



Teamsters Canada Rail Conference

General Committees of Adjustment
Canadian Pacific Railway
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Dave Able
General Chairman
Locomotive Engineers

Dave Olson
General Chairman
Conductors, Trainmen, Yardmen

November 18, 2013

ATTENTION ALL TCRC MEMBERS

Re: Street to Seat Training Program

It has come to our attention that despite our position of opposition to this program, the Company has commenced the Locomotive Engineer portion of this Company initiated process. Please find the enclosed letter sent to the Company in this regard.

This action is aimed to undermine your contractual rights as a Union member to your job and the rights of the Union as your bargaining agent to represent you. This is in contravention of the *Canada Labour Code* and the Collective Agreements. This is a blatant attempt at "union busting" by the Company.

We are further receiving reports that Company managers in certain locations are advising our members that it is the position of the Company that if our members refuse to train these managers they will be investigated for insubordination with a view of discipline up to and including dismissal.

Should this happen to you we submit that it is in clear violation of the *Canada Labour Code*, the relevant Collective Agreements, and the Company policy on Discrimination and Harassment.

We are advising you, our members, that you are under no obligation to train managers to do your job. The manager is very welcome to ride along with you for your trip to learn what the business is about.

Should the member voluntarily allow the manager to operate the equipment you do so at your own peril. **There is no provision to be compensated for training managers to do your job.**

Should there be any coercion to attempt to force you to train managers we request that you immediately notify your Local Chairman of all details and file a complaint under the Company Discrimination and Harassment policy, we have put the Company on notice that we will pursue any reports to the fullest extent under our legal rights.

Yours in Solidarity,

Dave Able
General Chairman, LE West

Dave Olson
General Chairman, CTY West



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Mr. Guido Deciccio, VP Operations
Canadian Pacific Railway
401 - 9 Avenue SW, Sixth Floor
Calgary, AB T2P 4Z4

Mr. Tony Marquis, VP Operations
Canadian Pacific Railway
2025 McCowan Road
Scarborough, ON M1S 5K3

Dear Sirs,

Re: Street to Seat Training Program

Further to our letter of August 14, 2013 and the Company "street to seat" training program for managers where our position is clearly outlined.

It has come to our attention that despite our position of opposition to this program, the Company has commenced the Locomotive Engineer portion of this Company initiated process.

We have been advised that managers are being deployed to ride with our membership on trains to try to train to operate the equipment that our members are in charge of and responsible for while on duty by contractual obligation. This action is aimed to undermine the bargaining unit in contravention of the *Canada Labour Code* and the Collective Agreements.

We are further receiving reports that Company managers in certain locations are advising our members that it is the position of the Company that if our members refuse to train these managers they will be investigated for insubordination with a view of discipline up to and including dismissal.

Should this be occurring we submit that it is in clear violation of the *Code*, the relevant Collective Agreements, the Company policy on Discrimination and Harassment, and decades of past practice and must be stopped immediately.

It appears that lower level managers are trying to perpetuate the "culture of fear" by forcing our members to train the managers.

We are hopeful this is an anomaly that will be corrected by senior officers as we understand it is neither an initiative of or condoned by the Executive Level of Canadian Pacific Railway. We trust that you will confirm the Executive position of condemnation of this behavior and will advise your managers to cease and desist if this is occurring. We also trust confirmation of your position on this matter will be communicated to the undersigned forthwith.

As you are aware our position has been clearly communicated for many years that our members are not required to train managers and the Company cannot force them to do so.

The Union also has previously voiced our grave concerns for the safety of our members and the public in having people who only have had cursory exposure to the elements of train operation and are not experienced enough to understand the catastrophic consequences that can result from an accident due to inexperience or lack of knowledge.

The managers are very welcome to ride along with our members as we believe that they should be educated on how the business operates, however, when it comes to operation of the equipment, we have the contractual, *Canada Labour Code* and Arbitral jurisprudence to this work and who we are obligated to train.

Further, there is no provision in the Collective Agreements for our members to train managers to operate as Locomotive Engineers. The Collective Agreements clearly outline the requirements before training other than Conductors, Trainmen, and Yardmen that they must work as a CTY for a minimum of 2 years CCS before even being considered for Engineer training. The Collective Agreements are clear that all avenues of training CTY from the respected seniority lists must be exhausted before looking outside the Collective Agreement provisions to train others from outside of our membership.

Our members are not obligated to train managers or allow them to operate the equipment. This has been communicated to the members and will be reinforced through a further communication.

Should the member voluntarily allow the manager to operate the equipment they do so at their own peril.

Should the Company engage in coercion of any way shape or form of our members the TCRC will view this as the most grievous of violations and shall take the most severe actions available under law.

We respectfully request that the Company cease and desist from this attempt at “union busting” immediately and all violations of the *Code* and the Collective Agreements in this regard.

Yours truly,



Dave Able
General Chairman, LE West



Dave Olson
General Chairman, CTY West

cc: Dan C. Sewell, General Manager Operations Pacific
Mike Farrell, General Manager Operations Prairie
Brad Thiede, General Manager Operations Central
Dave Guerin, Director Labour Relations CPR
Local Chairmen West