

Intro: Hello and welcome to leadership in challenging times on the NorQuest college podcast, hosted by Dr Jodi Abbott, President and CEO of NorQuest college and Lieutenant Colonel JC Wilson, third Canadian division headquarters with the Canadian army. This podcast, we'll discuss challenging and difficult topics affecting community business and soldiers alike. The presenters may at times express their personal opinion or take a contrary position to expand the conversation ranging from leadership to sensitive subjects to current affairs. The podcast. We'll tackle issues in an open manner with an eye on identifying and expanding ideas from all sides of the discussion. Jodi and Jeff will now start the podcast.

JC Wilson: Welcome everybody podcast number 12. We had a really interesting subject. Today we're going to be talking about cannabis.

Jodi Abbott: Hi everybody. Hope everybody's well. Um, cannabis is a very, very interesting topic and I can tell you I am no expert in cannabis, so we're really pleased to have a couple of people join us today. Ron Smith, associate lawyer with Newman Thompson. Welcome. Ron, do you want to give a bit of your background?

Ron Smith: Yeah, sure. So I joined the offices of Newman Thompson this year. Prior to that I spent 15 years at another firm, large regional firm, a heading up their employment practice group there. At Newman Thompson we do exclusively labor and employment law. And so we deal with as many subjects touching on the workforce, including of course the recent legalization of cannabis, which has impacted all of our clients.

Jodi Abbott: Thank you. And also Bruce Hertz, project manager with the city of Edmonton. Welcome Bruce.

Bruce Hertz: Thanks Jodi. Yeah, I was fortunate enough to be asked to lead the project team for the city of Edmonton when we started mobilizing for the legalization of cannabis so that on our team we had representation from the zoning folks, the business licensing folks, the bylaw folks. So, I've been lucky enough to have a sort of a broad exposure in terms of the impacts on the city.

Jodi Abbott: Great. Well, we were looking forward to a really great conversation today. I thought I would start with a Wikipedia. I'm on cannabis. And it's really interesting when I read about cannabis, the history goes back thousands and thousands of years. From what I can tell back to between 2000 and 1400 BC and it has been used, I'm often on or ritualistic basis in China, India, Pakistan, and from my reading it looks like in history it's been tied to Buddhism and Hindu festival of holy and you know, in the more recent the Rastafari Movement. So we've seen this long, long history of cannabis. My understanding is there are many, many strains of cannabis, but we tend to talk about CBD and THC. And it's my understanding that THC is the form of cannabis that is a psychoactive.

Jodi Abbott: You'll also hear the words hemp out there. And certainly from my perspective, there's been a lot of confusion about what's hemp, what's THC, what CBD. I can tell you that NorQuest has been working out in the Drayton Valley area on how to harvest hemp and use it for building products, et Cetera. So, obviously cannabis has very, very strong fibers

that allow for production of other materials. We're not here to talk about him today though. We are here to talk about, uh, the legalization of cannabis and a legalization of medical sorry, recreational marijuana happened on October 17th this year. And Ron, I wonder if you can give us a bit of the path to legalization and your perspective on why Canada made this decision to legalize cannabis.

Ron Smith: Sure. I'd be happy to do that. I'm certainly, we've come a long way from the reefer madness days, uh, that perspective on a marijuana back in the fifties and sixties. And the revolution of course that happens socially in the 60s as we saw a lot of people, uh, begin to smoke a marijuana sixties and seventies. And we've learned a lot about the substance in particular, the THC component. Since then, the sciences evolved quite a bit. There's not nearly as much fear surrounding the effects of it. Of course, not all is known in the research is far from complete, but we're pretty confident I think as a society that it's a relatively safe drug, comparable to alcohol. And so we really, this is our version of a prohibition back in the day when we were, we were in that that phase. And so with that of course prior to legalization, marijuana was sold on the black market.

Ron Smith: So we had a every drug gang and they're still doing it of course, because of the legalization is very recent, but marijuana was only obtainable through illegal means other than medical marijuana, which has been legalized now for some time. But recreationally, you could only obtain it on the black market. So one of the primary drivers if you're to believe what the government has told us about why they've legalized it, is to take it off of the black market and the, the net effect, the hope of that will be that you're going to a curb black market profits gang profits from the sale of marijuana. Another effect that they hope to achieve is to keep it out of the hands of youth by regulating it, legalizing it, uh, establishing an age requirements. And so on a time will tell if a, that effect with those two effects will be achieved. But those are the two primary effects that a, that they're trying to achieve through the legalization.

Jodi Abbott: Yeah. So it's I think it's an interesting time in Canada as we figure this all out all out. Bruce, the city of Edmonton certainly as legalization of recreational cannabis has come into play, has had to do a lot of work. Can you give us a bit of a sense of where you started and where you are today?

Bruce Hertz: Yeah, it was a real challenge for the city and I think all cities and I think our council you know, showed some great leadership in terms of how we approach the whole issue. And there was really sort of three broad areas that we had to look at. The first was the whole zoning piece. There was lots of concern in the public around where stores would be located for on a retail basis. Where could they be located, where it shouldn't they be located? There's issues around separation distances, how far they should be from schools and libraries and those types of things. Then the next piece was the whole issue around licensing and how should we be licensing retail and what restrictions in terms of operating hours and all that do we put on it and the third most public consumption and that is around, you know, where should it be allowed or should it be allowed at all?

Bruce Hertz: And how do we, how do we do this and how do we do this properly as a society? And as Ron said, the city base, their philosophy on sort of four broad principles concerning public health and safety. The issue around a community livability, the issue around being

somewhat business friendly as it is a new industry and we need to recognize that it is in fact illegal. And the fourth being keeping sort of drugs, alcohol, cannabis out of the hands of youth. So the, those were the sort of the four broad guiding principles that we had that sort of, we were, our council was able to apply and, and uh, also keep in the forefront as they develop the specifics around the zoning and the licensing and the public consumption bylaws that came out.

Jodi Abbott: So with this, where did we end up like as of let's say October 1st? How many how many producers do we have? How many retail spaces do we have? I have no idea of the magnitude is this big?

