

A close-up photograph of a vibrant green cannabis leaf with serrated edges, resting on a dark grey laptop keyboard. The background is softly blurred, showing the keys of the keyboard. The text is overlaid in the center of the image.

**CANNABIS  
AND THE  
WORKPLACE**



**SOUTHEY** | ATTORNEYS  
INCORPORATED

# Legalization of Cannabis

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## FOUR THINGS YOU NEED TO KNOW:

1. Inconsistencies with the Constitution
2. Personal use, cultivation or possession
3. Still illegal to deal, sell to other people or smoke
4. The government still has to legislate further



# Legalization of Cannabis

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## EFFECTS ON THE WORKPLACE

- Effects of cannabis are less well known
- Testing
- Policies and Procedures - Rules
- General Safety Regulations – Section 2

*"an employer should not permit anyone who is, or who appears to be, under the influence of intoxicating liquor or drugs, enter or remain in a workplace"*

- Contractually bound
- Difficulty policing



# Legalization of Cannabis

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## POLICIES AND PROCEDURES

- Zero Tolerance
- Disciplinary Action – observable / test
- Visible Symptoms
- Policy
  - Testing
  - Nature of Business
  - Employees Duties
  - Circumstances & History



A glass of amber liquid, likely whiskey, sits on a white surface. To its left is a wooden gavel, and in front of it are a set of car keys with a black fob. The background is a soft, out-of-focus white.

# **DRINKING AND DRIVING**

# Drinking and Driving

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## THE LAW:

### 1. Road Traffic Act

- Driving
- Sitting in the drivers seat with engine on

### 2. Two types of charges

- Driving while under the influence
- Driving with concentration of alcohol in blood/breath exceeding limit



# Drinking and Driving

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## THE LAW:

### Blood alcohol level

0.05g per 100ml of blood

0.24ml per 1000ml - breath



# Drinking and Driving

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## THE LAW:

### Consequences of drunk driving

- Up to 6 years imprisonment
- Up to R120 000.00 fine
- Suspension of license
- Criminal record





# Drinking and Driving

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## RULE OF THUMB WHEN DRINKING:

**1 unit of alcohol every hour based on an  
adult weighing 68kg**

- 250ml glass of wine – 3.3 units
- 1 shooter – ½ unit
- 1 beer – 1.5 units or more
- 1 cider – 2 units
- 1 x 25ml tot of spirit – 1 unit



# Drinking and Driving

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## WHAT HAPPENS IF I GET CAUGHT?

- 1. Suspected – breathalysed – arrested**
- 2. Detained for blood tests**
- 3. Blood tests**
  - Cannot refuse
  - Can request your medical practitioner to be there
  - Shown syringe and needle are sealed
- 4. Held in Custody / Released on bail**
- 5. Trial**



# Drinking and Driving

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## NEW IDEAS TO PUNISH DRUNK DRIVERS:

### ROAD TRAFFIC MANAGEMENT CORPORATION (RTMC)

1. A week in jail before being allowed to apply for bail
2. Reclassification from schedule 2 to schedule 5
3. Also applicable to speeding and reckless & negligent driving



# Drinking and Driving

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## NEW IDEAS TO PUNISH DRUNK DRIVERS:

### SOUTH AFRICAN LAW WILL NOT ALLOW THIS:

Amendment of various legislation

- Criminal Procedure Act
- Constitution



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