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AMALGAMATED TRANSIT UNION LOCAL 113

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All correspondence should be addressed to the Secretary-Treasurer

May 15, 2018

Mr. Peter Bartz
Program Lead - FFD
Toronto Transit Commission
250 Bloor St. E. 12th Floor
Toronto ON M4W 1E6

Dear Mr. Bartz:

Re: Human Rights Freedom of Religion and Conscience

I am writing further to my correspondences of April 17th and May 1st, 2018, and your response dated May 9th, 2018.

You have now confirmed that the Commission has, under pain of discipline, forced members to consume animal products despite their having religious and/or ethical objections to same. No explanation has been forthcoming for this significant breach of members' human rights.

We have asked that you confirm that no person will be required to participate in oral fluid testing which requires that they place animal product contaminated swabs in their mouths. Your correspondence to myself, and your notice to members, provides no such assurance. Rather, you are requiring that members self-identify in advance and have offered nothing but a vague offer to provide reasonable accommodation without stating what that accommodation will be.

This situation has been created by the Commission and its disregard for the privacy rights of members, as well as for their freedom to be free from discrimination on the basis of religion and creed.

The Commission, and you personally as the individual running this program, have a duty to put this situation right and to do so in a clear non-threatening manner.

There is no reasonable basis to require advance self-identification of those who subscribe to a particular religion or creed.

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Given that the Commission has already shown its disregard for the human rights of members by forcing them to submit to tests that involve the consumption of animal products without disclosing same, and by remaining silent for nearly three weeks when the Commission was contacted by ATU Local 113 concerning this issue, the Commission and you personally have an obligation to clearly communicate exactly what accommodation you are offering.

The failure to clearly communicate what will happen to persons who self-identify is an obvious attempt to discourage people from identifying on the basis of creating uncertainty and doubt as to what the Commission will do to those who do so identify.

ATU Local 113 requires that members be advised that those who identify, at any time, will not be required to consume animal products and that they will not be removed from their work, suspended, sent home, or reprimanded in any manner what-so-ever. Members who identify should simply be excused from any part of the program that requires putting animal products in their mouths.

Given the notice you have caused to be distributed to members, we require that you notify the Local 113 and members not later than the end of business tomorrow that no one who identifies will be asked to use an animal contaminated swab or will be removed from their regular work.

Yours truly,

A handwritten signature in black ink, appearing to read 'RF', with a horizontal line underneath.

Rick Fox
Executive Vice-President

RF:sm

cc: Full Board
Rick Leary
Gemma Piemontese
Megan MacRae
Matt Hopkins
Andrew Falotico
Ian Fellows