



Medical Committee Meeting

March 13, 2024

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Railway Association
of Canada

Competition Law Compliance Policy

STATEMENT

The RAC is committed to compliance with all **competition laws** applicable in Canada, including Canada's *Competition Act*.

Under the leadership of its Board of Directors, the RAC carries out its activities in strict compliance with all **competition laws**, provides guidance to its committees and its employees on how to comply with these laws, and promotes with them the importance and value to the RAC of complying with them.

The RAC Corporate Secretary ensures that RAC, its committees and its staff are familiar and comply with this policy.

COMPETITION LAW

Competition laws are designed to maintain and encourage competition in the marketplace. Non-compliance with the **competition laws** relating to improper coordination among competitors could constitute a criminal offence to which significant fines and prison terms can be attached, and for which significant damages can be awarded in private lawsuits, including large class actions.

RAC is a forum for railway members to exchange information and views on the railway sector. Particularly because RAC is an association that represents most of the players in the rail sector in Canada, including many that compete with one another, any activity it conducts must be in strict accordance with the **competition laws**, and avoid even the perception of possible improper conduct.

PROHIBITED ACTIVITIES

Due to the presence of multiple competing entities in RAC, any activity, including discussions or agreements that relate, directly or indirectly, to the following "**Prohibited Topics**" are strictly prohibited:

- ☐ Prices (rates) charged to shippers for services provided by members of the RAC
- ☐ Prices (costs) paid to suppliers for services provided to members of the RAC
- ☐ Any other conditions associated with services provided to shippers or received from suppliers of RAC members, including discounts, rebates, etc. and level of service provisions
- ☐ Customer or territory allocation
- ☐ Limitation of supply of services provided by RAC members to their customers

GUIDANCE

Any activity, including discussions or agreements that could even remotely be construed as relating to the above Prohibited Topics, cannot take place at the RAC or any of its committees or any meeting organized or attended by RAC staff, or otherwise among RAC members.

To ensure compliance with these rules, when meeting, members of a RAC committee or of the Board of Directors must:

- ☐ Have a pre-set agenda and take minutes, recording resolutions adopted and summarizing the essentials of conversations that took place.
- ☐ Limit themselves to issues identified on the agenda, except if circumstances call for other issues to be addressed, in which case careful notes of the additional issues discussed must be recorded.
- ☐ If any participant believes that Prohibited Topics have been raised or discussed, they must advise all participants of their concern and any discussion relating to that issue be ceased immediately pending legal advice.
- ☐ Require legal advice if any issue to be discussed might cause the members to believe that **competition laws** could be infringed.
- ☐ Suspend or even postpone to a later date discussions on such issues if legal advice cannot be sought in a timely manner.

Staff of the RAC shall in their duties ensure the confidentiality of information brought to their attention by members, avoid conflict of interest or situations that would discredit the RAC, unless doing so could violate the **competition laws**.

Updated May 3, 2021

RAC MEDICAL COMMITTEE MEETING

**Wednesday, March 13, 2024
15:00 to 16:00 (ET)**

Microsoft Teams

[Click here to join the meeting](#)

AGENDA

	SCHEDULE	DISCUSSION LEADER	TIME
1.	Welcome & Introductions	L. Trueman (Chair)	15:00
1.1	Competition Law Compliance Policy – Forward statement	M. Barfoot	15:05
2.	Review of Agenda	L. Trueman	15:10»
3.	Approval of Minutes (September 19, 2023)	L. Trueman	15:15» D
4.	MAG Report	L. Trueman	15:20»
5.	SOMC Report	L. Trueman	15:35
6.	Hire a Technical Writer (Update)	L. Trueman	15:40
7.	Review TOR	L. Trueman	15:45
8.	Other Business	All	15:55
9.	Next Meeting	L. Trueman	16:00
»	<i>Supporting material provided</i>		
D	Decision Required		



