

In the matter of an arbitration

Between:

Canadian Pacific Railway Company

and

Teamsters Canada Rail Conference

**(Grievances re: Conductor Only Provisions of the Collective Agreement -
Initial Terminal- Dispute 1B)**

Before: William Kaplan
Sole Arbitrator

Appearances

For CP: John Bairaktaris
David Guerin
Dave Pezzaniti
Labour Relations,, Canadian Pacific

For the Union: Michael Church
Ken Stuebing
Caley Wray
Barristers & Solicitors

The matters in dispute proceeded by Zoom on October 16, 2020.

Award

Grievance 1B

The matter to be decided in this case is whether the company can require a Conductor Only freight crew to make a set off from their train prior to departing from the initial terminal. Both parties filed detailed briefs and the matter proceeded to a hearing by Zoom on October 16, 2020. Article 67.02 of the collective agreement is engaged. The answer to the question is yes subject to the Letter re: Conductor Only Final Terminal dated August 31, 1992 and its application, both east and west (CA at page 229). The company has furthermore confirmed its commitment to abide by its terms.

This award is intended to provide guidance for both past disputes, including those in abeyance, and future disputes. I remain seized with respect to the implementation of this award.

DATED at Toronto this 19th day of October 2020.

“William Kaplan”

William Kaplan, Sole Arbitrator