Bruce Hertz: Yeah, I would, I would think it's big. As of call it December 1st. We had, well let's back this up. When we first opened up for a development permit. So in order we'll, we'll do a quick 30 second lesson on how we develop spaces in the city. Before you can open a business in a specific location. You did a development permit. You're not allowed to open a restaurant next to a residence in a neighborhood, you're not allowed to open a gas station if you next to a residence in a neighborhood. It has to be zoned appropriately for you to locate those specific types of businesses in their locations. So from a zoning perspective you need a development permit and specific uses are only allowed in specific zones. So cannabis was set up specifically to be allowed in business zones, industrial, commercial, convenience store, retail mall type locations.

Bruce Hertz: So what we did in the initial piece was where we did a random selection draw. And in that overall process, we had a, I believe, 181 initial applicants that we drew at random. So when they, they were awarded a spot in the, in the process to be evaluated by our teams. That's how we started initially issuing development permits. At the end of August, we opened it up to call it our regular process for all other stores to begin to make applications. So again, we had initially had 181 subsequent to that. I think we had about 44. So on mass we've had over 200 applications. Right now we're sitting at just over a hundred approved development permits. Some are still being considered, some have been withdrawn because they, as one development procurement was issued and there was a separation distance of 200 meters between stores that would basically disqualify stores that were subsequent stores that were, came in within that, that distance. So we're now looking at, as I say that many approved development permits. And my last check, I think we have 15 approved business licenses. So there's still lots of additional retail stores coming. So the locations have been approved, but the actual retailers haven't yet to commence operations in those approved locations. And some of that is logistics around getting the stores fixed up. And as we've recently seen through the AGLC concerns around supply.

Jodi Abbott: Yeah, it's a, it's interesting. In my neighborhood, I live just off 124 street and we've got one maybe at around 109 and 124 street. And then another on the corner of 107 Ave and 124 and it's quite interesting because one I haven't noted. Any activity at one of them, I'm not sure that it's even open. So it could be they got the development piece, not yet the operating license to move forward. Could be, or it could be that they don't have supply so the doors are, are not quite open.

Bruce Hertz: Yeah. And the other element on this, as all the retailers also need approval through the AGLC. There's a, there's another licensing fees to AGLC. So in addition to being licensed by

the city, they also need to be licensed through AGLC. So the operator that is our hoping might also be waiting for the AGLC approval as well. So,

Jodi Abbott: and is it that the product you have to purchase through AGLC, does anybody know that or can you go directly to a producer to buy your product, to sell in your retail?

Bruce Hertz: AGLC yes. Okay. So just like alcohol. The AGLC has been, AGLC is the sole distributor. And the sole online provider as well. So no retailer is allowed to create an online store. You couldn't log in and buy from the store on 124 street. You could only buy from the AGLC website. As a consumer.

JC Wilson: Well, I wanted to start talking about from a leadership perspective. You know our podcasts about leadership in hard times and the idea is, or challenging times but the idea is to prepare a leader to understand how to deal with the issues. And I know for me personally, the first thing I'd do is just flip a switch and say it's legal. That's it. Putting, it doesn't matter. You know, your, your opinion on there. It's legal. So now it is as a leader, how do I manage yet? So I know the city had some concepts on that. And can you talk about that for a second person?

Bruce Hertz: Well, I think the, when the city looked at it and our council I think showed, showed leadership and we were, when you look back at the results on October 17th recognizing that the product was legal and we needed to, I'll say that, that you have to accept that it's coming.

JC Wilson: Yeah. You have to get in front of it not just ignore it.

Bruce Hertz: Correct. And, in our research we found that for instance, on a complete ban on public consumption in the United States, most of the municipalities had a complete ban. And when we went and spoke with those folks, they said, it doesn't work like that. There's just people are consuming.

Bruce Hertz: So you, you need to be ahead of this issue and need to understand it and you need to manage it or, and, or regulated. And I think our council and in trying to understand that and take their leadership position did that sort of in, in, in the bylaws that came out from our public consumption piece. and I think obviously as well here, let me get on the HR side. Our city imposed or created a training program for our leadership team. So all of our supervisors and higher or have gone through a training course in all of our entire workforce had a new alcohol and cannabis slash drug policy that everybody had to sign off on. So we use that opportunity I think in terms of updating policies and bringing that forward. And so I think, from a leadership perspective, I think the city has positioned itself well and try to, as you say, get out in front of this.

JC Wilson: And I think that's it, follow that word because I think a lot of people are in a bit of denial. I just never, uh, one of the radios, stations, they were talking about other city mayors and they were, some of them said, Eh, we're not sure. We're just gonna wait and see how it goes. And I was like, Eh, you know, you can't wait two or three months after this, after the, you know, the ship has sailed and say, okay, now this is our policy. You just can't do

that. You have, especially for business, which is, you know, why I want to refer to Ron is that, you know, you have to take a, as a business, as a stance because you can't go to an counsel, a person, Hey, I didn't like how you handled the, you know, you're using marijuana if you don't have an HR policy that defines that.

JC Wilson: So from a leadership perspective, you get, you know, you have to be up front on that HR policy, which I think is your kettle of fish. Ron.

Ron Smith: Yeah, absolutely. It's a, from a private enterprise perspective, I mean, you've got a variety of employers out there. First of all, you've got the Suncors and Syncrude's of the world whose operations are markedly different than for example. There's some level of irony in this in a marijuana store. If you, if you run one of those operations, your policy's probably going to be a little different, uh, than it would be for Suncor, Syncrude. Or for example, the policies that we've seen come out of a Westjet, the RCMP, that type of thing. So much depends on what your environment is, right? If it's an extremely safety sensitive environment, you're going to have a very different set of policies, then you will in an environment where that's not the case.

Ron Smith: But from a leadership perspective, the first thing that needs to happen is exactly what you, you gentlemen have touched on is a change in mindset to understand. The the drug is legal and it needs to be recognized that about 22% of the Canadian population smoke, which means your workforce, about 22% of the people around you smoke marijuana. Some of those people may in fact be your top performers. You have no idea, they're not obligated to disclose it to you. But the point is from a leadership perspective, you just have to accept at this is the new world norm. And you did then have to get into that education component. And that's, that's absolutely key. And Bruce touched on that. It's up to the leadership in any organization to take the lead on this file and to educate your employees.

