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September 19, 2023

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Gentlemen,

Further to our respective letters dated September 1, 2023 signaling the commencement of negotiations pursuant to the Canada Labour Code, please find the following highlights of CPKC's bargaining proposals.

We anticipate that much of this round of bargaining will focus on the introduction of Transport Canada's Duty and Rest Period Rules ("DRPR") that took effect on May 25, 2023 and related Collective Bargaining Agreement implications. The TCRC openly lobbied for and secured these new hours of service rules for rail workers. Unfortunately, however, the Union was not interested in jointly developing a pilot project at select terminals to measure and monitor the impact of DRPR prior to its implementation in order for the parties to have access to as much experience with it as possible under the new regulations.

Public comments made by TCRC leadership indicated that its membership base would grow as a result of these changes. Such statements do not appear to be in line with the Union's rationale for pursuing crew fatigue countermeasures and the Company expects that the Union will clarify matters at the outset of negotiations.

The Company has reviewed the initial impact on our Collective Bargaining Agreement and will seek the following amendments:

### **Core Agreement**

#### **Wages:**

- General wage increase(s) will be reflective of operating flexibility, term of agreement and need for enhanced employee availability.



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### **Benefits:**

- Increase to Life Insurance, Extended Health, weekly indemnity and Dental maximums in line with patterns achieved with other unions.

### **Pay structure:**

- Modernize the Collective Agreement and remove archaic pay structure by negotiating all-encompassing Time-Based Method of pay. Includes elimination of all jurisdictional divides (e.g. Yard/Road) and restrictive work rules (e.g. Conductor Only).
- An all-encompassing pay structure will simplify employee earnings and eliminate needless disputes in the best interests of our employee and managers.

### **Locals**

- Relaxation of work rule restrictions for locals (yard and road)

### **Duty and Rest Period Rules (“DRPR”):**

In view of the extensive lobbying undertaken by the Union to secure DRPR and Regulatory time off changes:

- Adjust Held Away pay to account for recent changes to regulatory DRPR rules at the away-from-home terminal.
- Remove Ten Hour Notice of for all crafts/service
- Amend Guarantee and MBR provisions to account for reductions in availability due to DRPR Rules
- Allow for 60 minute call time at the AFHT
- Relaxation of first in first out principle to optimize return of employees from Away From Home Terminal after turn or straightaway service.

Additionally, the following rest and time off provisions to be set aside:

- Unfit
- Rest at Home Terminal (up to 24 and 48)
- Rest at Away from Home Terminal
- Penalty Rest
- Earned Days Off (EDO) and Bridging time to EDO
- Rest after Held as ESB
- Rest after Rules Qualification
- Rest after Other than Rules Qualification
- Rest after Annual Vacation



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- Rest after Off for Miles
- Rest after Investigations
- Mileage Thresholds
- Shift Thresholds
- Rest after Cancelled.
- Subdivision Run Time Letter in CBA
- Held ESB Verbal notification (Art. 113.01 (7))

#### **Arbitration Handling:**

- CPKC to withdraw from CROA
- Eliminate CBA (p 156) Letter RE Management of Grievances & Scheduling Cases at CROA
- To discuss: Art 41 – Final Settlement of Disputes Without Work Stoppage

#### **Investigation and Discipline handling:**

- Provide for Admission of Responsibility (AOR) for up to 10 day suspensions
- Utilization of only one Union representative for formal investigations of more than one crew member involved in same incident

#### **Miscellaneous:**

- Standardize:
  - Weekly Placement Procedures (WPP) at all locations
  - Health & Safety Duty Pay at all locations
- Eliminate:
  - ECCP requirement for special agreements at major terminals.
  - Multiple Union dues assessment formulas (adopt one Union dues formula - one bargaining certificate, one Union).
  - Board of Review process for Material Change initiatives
  - Auxiliary Boards
  - National Reserve Board
  - Mileage Regulations / Monthly Mileages provisions
  - Verbal Held ESB notification (Art. 113.01 (7))
  - Letter "RE: Runaround at Away From Home Terminal (AFHT)" (p. 402 CBA)
  - Time Pools
- Probationary Period for new hires - extend to 60 days after date of qualification
- Include new Yard schedule options
- Discuss CLC paid Personal and Sick Leave
- Discuss Rest enroute provision
- 30 Day Notice to implement Meet & Turn crewing model at specific locations.



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### **Health and Safety:**

- Eliminate dual Union roles/responsibilities for increased availability. (H&S reps vs local chairperson).
- One local H&S rep to represent all crafts.

### **KVR Agreement**

- Assignment Changes: Revise Art 5.4 to reflect consultation with KVR Work Team with final decision resting with KVR Manager for reclassification and/or changes to assignments.
- Switching premium: Revise Art 5.9 to define Excessive switching.
- General Holidays: Revise Art. 8 to reflect designated GH days to match core GH days.
- Grievance Resolution: Revise Art. 17– to require a grievance be in writing and in GMS at any Step and include mandatory language stipulating that a grievance may not be submitted or progressed after time limits have expired
- General Advertisement of Assignments: Revise Art 21.1 to provide for the posting of permanent vacancies on the Western Region (currently limited to the BC Seniority Territory only)
- Housekeeping: Move Art. 7 provision (Final Settlement of Disputes) to follow Art.17 (Grievance Resolution).

### **KLR Agreement**

- General Holidays: Revise Art. 8 to reflect designated GH days to match core GH days.
- Eliminate references to Gainsharing (Art 5.5) and Discretionary Fund (Art.5.6)
- Grievance Resolution: Revise Art. 17– to require a grievance be in writing and in GMS at any Step and include mandatory language stipulating that a grievance may not be submitted or progressed after time limits have expired.
- Housekeeping:
  - Move Art. 7 provision (Final Settlement of Disputes) to follow Art. 17 (Grievance Resolution)
  - Remove STL&H References

The Company reserves the right to add to, revise, modify, substitute, amend, or withdraw bargaining proposals, at its sole discretion. Any settlement or agreement reached on any item(s) is conditional upon the conclusion of a global, total, and comprehensive memorandum of settlement, which has been ratified.

Sincerely,

Myron Becker  
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