



WORKING PAPER

ASSEMBLY — 40TH SESSION

TECHNICAL COMMISSION

Agenda Item 30: Other issues to be considered by the Technical Commission

“FIT TO WORK”

**PROMOTING A HEALTHY AVIATION CULTURE THROUGH EDUCATION AND
AWARENESS SURROUNDING SUBSTANCE USE DISORDERS AND MENTAL HEALTH**

(Presented by Canada)

EXECUTIVE SUMMARY

Substance use and mental health issues are prevalent in many societies and affect millions of people worldwide. ICAO and the international community have already adopted many ICAO Standards and Recommended Practices (SARPs) on these issues. However, more can be done to draw greater attention to these issues and implement adequate responses to the global challenge of mental health and substance use disorders to enable effective prevention, early identification, and proper management of these issues to minimize the threat to global aviation safety. It is important for all States to review their practices and safety measures, continue to raise awareness and educate aviation employees on mental health issues and the dangers of substance use disorders. In addition, all States should provide support programs and treatment to continue to safeguard global aviation safety.

Action: The Assembly is invited to:

- a) support ICAO in promoting a healthy global aviation environment by continuously addressing mental health and substance use disorders, reducing the risk of aviation accidents and enhancing aviation safety;
- b) encourage States to continue to place greater emphasis on promotion of education and awareness around mental health and substance use disorders of aviation personnel;
- c) request that States share information and best practices; and
- d) recommend that the appropriate expert group add to their work plan, for further study, the inclusion of substance use disorders and mental health issues for Annex 19 – *Safety Management*.

<i>Strategic Objectives:</i>	This working paper relates to the Safety Strategic Objective.
<i>Financial implications:</i>	N/A

<i>References:</i>	<i>Annex 1 – Personnel Licensing</i> <i>Annex 19 – Safety Management</i> <i>Doc 9379, Manual of Procedures for Establishment and Management of a State’s Personnel Licensing System</i> <i>Doc 8984, Manual of Civil Aviation Medicine, Chapter 9 – Guidance material on mental health provided to States</i> <i>Doc 9654-AN/945, Manual on prevention of problematic use of substances in the aviation workplace.</i>
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1. INTRODUCTION

1.1 According to the World Health Organization (WHO), substance use and mental health issues are prevalent in many societies and affect millions of people worldwide. This poses a potential threat to global aviation safety related to the “fit to work” state of aviation personnel. Aviation personnel should not be considered any different from the rest of society in their experiences with mental health issues and substance use disorders, and it should not come as a surprise that problems could arise in the performance of safety related activities.

1.2 Overall, the current safety levels in commercial aviation, and in particular those related to flight crew substance use and mental health, are very high. Though rare, there have been several incidents over the last few years related to domestic and global pilot fitness and mental health well-being. In addition, the legalization of cannabis in Canada in October 2018 has also presented a new challenge to continue to safeguard and mitigate potential risks in Canada’s aviation sector. As a result, Canada reviewed existing regulations and implemented additional measures to address any potential risks to aviation safety.

2. DISCUSSION – CANADA’S ONGOING EFFORTS TO CONTINUE TO SAFEGUARD AVIATION

2.1 Canada has one of the safest air transportation systems in the world. It continues to promote the safety and security of the public and air transportation system through its robust oversight regimes, on-going regulatory activities, and service to the aviation industry. The transportation regulator is responsible for dealing with fitness for duty considerations such as medical state (both physical and mental) and absence of impairment as they relate to safety in the air, marine, rail, and motor vehicle modes of transport by federally-regulated employers.

2.2 For the aviation sector, Canada organized a “Fit to Fly” workshop in June 2017. The aim of the workshop was to continue to promote an aviation safety culture within the aviation community, raise awareness about mental health and substance use, provide information about best practices and programs, as well as share practical methods of promoting a healthy workforce. In addition, the workshop sought to encourage a change in aviation culture to create trust and acceptance to ensure those in need feel they can safely self-identify. The “Fit to Fly” workshop brought together over 200 attendees from across the aviation industry, including pilot unions, the air navigation service provider, aviation associations, aviation personnel, other federal departments, and health care professionals. The international community needs to continue to work on putting greater emphasis on mental aspects of fitness and providing access to high quality mental health services for aviation personnel.