Ron Smith: And I would start with the basics as we did in this podcast. I would start with what is marijuana? What is weed? What impact does it have in the workforce? You ultimately want to create an environment where you're actually getting input from all of your employees on how to manage this particular issue. Create an open discourse that allows for disclosure. Let's say for example, someone is using it for medical purposes and they have to make that disclosure. If you have an environment it's looked down upon, then that disclosure is not going to be forthcoming and you run a greater risks than you weren't greater risks. When you have employees who feel as though they have to hide marijuana use, whether it's for medical purposes, recreational or otherwise you don't want to do that. You want to get out in front of it, get into the training piece, train them on exactly what it is and what's acceptable in your work environment and why.

JC Wilson: Right? People need to always understand the why people don't like rules without reason behind them. And so if you're in a safety sensitive environment, for example, Westjet with respect to their safety sensitive positions, they've implemented a zero tolerance policy. So they are actually governing your life outside of the work environment. Thou shalt not smoke marijuana if you're a pilot or if you're in some of these other safety sensitive positions. The RCMP by way of comparison has instituted a 28 day now as same as the armed forces. That's right. Same as the armed forces. So that's, that's near a zero tolerance, right. One step away from, and that's based on some of the science that it

doesn't fully metabolize through your system. Some of the cannabinoids remained in your fat cells for a period of up to about a month.

Ron Smith: And so that's based on that particular science. And of course, you know, people would, people would say, well, no, they're not impaired though. Well, each organization gets to, gets to make its own rules. The Vancouver police force, for example, has said business as usual and, you know, insert BC jokes here business as usual. Just show up fit for duty, right? And fit for duty is the typical standard that you'll see where there's not a particularly safety sensitive environment at play. But all of the leaders of these organizations have had to address their minds to the fact that yes, it's legal. Yes, it's going to have an impact on our workforce. What is that impact and what do we want to do from a cultural perspective in setting that up? And once you get your mind around those issues, then you can start policy drafting.

Ron Smith: And, and that's a key aspect. As Bruce touched upon, the policy drafting is absolutely essential, but before you get to that stage, you have to decide, do we have a, an extremely safety sensitive environment is our environment such that we have certain safety sensitive positions that require different rules than let's say for admin staff. You have to, it's not a one size fits all answer is no answer at all. Right? So from a leadership perspective, it's definitely an interesting time. Depending on your mindset on this issue, it can be a bit of a struggle. But it's interesting to note that so far it's been a bit of a scenario in that we're all waiting back then for the planes to drop out of the sky and the lights to shut off and you know, they apocalypse to start and nothing happened. And so far that's what we're seeing now. It's early days and they're going to be lots of interesting effects when deep studies are done and so on and so forth. But I think that's also a key thing for leadership to keep in mind. No matter what industry you're in, look It isn't going to change a whole lot of things in the world. So let's not overreact and that, that would certainly be a misstep.

Jodi Abbott: It's very interesting. NorQuest ended up looking at two policies. So one is our, we have a smoke free campus. So we have said that continues, that applies. And you know, we went we had conversations about it at the executive, what, what are our principals going to be going forward? And we said, smoke free policies, stills a still applies. And we basically highlighted that that includes cannabis. The other policy, which you touched on, Ron is around fit for duty. At NorQuest we have very few high Safety sensitive positions. I think we have one position that's a forklift operator that is technically categorized in that area. So we basically modified our fit for duty policy to say this applies. You must be fit for duty and if for whatever reason, whether it's alcohol or cannabis related, you come to work impaired, there are certain things and certain conversations that would happen.

Jodi Abbott: And your coworkers also have an obligation that if they're concerned that you're not fit for duty, then they also have an obligation to follow a set process. So we've taken, I think I'm a very open position. I think it'll be very interesting as we move forward on edibles. I'm on. How do you implement that into your policy? But even though we've taken you, you might describe as a very, it's a very simple approach because we've said we're smoke free, we're remaining smoke free and you have to be fit for duty. I think there are still complexities around the conversations that you have because of the stigma that, you know, thousands of years has maybe landed on this stigma. So I think that, you know, my opinion might be different than your opinion when you're working with an employee

where they're not fit for duty. So I think that openness, understanding and also giving people the tools they need to be able to manage employee situations will be really, really important.

JC Wilson: Yeah. What's really interesting in that I've found to get, haven't gone through the regulations and law, the federal ones that are paralleled. It's really to the alcohol policy for, you know, like if a person's having problems, okay, there's addiction services and, and it's almost written the same, the counseling process, the processes you go through. I think that was a really good thing because we've got a really good proven track record of how we're dealing with those from the HR, from a legal point of view, right? You get counseling and there's a set counseling process and performance requirements if you don't meet those and job action can be taken and all that kind of good stuff. But I think that's a really good approach because if we had a really unique approach, you'd have, you know, alcohol in this category and cannabis and the other category. And sometimes there'd be differences. And lawyers love this. There'll be arguing, hey, well what about this? It's the same as that.

JC Wilson: Yeah. And I think it's really good. And, and I think that's one of the key elements from a leader perspective. It's the same process. You know, you, you, you want to look after your employees. You want to look after you, you know, the fellow employees were on the persons who may be having an issue or it may not understand your policies. And clearly defined HR policies will help with that. But I think that's a really good step forward, especially on the federal side, that,

JC Wilson: hey, it's the same type of process.

Ron Smith: Well, they, culturally, that ties into a, to your earlier comments about not wanting to stigmatize. If you have a different set of policies surrounding cannabis versus alcohol, you are creating, you're feeding into that stigma. And I don't see any upside to that at all. And so we've, you know, we've just heard from NorQuest and from the city with respect to as well as the military with respect to the reactions taken to the legalization of it in the, in their particular work environments. And we see, you know, certain differences that reflect the reality on the ground. Right. And so it seems as though people are reacting to it, leadership is reacting to it appropriately. You know, talking about the small tweaks to policies as opposed to big sweeping changes. That's really it. I mean, the, the, the ones snag that marijuana has presented is the impairment piece, right?

