



October 11, 2017

Mr. Richard Paton  
Chair, *Railway Safety Act Review 2017-2018*  
Ottawa, ON

Dear Mr. Paton,

FETCO is pleased to submit this letter of support on behalf of the Railway Association of Canada (RAC) in its recent important efforts as part of the *Railway Safety Act Review 2017-2018*, specifically as it relates to the implications of the legalization of marijuana.

In its recent submission, the RAC noted the following:

***Recommendation #8: The RAC recommends that the Government of Canada establish a national cut-off level to determine impairment from marijuana and should create national screening standards that are equivalent to the authorities available to employers in the U.S.***

On behalf of the federally regulated firms that it represents, FETCO fully endorses this recommendation.

By way of background, FETCO stands for Federally Regulated Employers – Transportation and Communications. FETCO is an employer's association that has existed for over 30 years.

FETCO members are generally large employers in transportation and communications, encompassing around 450,000 employees, and representing well-known firms, such as Air Canada, Canada Post, Canadian National Railway Company, Canadian Pacific Railway, FedEx Canada, Purolator, UPS Canada and VIA Rail, to name just a few. There are 23 members in FETCO that encompass between one-half and two-thirds of the private sector federal workforce. Please see Appendix A for a list of FETCO members.

FETCO has been highly engaged in the legislative process related to the legalization and regulation of marijuana (which is now before Parliament as Bill C-45). Our message has been consistent throughout this engagement. The legalization of marijuana poses serious safety risks to both the public and the workplace that have largely been overlooked to date in this process. Federal leadership is required on the workplace implications of the widespread availability of cannabis once this substance is legalized.

Below are the key recommendations posed by FETCO in its submission to the Task Force on the Legalization and Regulation of Marijuana (which is consistent with the RAC Recommendation #8 above):

- 1. That government develop regulation confirming the prohibition for all employees in safety-sensitive positions in federally-regulated industries against consuming marijuana in the workplace or being under the influence of marijuana at any time while on duty or subject to duty, in order to maintain the safety of workplaces throughout Canada and ensure safe continuous operations in industries under federal jurisdiction.**
- 2. That government delay the legalization of marijuana until (a) experts agree on a legislated standard for marijuana impairment that is rooted in scientific research and analysis and (2) the technology exists to test for impairment to this standard in a proven and reliable manner.**
- 3. That government pass legislation allowing employers in the federal sector to conduct random drug and alcohol testing (using the technology noted above as well as existing technology for other impairments) for safety-sensitive positions.**

As part of your work in modernizing the *Railway Safety Act*, FETCO implores you and your colleagues to consider a better approach to workplace drug and alcohol testing. The status quo is not an option.

Ultimately, **federal leadership is required on this issue** – government has already acknowledged an increased concern with the introduction of Bill C-46 on Impaired Driving. Government concerns about the increased probability of impairment is reflected in Bill C-46, related to roadside testing that is consistent with a random testing approach. This same concern should extend to safety-sensitive occupations (ex: train engineers) and industries (ex: rail) where accidents have exponentially greater potential risk for injury, or even death.

Should you have any questions or comments, do not hesitate to reach out to me at 613-670-5817 or at [derrick.hynes@fetco.ca](mailto:derrick.hynes@fetco.ca).

Sincerely,



Derrick Hynes  
Executive Director, FETCO

- c. Elizabeth Cameron, Chair, FETCO  
Michael Bourque, President, Railway Association of Canada

## Appendix A: FETCO Members

- Air Canada
- BC Maritime Employers Association
- Bell Canada
- Brinks Canada Limited
- Canada Post Corporation
- Canadian National Railway Company
- Canadian Nuclear Laboratories
- Canadian Pacific Railway
- Canadian Trucking Alliance
- CATSA
- CBC/Radio-Canada
- FedEx
- Jazz Aviation
- J.D. Irving Limited
- Maritime Employers Association
- NAV CANADA
- Purolator
- SaskTel
- Sunwing Airlines
- TELUS
- UPS Canada
- VIA Rail Canada
- Western Grain Elevators Association

