?
- Do you have an accommodation process?
- Do you have a self –referral program?
- Do you have a short term disability benefit?

Cannabis in the Workplace

What Occupational Health processes could be impacted?

#2 – You are completing a preplacement physical and the applicant discloses they are using medical marijuana. What do you do?



How to scenarios

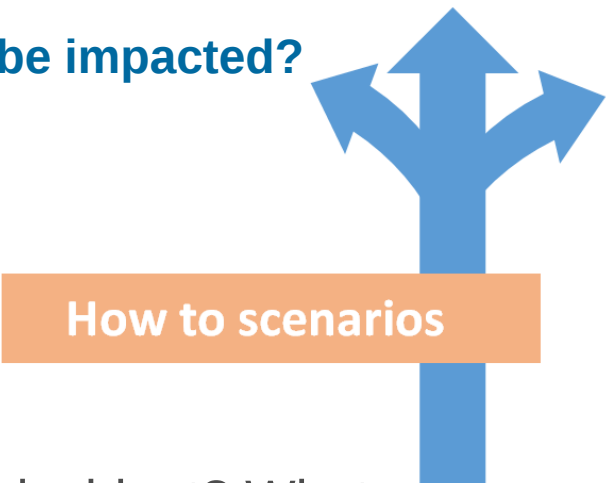
- Was A&D testing completed prior to preplacement?
- Do you work through a full verification process?
- Do you work through accommodation?
- Who is qualified to review case?
- Do you have site locations outside of PA?
- Do you have communications set up regarding clearance of new hire?

Cannabis in the Workplace

What potential Occupational Health processes could be impacted?

#3 – You are called to complete a post incident A&D test for an employee who was involved in an fork truck accident at the site and caused damage. What do you do?

- Are you involved in testing employees post incident? What type of test do you or your vendor complete?
- Are you responsible for guidance on appropriate testing procedures and devices?
- Do you have flow charts and processes in place for leaders regarding post incident testing and reasonable cause testing?
- Do you have responsibility as a program administrator?
- Does your company receive “safety warnings” after a test?



How to scenarios

Cannabis in the Workplace

Drug Testing Options:



Cannabis in the Workplace

Type of testing methods: POCT Point of Collection Testing Urine

Advantages:

- Reliable fast screening results
- It picks up all those who have used a substance and are at risk of impairment
- Ideal testing mode for risk based programs
- Employees could be cleared to go back to work.

Disadvantages:

- Unable to determine recent use however does indicate recent use with some drugs (ie:cocaine)
- Test can be tampered with (unobserved)
- Must be sent to a lab for confirmation of results



Cannabis in the Workplace

Types of Testing Methods: Oral Lab Based

Advantages:

- Recent use of marijuana, shorter window of detection
- Highly accurate, able to measure risk of impairment, minimally intrusive
- Cannot be tampered with (observed only)

Disadvantages:

- Must be sent to a Lab (delayed results)



Cannabis in the Workplace

Types of testing methods: Lab Based Urine

Advantages:

- Confirmed results
- May indicate chronic use of marijuana
- Gold Standard for risk based programs (US DOT)

Disadvantages:

- Unable to determine recent use
- Test can be tampered with (unobserved)
- Delayed results (up to 3 days) – Delay RTW



Cannabis in the Workplace

Types of Testing methods: POCT Oral Fluid

This method is not recommended

Disadvantages:

- There is no reliable instant oral test
- Low sensitivity
- Cut off level concerns not meeting all standards. High cut off.
- High false negatives – THC not very sensitive



Cannabis in the Workplace

Resources:

- Commonwealth of Pennsylvania www.pa.gov
- CANN//AMM Occupational Testing Services www.cannam.com
- DriverCheck Testing services and Fitness for duty (White papers)
- Vector Medical Corporation
- Canadian Law Cases – decisions that have come through
- Canadian Center for Occupational Health and safety (CCOHS)

Cannabis in the workplace

Questions?



Romy A. Pinkovsky

Occupational Health Regional Coordinator -US

NOVA Chemicals

1555 Coraopolis Heights Road

Moon Township, PA 15108

412-490-5097

Romy.Pinkovsky@novachem.com





novachemicals.com



© 2017 NOVA Chemicals - All rights reserved.

The information contained herein is provided for general reference purposes only. By providing the information contained herein, NOVA Chemicals makes no guaranty or warranty and does not assume any liability, with respect to the accuracy or completeness of such information, or product results in any specific instance, and hereby expressly disclaims any implied warranties of merchantability or fitness for a particular purpose or any other warranties or representations whatsoever, expressed or implied. Nothing contained herein shall be construed as a license to use the products of NOVA Chemicals in any manner that would infringe any patent. Nothing herein shall be copied, reproduced, distributed or otherwise used without the express written permission of NOVA Chemicals.

NOVA Chemicals' logo is a registered trademark of NOVA Brands Ltd.; authorized use/utilisation autorisée.

Responsible Care® is a registered trademark of the Chemistry Industry Association of Canada (CIAC).