Ron Smith: Because the science isn't there yet. And that's the real difference. Otherwise there is no difference between or from a workplace perspective in terms of how it should be dealt with between marijuana and alcohol or other prescribed pharmaceuticals that will impair you as well. I mean, if you're on Oxycodone certainly you're showing up to work and you're not fit for duty and that is no different than either alcohol or marijuana. So that's, that's where, and hopefully, and if whoever comes up with the answer to this is going to make millions and millions of dollars, some of them will come up with a test that can actually measure impairment from THC. And once that happens and it will eventually happen, once that happens, then there's really going to be no market difference in from a workforce perspective and how you treat a THC versus alcohol. And even from a law enforcement perspective, more importantly, frankly, on the roads, once that science is developed, we

get there, there's just not going to be any real difference. And I think over the course of time the stigma that we've talked about will, will completely fade. And we'll just be dealing with this on the same basis that we deal with alcohol.

Bruce Hertz: I think, Jodi. I think you were right on, yeah, and Ron with the fit for duty piece. As you can be impaired by many things. You can be heard by lack of sleep. You know, he just got off a 12 hour jet ride from the Far East and you show up for work at eight o'clock in the morning, you're falling asleep at your desk while you're not fit for duty. So I think those are things that as an organization and you know, just point, if we're going to show leadership on this, it's understanding it's just impairment and you can't be impaired at work and you certainly can't be impaired in a safety sensitive position. You need to be fit for duty. I think we're gets complicated. So we can write the policies around fit for duty and you know, we have the, the complexity of being able to actually test the impairments.

Jodi Abbott: So we have, we have that challenge. But I also think we have the attitude and I'll challenge. So if, if for example I have the view that cannabis is bad, I don't agree with legalization and one of my employees come to work and they're not fit for duty and they say to me, you know what, I'm really sorry, I'm not fit to work today because I've been smoking marijuana. There you go. Thank you. That that's what that might be called on the streets. I'm impressed. You know, these terms, I'm learning a lot here today. I've learned, I've learned a lot through my recent ventures into the marijuana world with my employer clients. Ventures, what we'll call the so, so, you know, I can, I can be neutral and I can listen to the employee and say, okay, you know, you have just told me are not fit for duty. So here's what we're going to do. But I can also react as you terrible person. I can't believe you're doing this. I don't know why you work in this organization. It's not considered aligned with our values. So how do we as organizations, I mean this is the hard work in organizations, right? Because you can put policy in place and you can put the training in place, but people have their own beliefs and values. So what advice, um, does anyone have on around the table for a leader who is maybe buys themselves or their employee has a certain values that are different from them? How do we manage that?

JC Wilson: If I could jump in on that, which for me, the watershed moment for me was that there was a picture of two soldiers lining up on the first day. It was legal in uniform. And you know, generally we, we came from a past where you weren't allowed to go to, you know, 20, 30 years ago, you weren't allowed to wear your uniform off base. You weren't allowed to go to an alcohol, you couldn't buy alcohol in uniform. And that's kind of all sort of gone away. And a lot of people got upset about that. And then you know, it was noted that it's legal now, you know, do, do you get upset when you see people at the base going to the liquor store that's on base to buy wine? The answer's no. It's the same thing. And you have to get your head around that in terms of that understanding. Otherwise you just, you just start beating yourself up because it's no longer an issue. Your opinion in, you know, from an aid, you know, in government or a company or a HR point of view. It really isn't. And I have to admit for myself, that's kind of when the, for me the flip, I, cause I have opinions about it and flip. Okay, well let's, that's it then. And I've thought that was a really good way. The military said there was a controversial, people got upset about it was on Facebook and everything else in prison. It's legal now. Okay, move on. And, and that's, that's the approach. And I have to admit, I think that's a

very healthy way. Um, and sometimes the military is not good at that type of stuff, but in this case, I think it was a very mature and sort of healthy approach.

Bruce Hertz: And I think you're, you're point is well taken Jeff. I think as a, as a society, as we learn if you will and we socialize, um, the whole issue around, um, consumption not wanting to draw attention to any particular vendor. But if you looked at the, at the front page of the Edmonton Journal today, there's a huge ad for a specific company that sells alcohol and it's so much percentage off wine and so much percentage of spirits and so much percentage of the beer. And we just blink and say, that's okay. You know, to your point, Jodi, if, if somebody says the word cannabis, everybody seems to have almost say a connotation, but we have a different visceral reaction to that. And I think we need to, as a society, understand, it's now illegal. It's a drug. It impairs your not supposed to be consuming it, where it's going to affect you on the job and you definitely cannot consume it in and operate a motor vehicle. It's the same as alcohol. It's the same as, to your point, grow with opioids. You, you can't do these things if you're impaired. And as a member of society, you shouldn't do these things while you're impaired. And I think we as a society need to understand it. And as a leadership team, I think we need to undo also, I'll say walk the talk and espouse that and say, look, I get it. I know it's illegal. I don't care. You're still not supposed to do it at where it affects the job.

Jodi Abbott: Right. And I think it's interesting. I've just people that I've been with where, you know, I've known people for many, many, many, many years and they're very upstanding people in our society and they're saying, well, heck, I've been using CBD for years. And even with CBD and, and you know, my personal first reaction was like, holy cow, I had idea and the person using it for back pain, knee pain, whatever it is. And you know, even me, even me, I'm like, oh my goodness. Okay, I need to open my mind to understanding that, okay, it wasn't something we talked about for forever. Um, now we're talking about it and you know, it's that individual's personal opinion. It's helping them with their health. That's a good thing. Um, I think it will help a lot when we have a lot more research because we'll know more. Um, but it is this reaction people have. And as good as policies are, we work with people and people come with a lot. And so I think it's, it's really this being open and knowing your own biases.

Ron Smith: Yeah, I think that's essential. And the, you know, this ties into the trading and the cultural piece, right? And going back to two basic facts. You know, we've talked about the fact that, um, we have, we know people who use but didn't know that they used, well, again, 22% of the population from the time they've been taking these stats, which goes back decades, that's the rough average. And so for all of this time in every workforce, uh, almost a quarter of your workforce has been smoking weed. And so it, it's really a matter of just appreciating that reality and now they're doing it legally, right? So it's a matter of appreciating that reality and simply treating it no differently than in alcohol scenario. Going back to an earlier example, the worker who shows up and says, I'm not fit for duty because I, you know, I drank too much last night, or I got drunk this morning.