2.3 In October 2018, Canada introduced the *Cannabis Act* to legalize, regulate, and restrict access to cannabis. The *Cannabis Act* created a legal framework for controlling the production, distribution, sale, and possession of cannabis in Canada. Canada consulted with its international partners with respect to the transportation of cannabis across international borders. Canada also informed its citizens through various public awareness campaigns that it continues to remain illegal to transport cannabis, including cannabis used for medical purposes, across Canada's international borders by any means including trans-border flights to other countries.

2.4 Canada's Civil Aviation Medicine program relies on medical certification of aviation personnel by aviation medical examiners, which requires honest and open self-declaration by aviation personnel of their issues and concerns. In response to the legalization of cannabis, Canada introduced a new cannabis policy to strengthen its medical certification and assessment process. The cannabis policy sets a 28-day prohibition on cannabis consumption for the purposes of issuing, renewing, and maintaining the validity of medical certificates. The policy applies to all flight crew members of aircraft (i.e., pilots and flight engineers), air traffic controllers. The cannabis policy is evidence informed, supports self-disclosure of cannabis use, and provides the basis for educating aviators and controllers to enable accurate self-assessment for fitness for duty requirements.

2.5 Furthermore, Canada participates in and supports a Tri-partite program, which is a comprehensive substance use management protocol consisting of an oversight management committee made up of a medical treatment physician, union representation, and an employer representative to treat pilots with substance use issues to reduce the risk of impairment within the aviation sector. Canada's comprehensive substance use protocol supports effective treatment and monitored return to work programs for pilots, air traffic controllers and flight engineers. The international community is encouraged to implement similar programs to provide access and support to aviation personnel.

2.6 Pursuant to the *Aeronautics Act* and the Canadian Aviation Regulations, Canada has rules, regulations, and medical standards in place governing the consumption of drugs and alcohol. The regulations impose "fit for duty" requirements through medical certification performed by Canada. Medical certification of transportation license holders may be revoked or suspended if alcohol or substance use jeopardize their ability to carry out their functions safely. Currently, alcohol and drug testing on flight crew members may be administered on reasonable grounds of suspicion of impairment ("for cause" testing), as well as following an accident or incident. Canadian medical certificate holders (i.e. pilots, flight engineers and air traffic controllers) with a known diagnosis of a substance use disorder may be subject to no-notice drug and alcohol testing to ensure compliance with the abstinence provisions of their certificate. Specific to the aviation sector, Canada amended the 8 hour "bottle to throttle" regulation to 12 hours, prohibiting flight crew from working within this extended timeframe after consuming an alcoholic beverage.

2.7 As part of this, Canada communicated to its aviation community, including industry, management and labour organizations, operators, pilots, and professional associations, to remind them of the existing regulatory framework concerning impairment and their obligations to operate aircraft in a manner that is not impaired by either alcohol or drugs. In addition to the regulations on drug use and impairment, the Canadian aviation industry is responsible for developing its own internal policies and guidelines and to ensure its employees are in a fit state to perform safety sensitive functions as part of its obligations to ensure a safe work environment.

2.8 In addition to recent management systems implemented, proactive consideration may be beneficial for other areas, such as substance use disorders and mental health and to be included under Annex 19 – *Safety Management*. This type of management system would add an extra layer of safety, in

addition to medical certification, for global aviation. This approach could assist as a practice for early identification, proper management and implementation of appropriate treatment measures.

3. CONCLUSION

3.1 Canada remains committed to continuing to strengthen aviation safety in the area of substance use and mental health both domestically and internationally by working in consultation with industry stakeholders as well as its international partners. Canada continues to work on developing and updating regulations and standards to promote aviation safety in Canada and internationally, consistent with the ICAO SARPs. If not undertaken in a safe manner, aviation operations present a potential risk to public safety and to both domestic and international aviation transportation systems. The aviation industry, together with governments and ICAO, need to continuously invest in the well-being, awareness and identification of mental health and substance use issues in their respective workforces to ensure that aviation safety is not compromised. ICAO States are urged to share their experiences and best practices in order to address these common challenges and should recommend that the SM ICG add further study on inclusion of substance use disorders and mental health issues for Annex 19 to their work plan. This is essential to continue to safeguard domestic and international aviation safety.

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