



# CANNABIS AT SAFETY SENSITIVE POSITION BRIEF

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To: Standing Committee on Health  
From: Martin Marinka  
Regarding: Testing and work practices for Safety Sensitive Positions.  
Date: Tuesday, August 15, 2017

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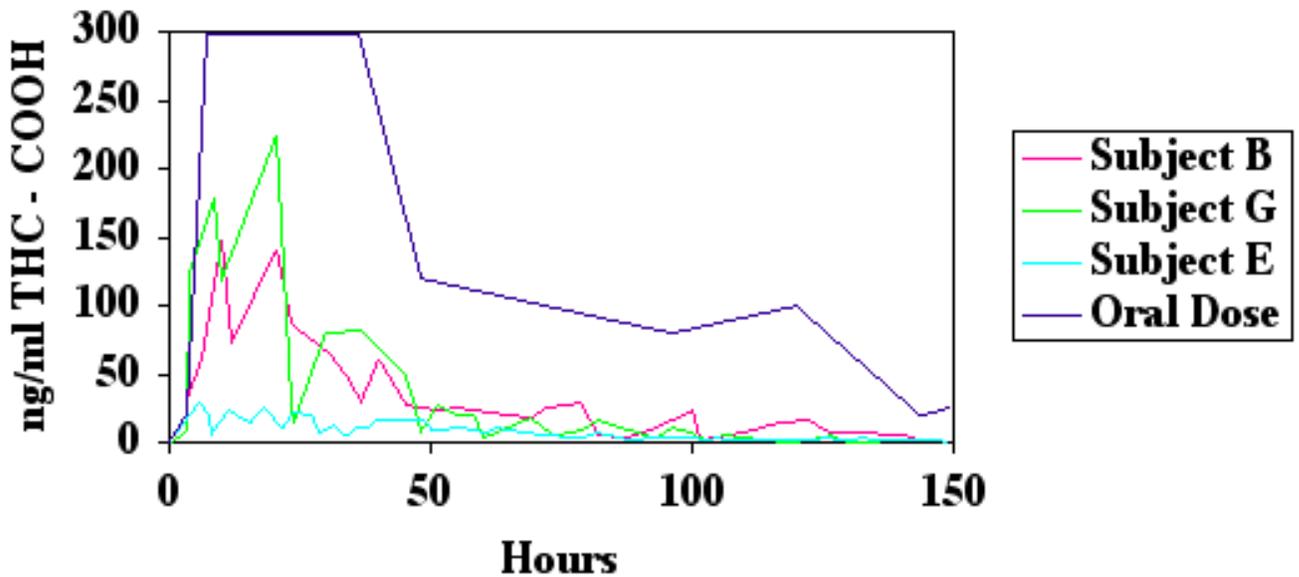
# CANNABIS IN THE BODY

## Urine testing

Marijuana use can be detected up to **2–5 days after exposure for infrequent users**; for **heavy users: 1–15 days**; for chronic users and/or users with high body fat: 1–30 days

False positives have been known to be triggered by consuming hemp-seed bars and other products, although the more detailed, more expensive gas chromatography-mass spectrometer (GCMS) test can tell the difference.

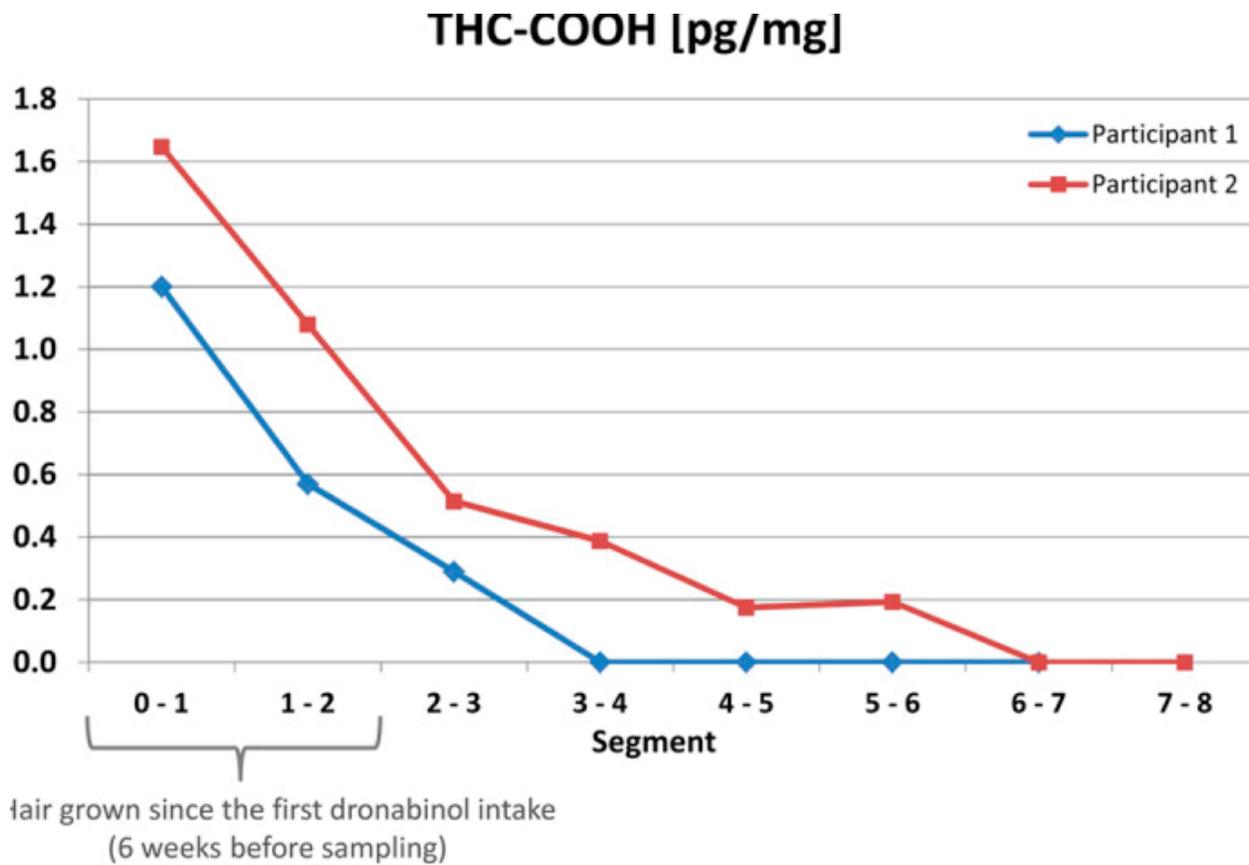
**Fig. 1 - Urine Levels of Marijuana Metabolite (One-time Users)**