Ron Smith: Your reaction to that is, boy, I wonder if that worker actually has a bit of a problem. Maybe we need to help that person. Right? That that's, that's the gut reaction to that scenario. Right? What problems do they have in their life? What's going on? Let's get you some help. Let's contact the, you know, employee, family assistance program, people. Let's do

whatever we can. The reaction to the worker who shows up and says, yeah, I can't work. I just smoked a joint. That person is no different than the person who showed up intoxicated. That person probably has issues in their life as well. It may be an addiction issue in relation to marijuana or in relation to any number of substances. They may have terrible family circumstances on folding currently, that type of thing. And so from a cultural perspective that, that training piece is absolutely key.

Jodi Abbott: Just I'm moving a bit too, uh, the environment and bylaws and how do we manage? So I NorQuest has set our policy for, you know, fit for duty and nonsmoking campus, so smoke free campus, but we have sidewalks outside. Um, we have neighbors outside and we can, we can monitor and make sure that we're adhering as best as possible to our policies in our building and in our campus. Um, what's important for people to understand, including, um, our, our leaders as they're coming up is, um, what's the policy outside our building because we do have bylaws. Um, and what is both our role on monitoring those bylaws and what, what, what isn't ours to monitor and then how do we get the help we need?

JC Wilson: Cause I was just in Winnipeg last weekend. There bylaw is you have to be on private property. . And that changes a lot of the dynamics and I know Edmonton took a different stance.

Bruce Hertz: So yeah as I said, some of the research we did in some of the u s cities around the ban of public consumption and he only allowed on private property. And the example I always used to use was if I'm we'll use, Jodi lives off on 24th street. So I'm walking down the sidewalk and I'm smoking my marijuana cigarette in the police car drives by, or the bylaw officer comes by. I'm just going to go and stand on Jodi's front lawn. And Jodi happens to be at work that day. So pretty hard to enforce because I'm on private property. Jodi comes out and says, get off my lawn.

Bruce Hertz: So I'll go stand on Jeff's frontline, who happens to be your next door neighbor and Jeff's at work that day. So like how do you enforce a complete. That's actually comes in and becomes very, like as from an enforcement standpoint, it's very difficult. And I know our council wrassled with, with the, the issue around public consumption and they came up with what I believe is a r a compromise. We also at the same time harmonized does that tobacco and cannabis consumption as a, uh, another way, to your point, you have a ban on smoking on campus. So how can we help, uh, look at this from a public health perspective? And then coming back to those principles around, you know, uh, minimizing exposure to youth and what public health and safety. So the, the, the bylaw was amended. So the old bylaws allowed tobacco consumption within five meters of a door or window or air intake. And what a our council did was they extended out from five to 10. So, um, and then they said not only tobacco but cannabis as well. So by, uh, imposing that you now must be 10 meters from a doorway, a window or air intake before you're, you're consuming tobacco or cannabis and what the city has done even on Whyte Avenue and, and on Jasper and one hundred ninth street, sort of the high traffic areas. We've actually relocated all of the public ash trees to what would be considered illegal locations. So if you see a public ash tray along Whyte or just off white, you are now in an area that is in fact legal. And if there is no public ashtray, that area, you're probably not in a spot that's legal to consume in terms of you're too close to a doorway or a window. So the idea there was to,

understanding it's going to happen. So how do we socialize this and say, all right, if you're going to do it, great, but just do it over there where you're minimizing the public health impacts to others.

Jodi Abbott: Yeah. And you've actually you were, are by moving the ashtrays, you're really trying to shift behavior as well so that people, you're making it easier for people to understand what's okay and what's not okay in terms of the bylaw.

Bruce Hertz: Yup. That's exactly what the intent was. And the expectation is it that people that do consume, whether it's tobacco or cannabis, are now following that. The other piece that the city did around bylaw was they also banned consumption of that now in parks that have children's amenities. So swing sets and playgrounds and splash parks and all that stuff. Uh, again, the distance for tobacco used to be there and now the band dot for, for that, they've also done a similar thing on our name to attractions. So the zoo and, and much arts conservatory and all that. And again, the issue came back to how do we minimize exposure to youth? How do we maximize public health and yet still allow public consumption.

JC Wilson: So in the enforcement issue is the issue, because I listen to the mayor talking about the enforcement problem and don't ever get and create this massive bill where you have to create this enforcement architecture that in order to enforce it. Whereas if you go up front and say, if they're at that ashtray, it's good to go. We don't have to worry about it. You don't create that, that tension with bylaw, you're, you're a meter off. So I'm gonna give you a ticket where you create that civic frustration because it's so close to the line and people get frustrated. So I know the mayor was talking a great deal about that. It was about money from the province more than that. But uh, yeah.

Bruce Hertz: And, and our bylaws, our folks, I think you've done an outstanding job. We've, we focused significantly on what we would call warnings, um, and it public education and saying, look, you know, we've moved the ashtrays. You got to go somewhere else now for this, or it's legal, but you got to go, here I am. I'm not going to write you a ticket, but I could, but you need to go and, and, and be consume, if you will, in in illegal spot. So, um, and our, our teams have been trained, we've done drops in the businesses, we've had stickers and we've had sidewalks signage. We thought all kinds of things to try and, and, and communicate this into the market. And as you said earlier, Jodi is shift that behavior so that the consumption of tobacco and cannabis can occur, but, uh, at with minimal impacts on others and nope.

Ron Smith: And it's interesting because the, the timing that we're dealing with here now, we're sort of nearing the middle of December and I'm realizing I don't have my Christmas shopping yet, but of course we're in Christmas party season and so Bruce, all that explanation regarding the rules surrounding, you know, where you can consume and so on is quite topical right now and links into a, the leadership and culture piece from an HR perspective because this is the first year where employers are going to have to think about their employees consuming, uh, marijuana at Christmas parties.

JC Wilson: Do you know what I'm just done? I Bet Jodi wrote that down as a question.

