

Letter of Understanding – Not to form part of the Collective Agreement

Re: Locomotive Video/Voice Recording (“LVVR”)

Whereas the issue of LVVR has been a topic of discussion between the VIA Rail Canada Inc. (the “Corporation”) and Teamsters Canada Rail Conference (“TCRC”) for some time;

And Whereas the Corporation and the TCRC have come to understand that although the technology is available for LVVR, the use of the recordings is a difficult balance between the safety of the operation and personal privacy as well as working conditions in the locomotive cab;

Now therefore the parties have agreed to a protocol that enhances the over-all safety of operations for the Corporation while minimizing the impact on personal privacy and working conditions.

1. Internal LVVR recordings can only be used at the request of the Transportation Safety Board for the purpose of incident/accident investigation.
2. The review of the LVVR footage or recordings by any other agency or individuals is prohibited save and except for the employee of the Corporation who is required to retrieve the footage / recordings for the Transportation Safety Board.
3. The LVVR recording cannot be reviewed by the Corporation for the purpose of performance testing of locomotive engineers, subject to below.
4. In the event the government enacts legislation that enables the Corporation to utilize LVVR for other than review by the Transportation Safety Board only, the parties agree to meet with the assistance of FMCS if necessary and discuss the terms and conditions governing such technology and the use of the information obtained through LVVR.
5. The use of such technology, other than as permitted by law, shall not occur without the agreement of the parties.
6. This letter of understanding will remain in force for the duration of the current collective agreement.

Dated at Montreal the 3rd day of June, 2015

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Director, Employee Relations

Gilbert Sarazin
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