1. RAC MEDICAL COMMITTEE MEETING DETAILS

Meeting Location:	Virtual Meeting	Meeting Date:	September 19, 2023
		Meeting Time:	13:00 hours
Meeting Notes prepared by:	Brianna Bowman	Meeting Duration:	1 hour
Attendees		Absent, with regrets	Invitees (Special Guests)
Lisa Trueman, CP (Chair) Gina Stirpe, CN (Vice-Chair) Michael Barfoot, RAC Jessica Farinaro, GWRR Marie-Claude Laporte, VIA Rail Marc Lavallée exo Sean Sefsik, GWCI		Ana Derksen, Metrolinx	

2. MEETING AGENDA

Item No.	Item	Comments
1.	Welcome & Introductions	
1.1.	Competition Law Compliance Policy	
2.	Review of Agenda	
3.	Approval of Minutes of Last Meeting (April 4, 2023)	
4.	MAG Report	
5.	Budget 2024-2025	
6.	SOMC Report	
7.	Hire a Technical Writer	
8.	Other Business	
9.	Next Meeting	

3. DISCUSSION ITEMS:

1. Welcome & Introductions

- Ms. Trueman welcomed everyone to the meeting. Ms. Trueman invited Mr. Barefoot to read agenda item 1.1 Competition Law Compliance Policy – Forward statement.

2. Review of Agenda

- The agenda was reviewed and accepted.

3. Approval of Minutes of Last Meeting – November 18, 2022

- It was moved by Mr. Sefsik and seconded by Ms. Laporte to approve the minutes of the April 4, 2023, meeting.

4. MAG Report

- Cardiovascular Disorders – The mature draft that was advanced to the Medical Advisory Group for review and comment was reviewed by Dr. M. Walker, the Cardiologist, previously identified by Dr. Pitchen and Dr. Laprade. Subsequent to Dr. Walker's review, Dr. Lambros, Dr. Pitchen and Dr. Laprade met virtually to review Dr. Walker's recommended edits and Dr. Walker's literature to support changes to the current guidelines. Dr. Lambros, Dr. Pitchen and Dr. Laprade continue to meet regularly to complete these guidelines.
- Substance Use Disorders – Dr. Lambros and Dr. Pitchen presented an overview of the Railway Medical Guidelines at the Occupational and Environmental Medical Association of Canada (OEMAC) Conference on September 10, 2023. Although it was not the primary topic of presentation, there was considerable discussion afterwards regarding prioritizing the publication of updated Substance Use Disorders Guidelines utilizing the recently published DSM-5-TR criteria. Dr. Lambros, Dr. Pitchen and Dr. Laprade will be discussing how to prioritize the publication of these guidelines.
- Neurological Disorders Guidelines – A mature draft has been created focusing on Cerebral Aneurysm, Stroke and Transient Ischemic Attack, Intracranial Tumours and Seizures and Epilepsy. Dr. Cutbill completed a number of literature searches to support the aforementioned Neurological Disorders Guidelines. Work is ongoing.
- The plan is still to finalize and publish the Cardiovascular Guidelines as soon as it is practical. However, in light of recent developments prioritizing the publication of updated Substance Use Disorders Guidelines utilizing the recently published DSM-5-TR criteria, may take precedence.

5. Budget 2024-2025

- 2024 Scope of Work and Budget (\$25,000)
- The Medical Committee is recommending the following scope of work and associated budget for 2024.

2024 Plan of Work		
Guideline/Subsection	Budget Allocation	Comments/tasks
Subsection 4.2 Hearing	\$10,000	Updated guideline by year end 2024
New Subsection 4.11 Cerebrovascular/Neurological Disorders	\$10,000	New guideline by year end 2024
Miscellaneous	\$5,000	Technical editing/formatting/expert opinions

6. SOMC Report

- Ms. Trueman wrote the Medical Committee report which will be included in the SOMC briefing book.

7. Hire a Technical Writer

- Ms. Trueman proposed that the committee hire a technical writer to help format and get each guideline aligned in the Canadian Railway Medical Rules Handbook. Over the years, as new guidelines were added or updated the formatting rules were not consistent and all the guidelines have different formatting rules. Ideally, this would be done when the committee gets the Cardiovascular guideline to update from the MAG. A placeholder for technical editing/formatting/expert opinions was added in the 2024 budget to give the committee some wiggle room if the editing could not be done in house at RAC.

