



# **TEAMSTERS CANADA RAIL CONFERENCE**

General Committees of Adjustment CPKC

**Dave Fulton**  
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**Conductors, Trainmen, Yardmen**

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**Ed Mogus**  
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**Locomotive Engineers**

May 24, 2023

**VIA EMAIL**

## **ALL TCRC LOCAL CHAIRS – CPKC WESTERN AND EASTERN REGIONS – DRPR**

As you are aware the new federal regulations for rest provisions come into effect on May 25th.

On May 16, 2023, the Company issued Bulletin CMC 007-23 Regulatory Rest Bulletin. The Bulletin explains the Company's plans for applying the Reset Break. As stated in the bulletin:

- There will be a new regulatory rest field, which will be managed by the Train & Engine Regulatory Specialist. This RRST (Regulatory Rest) field is based on requirements of a "RESET BREAK". A Reset Break is a continuous period free from any duty period that lasts, at a minimum 32 hours and includes 2 periods of 8 hours undisturbed by the company that begin and end within the period between 22:00 and 08:00.
- After 4 days if employees haven't already achieved a natural reset break, the T&E Regulatory Specialist will begin evaluating opportunities to add the appropriate amount of regulatory rest to employees to ensure they receive the required 32 consecutive hours off within a 7 day period.
- Considerations will include operational impact, manpower status, and ensuring the reset includes 2 periods of 8 hours undisturbed rest between 2200-0800.
- The employees will not be contacted. This rest will added into the CMA system visible to all employees in CMA as well as the Crew Information website. The bulletin included snapshots to show where this rest application will be present.
- This rest will normally be updated prior to 18:00 on the 2nd night of the 'undisturbed period', however the Company has stated they "reserve the right to extend this period up to 2200 on a case by case basis if required."

While we have previously been supplied details of this plan during the course of our DRPR meetings, we have consistently maintained this does not comply with the intent of the regulations regarding the Reset Break. It is our position the Reset Break ought to be Scheduled and take place at the Home Terminal.

Our members should know when they are on a reset break in order to allow them to reset their Circadian rhythms and allow for time at home to take care of personal obligations. None of that will be achieved with the Company's plan. This best practice was confirmed by Transport Canada when they issued the DRPR Application Document on March 16, 2023, which states:

- *It is considered a best practice to provide a reset break that is scheduled and at home, as it provides employees with the ability to plan their time away from work.*
- *The DRPR include provisions that provide a balance between work assignments and necessary periods away from work. While the rule does not specify the location where the reset break is to*

*be provided, it is Transport Canada's expectation that the rest break be provided at the home terminal. Providing a reset break that is scheduled and at home provides employees with the ability to plan their time away from work, to balance work and personal responsibilities, and is supported by fatigue science. Transport Canada recognizes that there may be special circumstances when it will not be possible to provide the reset break at home (e.g., an emergency, 14 days on/14 days off schedules). For these out of the norm situations, Transport Canada encourages a dialogue that respects the needs and preferences of the employees. TC will seek to clarify its expectations regarding the location of the reset break in the rule when there is an opportunity to do so.*

Despite this direction from the regulator, CP will only commit to applying the resets as per their bulletin and making their best efforts to have Reset Breaks at the Home Terminal.

The Company's plan to adjust or add "regulatory rest" to our members in an unannounced fashion, up to 2200 on the second day an employee is in and has not gone to work, is not scheduled and we oppose it. We recognize that adding any rest to an employee in this manner means the Reset Break will be random and unscheduled. This type of unannounced application of rest is not a scheduled break and is not consistent with fatigue management. We maintain, the Reset Break, to have any real value, needs to be scheduled at the Home Terminal.

We continue to have discussions with the Company and have advanced our concerns to the Transport Canada.

We will have a further update in the very near future.

In Solidarity,



Dave Fulton  
General Chairman - CTY West



Greg Lawrenson  
General Chairman - LE West



Wayne Apsey  
General Chairman - CTY East



Ed Mogus  
General Chairman - LE East