## Hair testing

Cannabis use is detectable with hair tests and is generally included in the standard hair test. Hair tests generally take the most recent 1.5 inches of growth and use those for testing. **That provides a detection period of approximately 90 days.**

The detection window of hair drug testing for cannabis can be as low as 1 pg/mg



## CASE

In the walks of a blue collar person the written case law dose NOT correspond to reality where 40 percent of people fail an urine drug screen test conducted for employers for Tetrahydrocannabinol (THC). “It remains the most commonly encountered substance in workplace drug testing”.

Urine test are regularly utilized due to the lower cost of testing and the lac of education in regards testing practices and Cannabinoids. Some employer’s request hair samples after and negative urine test as found in the case laws that I have submitted.

Having personally seen workers walked off work sites due to positive hair and urine test is hart braking where only the higher educated, financially sound and organized (unionized) employees can challenge this behavior by employers.

The process of establishing and good case for a trial is not only lengthily but a burden on the families of the breadwinner where it’s easier to get other employment. Employers can pay for medical opinions (see references) verses a public physician who is overwhelmed by patients.

**I MUST** ask the committee to **BAN** the practice of urine & hair test at work. These test are human right violation and an intrusion of privacy it **DOSE NOT** hold burden off prof or beyond reasonable doubt that the employee (worker) is be under the influence and is a threat to personal safety.

By amending and erecting sections of any relevant act would prevail, as it’s a statued law.

1. Canada Occupational Health and Safety Regulations (SOR/86-304)
2. Canada Labour Code (R.S.C., 1985, c. L-2)
3. Canadian Rail Operating Rules, General Rules, G
4. Information for Health Care Professionals: Cannabis (marihuana, marijuana) and the cannabinoids [Health Canada, 2013], Section 6
5. Other Provincial Labor and Occupational Health act’s that are in relations to work.

# CASE LAW AND MEDICAL REVIEWS

**Citation:** Canadian National Railway Company v Unifor Council 4000, 2016 CanLII 85735 (CA LA), <<http://canlii.ca/t/gwonk>>, retrieved on 2017-08-15

**Citation:** Section locale 143 du Syndicat canadien des communications, de l'énergie et du papier c. Goodyear Canada inc., 2007 QCCA 1686 (CanLII), <<http://canlii.ca/t/232rj>>, retrieved on 2017-08-15

**Citation:** Canadian Human Rights Act. (1985). *Canadian Human Rights Act*, Revised Statutes of Canada (1985, c. H-6). Retrieved from: <http://laws-lois.justice.gc.ca/eng/acts/h-6/>

**Citation:** Canadian Human Rights Commission. (2013). *What is Discrimination?* Retrieved from: <http://www.chrc-ccdp.gc.ca/eng/content/what-discrimination>

**Medical Case:** Charl Els <sup>a</sup>. *MBChB, FCPsych, MMed Psych*, Aditi Aminc. *MPH, MD*, Sebastian Straubeb. *BM BCh, MA (Oxon), DPhil 2016*

**Medical Case:** Marijuana and the Safety Sensitive Worker A review for CLRA Dr. Brendan Adams M.Sc. MD CCFP, FASAM, ABAM

**Medical Case:** Finding cannabinoids in hair does not prove cannabis consumption. Moosmann B, Roth N, Auwärter V. *Sci Rep*. 2015 Oct 7;5:14906. doi: 10.1038/srep14906. PMID:26443501

## SOURCES

1. [https://en.wikipedia.org/wiki/Cannabis\\_drug\\_testing#Urine\\_testing](https://en.wikipedia.org/wiki/Cannabis_drug_testing#Urine_testing)
2. [http://norml.org/marijuana/drug-testing/item/the-abcs-of-marijuana-and-drug-testing?category\\_id=554](http://norml.org/marijuana/drug-testing/item/the-abcs-of-marijuana-and-drug-testing?category_id=554)
3. <http://www.canorml.org/healthfacts/drugtestguide/drugtestdetection.html#time>
4. <https://www.ncbi.nlm.nih.gov/pubmed/26443501>