

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 1D)**

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 1D

At issue in this case is whether the company can require a Conductor Only freight crew to set off a Bad Order car(s) at a location that is at the discretion of the company within the initial terminal. Both parties filed detailed written briefs and the case proceeded to a hearing by Zoom on October 16, 2020. This case engages Article 67.02 of the collective agreement. Given that provision, the answer to this question is yes provided that is verifiably a Bad Order car(s) and that the setting off of such is within the initial terminal.

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