



# TEAMSTERS CANADA RAIL CONFERENCE

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General Committees of Adjustment  
Canadian Pacific Railway

**Greg Edwards**  
**John Campbell**  
**General Chairmen**  
**Locomotive Engineers**

**Dave Fulton**  
**Wayne Apsey**  
**General Chairmen**  
**Conductors, Trainmen, Yardmen**

April 6, 2018

**VIA EMAIL**

To all TCRC Local Chairs

Brothers and sisters,

By now you have all had a chance to read the Arbitration award AH657 which was released March 23, 2018. The award covered 10 questions surrounding our Collective Agreements right to be in and off duty after 10 hours on duty when notice of rest is given, as well as our right to be in and off duty after 12 hours regardless of whether we have given notice to book rest.

While we were not successful in convincing the Arbitrator on all of the points where we believed the \$80 NR payment applies, we were successful in convincing Mr. Clarke to order the Company to cease and desist from violating our rest clauses. This is a significant development in the interpretation and application of these rights in the Collective Agreement.

Since the award was issued the General Chairmen have had a conference call with Labour Relations to discuss the meaning of the award and the process for us to determine which of our thousands of grievances fall into the several categories dealt with. We are in the process of sorting our grievances right now and will be informing all Divisions the status of each.

The Company has informed us they have reviewed the award with their Managers in both operations and the Network Operations Centre.

The purpose of this letter is to inform you of the developments since the issuance of AH657 and to request your assistance in monitoring the Company's compliance with the award. As CP has been directed to cease and desist from violating our collective agreement right to be off duty within 10 or 12 hours, new grievances in this regard may not be necessary. In some circumstances, and as identified in questions 1 through 7 within the award. We encourage everyone to become familiar with the Arbitrator's findings regarding these items.

On March 28, 2018 we filed arbitration award AH657 with the Federal Court. The Federal Court of Canada has issued a Certificate of Filing, certifying the Arbitrator's order to be of the same force and effect as if the order was a judgment obtained in the Court.

We are herein asking all of you to continue to monitor and record all instances of crews who were not off duty in the proper time as provided in the collective agreement. We will continue to send you the over hours reports and request that you provide us a list of all violations that are missing. In addition we will require the CMA crew tie-ups as evidence for our files.

2018-04-06 Over Hours Update

Upon review we will determine the best course of action to ensure compliance with the Arbitrator's order that the Company to cease and desist from violating the mandatory rest rights in the Collective Agreements. Should we determine there is no compliance with the award we may need to apply to the Federal Court to enforce the order.

Thank you all for your hard work and diligence on this important issue so far. We will keep you all informed as the issue evolves.

Fraternally,



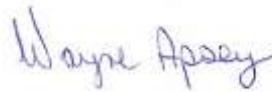
Greg Edwards  
General Chairman, LE West



Dave Fulton  
General Chairman, CTY West



John Campbell  
General Chairman, LE East



Wayne Apsey  
General Chairman, CTY East