8. Other Business

- Mr. Barefoot noted that the TOR needs to be reviewed by the committee every 2 years. This will be added as an agenda item for the next meeting.

Action Item No.	Action Item	Responsibility	Target Date
1	Send committee presentation on substance disorders	Ms. Trueman	
2	Look into hiring a Technical Writer	RAC	
3	Send Committee link to DSM-5-TR criteria	Ms. Trueman	

9. Next Meeting

- Ms. Bowman to send Committee members a Doodle Poll with suggested dates in March 2024.

2024 MAG Report

Key Developments in 2024 to date:

1. The English version of the Canadian Railway Medical Rules Handbook was reformatted and edited to ensure consistency in font and format between guidelines. Attached is the most recent version, dated February 12, 2024.
2. The French version of the Canadian Railway Medical Rules Handbook is currently being reformatted and edited to ensure consistency in font and format between guidelines and to ensure that the content is accurate and that there are no omissions. Dr. Laprade (CN) and Dr. Lambros (CPKC) are working with Brianna Bowman from the Railway Association of Canada and an external contractor to complete this task. It is anticipated that the French version of the Canadian Railway Medical Rules Handbook will be ready for publication in late March 2024 or early April 2024.
3. The Substance-Related Disorders guidelines were finalized and included in the February 12, 2024, Canadian Railway Medical Rules Handbook.
4. The Cardiovascular Disorders guidelines were finalized by the Medical Advisory Group, and they were advanced to Dr. M. Walker (Cardiologist) for one last review prior to advancement to the Medical Steering Committee. Dr. Walker's review should be complete by late March 2024 or early April 2024.
5. A mature draft of the medical fitness for duty guidelines for Vision Disorders was advanced to Dr. J. Hovis (Optometrist) for review. Dr. Hovis committed to provide feedback on the draft by late March 2024 or early April 2024.
6. Dr. M-D. Pitchen is no longer with CN. Dr. Laprade (CN) and Dr. Lambros (CPKC) will carry on with guideline development.
7. Development of guidelines for cerebrovascular disorders and neurological disorders has been paused until items 2. – 5. above are completed.

Update on 2024 Plan of Work

The original proposed work plan for 2024 had allocated a budget of \$10,000 to hearing. This will now be changed to Vision due to the upcoming retirement of Dr. Hovis, the expert who developed the guidelines.

2024 Plan of Work		
Guideline/Subsection	Budget Allocation	Comments/tasks
Vision	\$10,000	Updated guideline by year end 2024
Neurological Disorders	\$10,000	New guideline by year end 2024
Various	\$5,000	Expert Opinions

**The Railway Association of Canada
Medical Committee
Terms of Reference**

Name

The organization shall be known as the RAC Medical Committee, (Medical Committee).

General Mandate

The general mandate for the Medical Committee is to provide members of the RAC with a forum for the identification and assessment of industry issues directly related to the assessment of medical fitness for duty under the terms of the *Railway Medical Rules* and the *Safety Critical Position Rules*. The Medical Committee will direct and oversee the work of the technical subgroup, the Medical Advisory Group (MAG). The Medical Committee, in conjunction with the MAG, will identify issues which require review by the MAG.

The MAG will update and develop the *Railway Medical Guidelines* which will be reviewed, endorsed, distributed, and implemented by the Medical Committee.

- 1) MAG or Medical Committee Members propose issues that should be reviewed in the guidelines.
- 2) MAG reviews guidelines with expert input as required.
- 3) MAG provides Medical guidelines in English to the Medical Committee for review and feedback.
- 4) MAG has revised guideline edited in accordance with feedback from Medical Committee.
- 5) MAG provides final draft to Medical Committee for review and final administrative editing and approval.
- 6) Final Edited guideline is translated into French to correspond to English guideline.
- 7) French and English guidelines are distributed to stake holders (TC, Unions, railways).
- 8) Final English and French guidelines are published and posted on RAC web site.