Jodi Abbott: Here's my question. I am hosting people this Friday at my house for a staff party and, um, I always post signs saying don't drink and drive and provide taxi chits so people can get home safely. In this case, am I president of NorQuest College? Am I a private set of citizen? What are the risks that I need to be aware of? And this would go for anyone hosting either you know, I think it's maybe a bit different because it's at my home versus at a college facility. So w it's very, very perfect timing. No pressure Ron. I think he's not charging.

Ron Smith: No, you don't. You, you raised a couple of very interesting points here. And so this gets us into social host liability and again these things, you know, preexist the legalization of marijuana. Right. And this, this goes to show though just how linked the two are. Marijuana and alcohol and how how you grapple with those things is effectively the same in most circumstances. But yes, in in circumstances where you are hosting a NorQuest party at your house, um, you have, you have employer social host liability concerns, not just personal social host liability concerns. There are those as well. Um, but clearly from an employment perspective, um, those liability concerns are heightened and you're doing the right things in terms of providing taxi chits and putting some signage up. And I'm sure at the, you know, if there's some sort of speech that you might give at the party, that's part of the housekeeping aspect of that talk. Um, you know, no one's gonna drink and drive or smoke and drive or just be impaired

Jodi Abbott: I can also say there will be no smoking in my house, on my property.

Ron Smith: And that was adjusted both to get to that and a, and that feeds enough what Bruce is saying. Uh, no. Uh, we don't allow, personally it's your property. Um, you are the queen of that castle. And so you get to say, nope, there's no marijuana smoking just in case anyone was curious about that. And a so you can make those rules and uh, and make them make them stick. Um, and yes, the, the social host, employer social host laws would apply. There's, there's a number of cases, um, things have happened after parties where you know, the president of the organization or what have you, has hosted a, the Christmas party and it's still considered by the courts to be an employer sponsored event. Right. So important to keep that in mind, but really there's not much more you can do beyond, you know, what, you wouldn't let him do it.

Jodi Abbott: Yeah. Good, good, good. Yeah. One other question. Crossing the border now this is something I hope all of our employees are having vacations, traveling, et cetera. So this isn't necessarily a purely a leadership question, but I think everyone's interested to know how do we cross the border? What's happening in that regard?

Ron Smith: Happy to jump in on that. Um, you know, to, to an extent, depending on your organization, it can be a leadership question as well because there are lots of companies that have employees that do work in the US and so certainly from that perspective if you have employees that uh, have to cross the border as part of their job duty, I've been advising employers that you can, you can have a complete ban on their ability to use marijuana period because it's a bonafide occupational job requirement that they be able to cross the border. And the way the border laws work, of course, so you have certain jurisdictions within the United States where marijuana is legal. However, a border crossing is controlled at a federal level and federally marijuana is illegal in the United States point blank. And

we've already seen incidents now where Canadians are attempting to cross the border. And of course you, you're going to expect to be asked this question during this particular time frame and it's just become legal. So the border guards are all over it. They are asking you, have you ever smoked marijuana? And so if you have, you're faced with a dilemma there. You either lie and commit a criminal offense and um, if you don't get caught, I guess you get in and you get out and you're off the hook. But if you do you're into your, into a criminal offense zone and you don't want to be there. If they ask you, you can withdraw your cause technically it's a request to cross the border. You can withdraw your request and pull the pin and you'll be red flagged undoubtedly a in the average as people have an appreciation for border security, they have as much or more power as any other authority out there. It's, it's a tricky situation but the bottom line is right now particularly because this is such a new and hot topic, they are all over it. They will ask you. And if you tell them that you have then they will likely haul you into a back room and do the grilling and you'll be punted. And,

JC Wilson: but, but worse on top of that, you, you're not allowed to fly over the United States. So you can't go to Mexico unless you go to like Europe and then back through. So it can have monstrous implications.

Ron Smith: Absolutely. That's just it. They can ban you in that means through their Arizona as well. And so, yeah, it's a, it really, it's a very real issue.

Bruce Hertz: Sorry Jodi. I think Ron, you, you touched on it, this is a, seems to be a perception is because it's legal in Canada and it's legal in some states. It's quote unquote, okay. And it's a federal US inspection that you're going to go through, not a state thing and federally it's not allowed. So you, you need to understand that.

JC Wilson: And other countries, Singapore, and places like that. And yet when you're not allowed to use drugs at all yet.

Ron Smith: And frankly, you know, if, uh, like we talked about the different ways you can purchase marijuana now in Alberta and, and online through the AGLC is one of them. You know, if you get in a situation where you've lied to border security and, um, you're going to be facing some charges and issues of that nature. They have broad sweeping powers to investigate and one of the ways they might investigate you is through your credit card activity. And so if you're purchasing marijuana, for example, online through AGLC, using your credit card, Ding, Ding, Ding, you might well get busted right there. And so, uh, yeah, it's, it's a sticky, sticky issue. You have to be, it's troublesome because of course we have, let's say a quarter of the population that are using, we have certainly a larger percentage that have in their lifetime used. And the question being posed is not do you use marijuana? It's, have you ever smoked marijuana? so it's interesting. So, unless all you've ever done in your life is using edible, um, you would, you would have to lie if you want to cross views.

JC Wilson: And it's even bigger issue too for, so you get a criminal offense like that, do your security clearance, your ability to be bonded. you know, it, it could have a rebounding from what could be considered, as Bruce mentioned, a very minor event actually could have this catastrophic life changing, you know, implications to it.

Ron Smith: truly, you think about how many Canadians vacation in the US or a fly over the US airspace, uh, to get to various places that, that is a life altering event. So it's, it's something that's very serious and, uh, you know, something, hopefully that gets resolved at some point in time. Uh, but that's going to happen south of the 49th, and so we've gotta be very, very careful, um, before that.

Bruce Hertz: to your point, Ron, I've got a, I've got a friend who's his wife has, is a use of CBD medically. Yeah. And, uh, when he, when he buys, he does not use his credit card, he specifically goes and, uh, pays cash. And certainly to make sure there's no tricks, there's no audit trail because they do still want to travel to the United States and go to Phoenix or Mexico or whatever.

