

THE WHITE PAPER ON CANNABIS

EMPLOYERS' CONCERNS

by Joseph Farrugia
Director General

Use of Cannabis for Medical use

- Not an issue. However, where employees are certified as taking cannabis for medical for medical reasons employers will need guidelines for reasonable accommodation where necessary.

Situation analysis

- Forces of law and order are unable to contain the issue – cannabis is easily available
- There is a heavy handed approach towards possession and use: prison sentences are an extreme measure
- Political lobbying by a minority places pressure on both parties: the objective of marginal gains in votes may take precedence over societal welfare
- Smoking cannabis is not just about substance use/abuse. It is an act of defiance against the establishment, a safety valve for minor rebellion, especially among youths.

Cannabis use and the workplace

- Companies have different attitudes to cannabis consumption, ranging from zero tolerance to allowing consumption on the workplace in some instances.
- Individuals who test positive for marijuana have 55% more industrial accidents 85% more injuries, 75% more absenteeism
 - A danger to employees, co-workers, and clients
 - Employers should have a right to have a zero tolerance policy at the workplace – even if consumption takes place after working hours
 - Random dope testing at workplace – repeated positive results may result in dismissal.
 - Testing for marijuana is complicated – heavy users may test positive for more than a month after use.
 - Employers need OHS guidelines – **have the OHS been involved in the drafting of the White paper?**

Indirect effects of cannabis consumption:

UK study 2019: As many as 60,000 cases of depression in adults could have been avoided by preventing teenagers trying cannabis, researchers behind a major new analysis have said. In the largest study to date, researchers from Canada and Oxford University found robust evidence that trying the drug before the age of 18 meant young people were more likely to develop depression and experience suicidal thoughts. Prof. Anrea Cipriani **Jama Psychiatry 2019**

This has serious implications for the workplace and the productivity of employees

The Semiotics of Cannabis

The Oppositional Attitude

‘We were curious. It was exciting.

We wanted to test boundaries ... rebel a bit.’ Another cannabis user expressed this even more clearly, ‘If it was forbidden, we’d do it.’ It seemed that an oppositional attitude was widespread among cannabis users.

Cannabis culture consists of a collection of rituals, symbols and stories to which all users must relate.

Sveinung Sandberg - Norway

Educational Campaigns

The White Paper mentions educational campaigns about the responsible use of cannabis. Such campaigns can be decoded by the recipients as promoting cannabis, irrespective of the contents of the educational material.

Some points about the White paper:

- Why is the limit for personal possession increased from 3.5 grams to 7 grams – enough for 14 joints? (Netherlands: 5grams)
- Possession of >7grams but less than 28 grams not subject to criminal proceedings: 28 grams is the equivalent of 56 joints
- >28 grams – law stays the same as today
- A study on safe methods of procuring cannabis with levels exceeding 0.2THC is also required: why has this not been conducted before drafting the White paper?
- Section II: 'Consumption of cannabis in one's own home adds to the users' wellbeing' – who says?

- What are 4 plants: how many grams. How many joints?
- A dedicated Cannabis Authority - Why is this necessary? Who will sit on it?
- How can we on one hand say we want to push youths away from cannabis, and then say that we want to provide info about the 'risks and benefits' of cannabis?
- No mention of Employment related issues

Recommendations



1. Postpone all parliamentary discussions on White paper till after the elections.
The issue of cannabis cannot be turned into an populist electoral gimmick.
2. There should be adequate safeguards to ensure that the decriminalisation of cannabis is not a preamble to decriminalising other substances – e.g. cocaine. Drug policies should be subject to a two thirds parliamentary majority. If necessary, a referendum should be held on such issues.
3. The White Paper (section 8) mentions ‘promoting the use of research and open dialogue on the cannabis plant’. It is pertinent to point out that:
 - no dialogue has taken place with the social partners
 - research should precede the White Paper, not follow it.
4. The subject needs to be approached from a wider perspective, including employment matters. Employers need the necessary assurances about the recreational use of cannabis and the place of work.

5. Minor Infringements

Minor infringements that do not involve trafficking should not carry a prison sentence or mentioned in the police conduct. Also, as mentioned in section III, there could be expungement of criminal records. However, for new cases, offenders should be obliged to do community service – e.g. cleaning streets, helping out with Caritas and rehab centres.

There could also be an obligation to attend courses about the dangers of cannabis and other illicit substances. This should apply even to minors.