The Medical Committee will provide reports and/or recommendations to the RAC Safety and Operations Management General Committee (SOMC) on matters within the scope of its mandate. The Medical Committee will serve as a focal point for sharing of ideas, technology and new initiatives that provide positive improvements in safety related medical fitness for duty of railway employees in safety critical positions.

Committee Responsibilities & Guidelines

The Medical Committee shall:

- 1) Elect officers to the Committee every two years or as required.
- 2) Review the Terms of Reference every two years or as required.
- 3) Review and approve the MAG proposed annual plan of work and set priorities for the MAG based on MAG input at the Fall Medical Committee meeting.

- 4) Establish and oversee the budget of the MAG to ensure appropriate resources for the annual plan.
- 5) Develop and implement a communication plan for the *Railway Medical Rules* and related guidelines.
- 6) Address new medical fitness issues raised by the railway industry and inquiries from interested parties.
- 7) Seek consultation as required (e.g. government agencies, unions, AAR, etc.).
- 8) Maintain awareness of jurisprudence and developments/trends related to medical fitness for duty in safety critical positions in the railway industry.

Members of the Medical Advisory Group

Membership in the MAG is open to the Chief Medical Officers (as defined by the Railway Medical Rules) of RAC member companies, with ad hoc membership as required for the development of specific medical guidelines (i.e. medical experts).

Duties of the Medical Advisory Group:

- 1) Develop an annual plan for guideline(s) development and amendments for submission to the Medical Committee for approval including a summary of the activities of the MAG and a recommended budget for the coming year's plan.
- 2) Monitor and identify emerging trends, issues and technology that may impact the safety of railway operations in relation to fitness for duty of safety critical position employees.
- 3) Recommend priorities for the updating and development of medical guidelines to ensure they continue to reflect accepted medical practices in Canada and provide cost estimates, as appropriate to the Medical Committee.
- 4) Provide medical advice to the Medical Committee on any issues related to medical fitness for duty for safety critical positions.
- 5) Provide bi-annual work plan updates in a timely manner to the Medical Committee prior to the March and September Medical Committee meetings.
- 6) Schedule quarterly meetings with MAG members to progress annual plan.

Duties of the RAC:

- 1) Administer the Medical Committee and MAG budgets.
- 2) Provide translation services and other administrative support as required.

Officers

There shall be a Chair and Vice Chair elected by its membership. The terms of office shall normally be 2 years. At the beginning of each regular meeting the Chair will appoint a secretary from the membership in attendance. An officer from the RAC will be appointed to the Medical Committee as a member.

Duties of Officers

The Chair will act as spokesperson to the SOMC. The Vice-Chair shall perform duties of the Chair whenever the Chair is unable to perform the duties of his/her office.

The Medical Committee Chair or designate will be responsible for arranging meetings and for minutes to be taken and communicated back to the Medical Committee on decisions and action items.

The Secretary will record the events of the proceedings and will draft minutes of the meeting and forward them to the Chair for approval and distribution within 30 calendar days.

Membership

- 1) Membership is open to the RAC and RAC member companies. Persons shall be nominated by their respective companies and shall serve until the person notifies the Chair of his/her resignation. Membership will be of special interest to those with responsibilities in the function of medical fitness for duty and occupational health.
- 2) A member who is unable to attend a meeting should send a representative who shall be counted in determining a quorum and be permitted to vote in place of the regular member.
- 3) A quorum shall consist of the Chair or Vice Chair and 50% of the members. The Vice Chair will be recognized as a member when not acting as Chair.
- 4) Decisions will be made on a consensus basis.
- 5) Recommendations and non-consensus items may be presented to SOMC for their review.

Meetings

The Medical Committee shall meet twice per year in March and September or as required and agreed to by the committee. Special meetings may be called in response to significant developments. Meetings may be held by teleconference.

Quorum

A quorum shall consist of the Chair (or Vice Chair) and two members. The Vice Chair will be recognized as a member when not acting as Chair.

Reporting Authority

The Medical Committee will report to the SOMC.



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