Ron Smith: And they don't care whether you're using it for medical purposes or not. It makes and that, sorry, that's a very good point and a point that should be made because I'm sure a lot of people who've been prescribed marijuana for various issues would think it's Medicine. And uh, and while that's, while that's the case, um, that's not how it's viewed from a federal perspective for the purposes of border crossings in the United States.

JC Wilson: And I think, cause I think one of the takeaways here that you know, you use the example of people who've traveled, you know, you're going on a trip and some people tend to be a bit immature about things they think of it's good to go at home, it's good to go wherever they go, and they just have to look on the news every day to see somebody. Unfortunately the Canadian goes to another country into some stupid things and suddenly discovering a religious wall, for example, that and in some places can have death sentences and you know, get a little surprised him. Drug smuggling in some countries is a death sentence. And in certain countries, and I'm always surprised that you traveled to a country and you don't realize that it's not Canada or Canada light. You know, you have to be cognizant as an individual, as an adult if you're going to hop on that plane, don't understand what you're getting into because you can't say, well, I didn't know that. That's not an excuse. And certainly in some of these places, once you're landlocked in that other country, you're there. And as we saw, you know exactly by this individual or the average Canadian went, why would you do that? I mean, that's stupid.

Ron Smith: And some of some of the border guards have taken it to a higher level and are asking whether or not you have any investments in marijuana companies that are, I know, and I, I can't recall the names off the top of my head, but there have been a couple of business people now that have been banned from traveling into the United States because they were heading to a marijuana conference in Las Vegas and they, it wasn't that they smoked or ever smoked. I'm not sure what the answer to that would have been, but they were invested in the industry and they were heading down there for the purposes of this conference. And so you know, when you think about that, what does it mean to be invested in the marijuana industry? For example, if your RSP portfolio has Aurora stock in it, you are invested in the marijuana industry or your pension plan. think about that. It's a very scary issue. There's no doubt. And so it's something that people just really need to be alive to when they're planning their trips.

Jodi Abbott: And are you, are you seeing any indication of a shift from the US or, or not much?

Ron Smith: Um, president Trump does not seem to be shifting, uh, when it comes to that particular issue, I suspect with a number of states that it's legal in now eventually under a different government it may well become a legal federally or you know, at some point in time, again, under a different administration. I would suspect the particular issue of Canadians crossing the border who have used marijuana, which is legal in this country, might be, there might be some caveat, uh, that is eventually crafted to allow for that. But I wouldn't hold my breath on that.

JC Wilson: I think in some ways if I was them you know, we use the example of looking at jurisdictions that it was legal and learning their lessons learned. And you know, we're, one of the few countries have done it federally. You know, if I was a smart person down in the in the states, I'd be looking at what's, let's see two years from now, let's see the social issues or whatever problems that come with it. And then we can either decide we're going to do it and have a really good policy right off from the get go or, or not. But I think we're a grand social experiment on this. And I think sometimes we have to realize that we, and you mentioned it as well, Ron. We're not sure what that's gonna look like in the next little while. And they'll be tweaking and changing and stuff in. Cities are going to change and small, you know, the rules per city right now are different. I forget what radio station I was listening, but basically had all the mayor's phone in and they all had different policies. Each city just around Edmonton had different policies on the consumption of cannabis, which I thought was really, really interesting that that's going to create some real problems of enforcement where like, I could do it over there, but I walk 400 meters over this way, I can't, but I can go over there and do something completely different that creates some cultural issues.

Jodi Abbott: Yeah. And I would actually say that's not unusual because different cities have different bylaws on a multitude of things. And I sit as the chair of the Edmonton Metropolitan Region Board and I will tell you that everyone in the region, all the mirrors and administration have got together to talk about things. So while there are some differences, um, there's, there are some similarities and, and I think again, I think sometimes the approaches will be different because of the value base, because of the communities, because of maybe the, the policy structures, um, that are, that are in place and embedded in different municipalities. So I think all of this is, it's typical, it's something new that's coming into place. Um, I think the analogy to prohibition is a really, really good one. Some people will say, oh, we're in the wild, maybe we are because we're all trying to understand what does this mean? What does it mean for our leaders? What does it mean for our employees? What does it mean for me in my own home? Does it challenge my values and perspective and you know, certainly the big gap in research because you've been not allowed to do this kind of research. Um, I think there's a tremendous opportunity for us to learn through research because now it can actually be done.

Bruce Hertz: Yeah. No, I think your, your point is well taken Jodi. And one of the things I think we as a society are going to look at and it's a longterm thing is what are these long term public health from either the smoke piece in terms of on lungs. I think if you looked at the effect of tobacco on People's health 50 years ago people were like, well, what the heck were we thinking? and we don't really fully understand the impacts of tobacco. We know the effect of cannabis rather, we know that there's chemicals in it and there's carcinogens in it. Just

like there's on tobacco smoke, it's different. But there's still health impacts. And you mentioned earlier the whole issue around edibles. So now with edibles we're going to be consuming them differently. I think Ron touched on it. When you smoke, the THC goes into your blood stream via the lungs and it's a fairly, the high as fairly quick five, 10 minutes and where you go when you consume it can take up to an hour cause you're now digesting and it's being processed through your digestive system and the liver and then entering your blood stream. So it's a different experience even though it's the same chemical. And I think we as a society, we just don't have data on what does this do health wise for us longterm. We know longterm alcohol is, can be very bad for you, particularly in higher concentrations. So I think there's things that we as a society still need to learn and understand. And you know, my personal view is we've got to understand, I would say caution on these types of things.

Jodi Abbott: And I would say when we introduce edibles, when that's allowed in Canada, that is when we're going to see lots of challenge in the employment arena because smoking is one thing. You can tie it to your smoke free campus policy, et Cetera. But you know, I don't know if Bruce has gummy bears in his pocket and the little snack Lorraine might be having in her desk?

Ron Smith: the little Brownie for dessert, there might be a little more potent than your Brownie, right?

