



Alberta Construction Association

September 21, 2016

Cannabis Legalization and Regulation Secretariat
Transmitted via email to: cannabis@canada.ca

18004-107 Avenue NW
Edmonton, AB T5S 2J5
t:780.455.1122/f:451.2152
www.albertaconstruction.net
info@albertaconstruction.net

RE: Submission of the Alberta Construction Association to the Task Force on Marijuana Legalization, Regulation and Restriction

Dear Members of the Task Force:

The Alberta Construction Association represents 3000 member general contractors, trade contractors, and suppliers across Alberta. Alberta's construction industry employs one in ten working Albertans, and accounts for 25% of premiums paid to Alberta Workers Compensation. Workplace safety is a priority of our members, indeed, ACA founded the Alberta Construction Safety Association 28 years ago. ACSA now trains over 100,000 workers a year, and celebrated at the end of August their millionth student.

Safety is our highest priority and impairment at the worksite is a significant concern for our industry and membership. All construction sites are "safety sensitive". ACA asks that you recommend the following be in place **prior to** legalization:

- Legislation should be enacted to:
 - Confirm that, provided appropriate scientific, medical, assessment, rehabilitation, protection of privacy, and investigative programs are in place, the employer's responsibility to ensure workplace safety trumps the rights of workplace personnel. Provided that the employer has appropriate site access, random testing, post-incident investigation policies in place, and followed appropriate procedures, protect employers from human rights complaints or litigation arising from implementing these policies and procedures.¹
 - prohibit the possession and use of marijuana on or near construction sites
 - prohibit the possession and use on or near construction sites of any substance or device intended to tamper or effect testing of marijuana use or impairment

¹ For example Construction Owners of Alberta Association (COAA) - The Canadian Model For Providing a Safe Workplace: Drug and Alcohol Guidelines And Work Rule



- Tools are available to employers to assess impairment and that until research provides clear cut thresholds or other measures of impairment, an employer's reasonable presumption of impairment prevails
- Tools are in place to determine when addiction is effectively treated, such that individuals can be reemployed at construction sites. Until research provides clear cut measures to determine effective treatment, an employer has the right to refuse reemployment

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Verhesen".

Paul Verhesen
Chair