

GENERAL INFORMATION	
KEYWORDS	Marine medical certificate, mental health
FILE NO.	MA-0514-28
SECTOR (Marine or Aviation)	Marine
SPECIFIC JOB	Junior engineer
DIAGNOSIS (Primary, Secondary, etc.)	Unspecified Schizophrenia Spectrum
REVIEW	
DATE OF DETERMINATION	June 25, 2019
MEMBER	Dr. Peter Seviour
DETERMINATION	Minister's decision is confirmed.
REASONS FOR THE DETERMINATION	<p>Refusal to issue a marine medical certificate (MMC) — The Tribunal accepts the Minister of Transport's position that, in accordance with paragraphs 278(5)(a) and 278(5)(b) of the <i>Marine Personnel Regulations (MPRs)</i>, the applicant is unfit to hold an MMC, given the safety-sensitive nature of his position (junior engineer), the unpredictable nature of the applicant's psychotic episodes and their possible association with increased levels of stress inherent in his job. The Minister's representative provided clear evidence supporting the diagnosis of Unspecified Schizophrenia Spectrum and Other Psychotic Disorders, including the need for the prescription antipsychotic olanzapine. The member has considered the International Labour Organization and International Maritime Organization Guidelines (ILO/IMO Guidelines) as incorporated in subsection 270(1) of the <i>MPRs</i>; namely item F20-31 of the guidelines, which is applicable to the present case, and subsections 270(1) and 278(5) of the <i>MPRs</i>. For these reasons, the Minister's decision not to issue the applicant an MMC is confirmed by the member.</p>
APPEAL	
DATE OF DECISION	
MEMBERS	
DECISION	
REASONS FOR THE DECISION	
OTHER/COMMENTS	