JC Wilson: Isn't really to, you know, to jump back to our thing about leadership, I mean, I think what we're, we're all seeing here is that first of all, you have to be mature about it as a leader. And you know, so if you're the leader of a company and something like that, you've got to get out in front with your HR policies. You've got to deal with it. Not, it's not going to go away. You've got to get up front, particularly if you want to look after your people. And I think that's the real takeaway. You want to look after people, you gotta be fair to them by telling them what the policies are. If you have very strong expectations, um, in the armed forces, I gave you guys a copy of this. I mean they list out like 50 things. Thou shall not do this. And if it is, it's 28 days or 24 hours or whatever. And it says right in the bottom. And if you don't know what it is, you are to seek guidance from your chain of command. And, and then the next paragraph says if you as a leader want to have additional prohibitions, there's a process you can go through. But the reality is looking through the Canadian forces policy and stuff like that, it's really well written. It's got lots of understanding, everybody can understand it. But if you don't get out in front of this, I think this is where unfortunately Ron is where you get all your business. You don't get up in front of it, you're not mature about it. You know, you don't look at it from, it's just like an HR policy for how you're gonna handle any other issue. You just got to get out in front of it. And the edibles is the same thing. I think what we're able to do now is get this squared away and then start working through, I was going to say chew through or working on something like that, but everyone is inappropriate from an edible point of view. But get out in front of it, you have to, as a leader, be mature about this so that you can forewarn your people heading them. Hey, it's, you know, this, it's no good having illegal on Monday. And then cite the policy on Friday. You know, you've had four days and people have gotten in trouble. You need to be out in front of it.

Bruce Hertz: Well, we know edibles are coming. October 17th, 2019. it's one year from the, the, the call it, the leaf legalization and edibles will be legal. Um, but I'll throw that through the button

in and I think Ron probably would, would agree. Um, there's no stopping people from making their own edibles at home right now. So this is already here. Uh, there's no point in sticking your head in the sand and saying, I don't think it's happening. And Oh, all of a sudden on the 17th of October of 2019, we're going to flip the light switch. Nope. The light switches already. Huh.

Ron Smith: And Bruce, I would agree with that and that, that ties back. You can go back a step further again, 22%. While it was illegal we're using it and that's why it's, it's key to not overreact as an employer that the sky chances are, is not going to fall. You're not going to have everyone on October 17, 2019 showing up zombied on hash brownies just because it's now legal. most people by and large want to show up to work and do their job and then on their private time in their private lives, you know, socialize and relax in whatever way that they see fit. And so it's, it's absolutely key to be out in front of it and to not be fearful of it, to not overreact, but to simply manage it and, and educate on it.

Jodi Abbott: So I'm going to ask both Bruce and Ron. Just a final comment. If you had one piece of advice to give leaders dealing with cannabis use on campus, with an employee, what, what would that advice be?

Bruce Hertz: I think Jeff touched on it. I think Ron's spoken to it. I think you've gotta be up front and clear on your expectations on what I would call performance and behavior. as a leader, you're expected to not degrade or criticize others. As a leader, you're expected to lead by example. As a leader, you're expected to model the behaviors that you're looking for. Your, you want to develop the people that work with you and make them the best that they can be. and you need to lead by example in those things. And as, as Ron said, if you're, what you do in your own time is your own time. But when you're, at your desk or behind the wheel or your, you're working for us, uh, we need you to be at your best and we need this level of performance. I, the issue is communicating and making sure your, your, your team understands those expectations, that that would be my big takeaway.

Jodi Abbott: Thanks Bruce.

Ron Smith: And linking into that, uh, you know, I think, uh, attitude is absolutely key for any issue in front of a leader. Attitude is key. Stay calm and carry on is the quote I would bomb out there at this point. It's not, this is not the end of the world. any perception that you have that people who smoke marijuana are bad people or anything like that, you just simply have to do away with and it's a leader's job to be progressive. And so that is what every leader needs to do in this circumstance. How do I, um, socialize the issue in a progressive fashion yet manage it at the same time? And once I think a leader gets his or her head around that then you can get buy in from your workforce because you're not ostracizing anybody. You're not criticizing anybody, you're not judging anybody. You're simply, as Bruce touched on, setting out the expectations for your workforce in a standard fashion as you have already for many years in relation to alcohol and prescription medication that causes impairment.

Jodi Abbott: Great. Thank you. I think very, very wise words. Yeah, definitely.

JC Wilson: For me. I know I had preconceived notions about things and biases and still doesn't change my opinion from my kids. But from a perspective of, of, you know, from a military point of view, I was really glad that the military was proactive upfront. Had a good education policy on it because to be honest, when I read through the policy I go, that makes perfect sense. And I think anybody reading through the policy we go, okay that makes complete sense. You can't handle weapons. You know, you have 24 hours between that. If you're gonna fly a plane, he got 28 days and it lays it all out. And I think the military did a really good job on educating it. And I've noticed the city in the province, you, you on the radio you get a commercial, you know. So from a social point of view, I think we're doing a really good job of, of getting it out there because we have to deal with it. We just can't put it away. What I'm curious professionally is what's that gonna look like? And I'm not saying it's kind of falling or anything, but what's that gonna look like with some of the issues or the concerns? Some of the mental health issues with the youth using and stuff like that where we don't have definitive numbers and what those impacts are. Cause I'm looking at it not from a, from a reaction point of view is how are our programs that were adapted a certain way, maybe more focused on alcohol now going to have to adapt to those differences. And from a business point of view, I mean that's money, that's time. It's, there's enforcement issues from the city perspective and all that stuff. What are the overall impacts of, of bringing that in? And to me that's what I think is going to be very interesting two or three years from now we can revisit this and say what are the results and what socially, economically that came, you know, came out of it. But I think this was a great podcast. I got a ton out of it. I really appreciate you guys coming out. It's really a unique perspective having the two of you here.

Ron Smith: Well thank you very much. I really appreciate invitation. It was a very enjoyable conversation for sure.

Bruce Hertz: Ditto, it was fun. So thank you for having me.

Jodi Abbott: Great. Thanks so much everyone. And thanks for listening.

Closing: You've been listening to leadership in challenging times with Dr Jodi Abbott and Lieutenant Colonel JC Wilson on the NorQuest college podcast. Any questions or suggestions on any episodes can be directed to us at podcast@NorQuest.Ca If you enjoy today's podcast, please remember to subscribe using iTunes or Google play and get updated when the new episodes become available. Thanks for listening.