



Canada Industrial Relations Board

Conseil canadien des relations industrielles

1 Front Street West, Suite 5300, Toronto, Ont. M5J 2X7
1, rue Front Ouest, bureau 5300, Toronto (Ont.) M5J 2X7
Fax/Télécopieur: 416-973-6543

Our File: 32573-C

Document No.: 561719

May 1, 2018

BY FAX

Mr. Myron Becker
Assistant Vice-President, Labour Relations
Canadian Pacific Railway Company
Ogden Yard, Building 1
7550 Ogden Dale Road SE
Calgary, Alberta
T2C 4X9 **403-319-4296**

Mr. Denis W. Ellickson
CaleyWray
Labour/Employment Lawyers
Suite 1600
65 Queen Street West
Toronto, Ontario
M5H 2M5 **416-366-3293**

Dear Sirs:

In the matter of the *Canada Labour Code (Part I - Industrial Relations)* and an application filed pursuant to section 108.1 of the *Code* concerning Teamsters Canada Rail Conference, certified bargaining agent; Canadian Pacific Railway Company, employer. **(32573-C)**

Further to the teleconference held with the parties on Friday, April 27, 2018, I am hereby writing to confirm the arrangements for the conduct of the vote.

Date and Time of Vote

The vote will be conducted electronically (via internet and telephone). The voting period will begin at **9:00 a.m. (Eastern Daylight Time) on Monday, May 14, 2018** and will run until **noon (Eastern Daylight Time) on Wednesday, May 23, 2018**. It is the intention of the Board to proceed with the retrieval of the vote results immediately following the vote.

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Notice of Vote

Attached please find the Board's Notice of Vote (in English and French). The employer is directed to post the Notice of Vote in each of its terminals. We also confirm that the union and employer will post a copy of the Notice on their respective websites. To this end, the Board will provide to the parties an electronic version of the Notice of Vote. Please note that the Board will post the Notice of Vote on its website.

Last Offer

We confirm that the employer will mail by regular post a copy of its last offer to each bargaining unit member no later than May 4, 2018. A cover letter from the undersigned has been provided to the employer and will accompany the offer. The employer has provided an electronic copy of the last offer in English and French to both the union and to the Board. The Board, union and employer will post the employer's last offer on their respective websites.

List of Eligible Voters

We acknowledge receipt from the employer of a list of employees in the bargaining unit, a copy of which has been provided to the union. The union has reviewed this list and has provided its proposed additions and deletions. A further conference call will be scheduled to address the employees who remain in dispute.

The employer is requested to immediately inform the undersigned and the other party of the names of any employees, whose names appear on the employee list, who have departed from the proposed bargaining unit with a supporting document (for example: copy of record of employment).

Employees of Kootenay Valley Railway

The union submitted that the employer's last offer contains provisions to resolve the collective agreement between the TCRC and Kootenay Valley Railway (KVR), which had expired on December 31, 2016 and that the ministerial referral did not cover the KVR employees. Following the conference call, the union and employer agreed that the KVR employees shall vote and their votes remain segregated, until the issue of their status/eligibility is resolved. The employer will also mail a copy of the last offer to the KVR employees.

Scrutineers

Each of the parties is entitled to have one scrutineer present during the retrieval of the vote results. Please advise the undersigned of the name of the person who will act as scrutineer. Each scrutineer will be asked to sign the following documents upon retrieval of the vote results:

- (a) A Scrutineers' Certificate; and
- (b) A Certificate of Results of Vote witnessing the result of the counted ballots.

Please note that in accordance with section 23 of the *Canada Industrial Relations Board Regulations, 2012*, you are required to serve on the other concerned party a copy of any documents you file with the Board and to advise the undersigned, in writing of the time and manner of service.

If you have any questions concerning this matter, please contact the undersigned in our Toronto office at 416-973-0836.

Sincerely,

A handwritten signature in black ink, appearing to read 'N 30', written over a faint, illegible background.

Natalie Zawadowsky
Regional Director (Registrar)
Ontario Region

Encl.



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NOTICE OF VOTE

File No.: 32573-C

A vote among all employees in the affected bargaining unit represented by the Teamsters Canada Rail Conference and employed by the Canadian Pacific Railway Company on April 23, 2018, will be conducted by the **Canada Industrial Relations Board** in order to determine if the employees eligible to vote accept the last offer presented by the Canadian Pacific Railway Company.

VOTE ON THE LAST OFFER

The vote will be conducted by telephone or Internet. Eligible voters will receive a letter at their HOME ADDRESS on file with the employer outlining how to vote and providing a personal identification number (PIN), which is required to cast a vote. Voters should receive this letter by May 14, 2018, which is the start date for the vote. You may contact the **VOTER HELP CENTRE** toll free at **1-866-344-2818** if you have not received the letter by the commencement of the vote on **May 14, 2018**.

Please advise the management of your employer, Canadian Pacific Railway Company, if your home address has changed in the past six months and you have not already advised the company.

Voters will be allowed to vote without interference, restraint or coercion from any source. The Returning Officer appointed by the Board will be overseeing the vote.

This is a SECRET BALLOT vote and your vote is strictly confidential.

VOTING PERIOD AND COUNTING OF VOTE

The vote period will open at 9:00 a.m. (Eastern Daylight Time) on Monday, May 14, 2018 and will close at noon (Eastern Daylight Time) on Wednesday, May 23, 2018.

- To vote online, go to www.cirb-tcrc.isivote.com and follow the instructions.
- To vote by telephone, call the toll free voting phone number at **1-888-359-2301** and follow the instructions.

You will need a PIN to cast your vote. If you lose or misplace your PIN, please contact the VOTER HELP CENTRE toll free at **1-866-344-2818**.

The PIN which will be provided is for personal use only and must not be shared with, or used by, anyone other than the authorized voter.

The vote result will be disclosed at a time and place to be determined by the Board and the parties will be advised accordingly.

Natalie Zawadowsky
Returning Officer
Canada Industrial Relations Board



Canada Industrial Relations Board

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AVIS DE SCRUTIN

Dossier n° : 32573-C

Un scrutin de tous les employés dans l'unité de négociation affectée, représentés par le Confédération ferroviaire de Teamsters Canada et qui travaillaient à la Compagnie de chemin de fer Canadien Pacifique le 23 avril 2018, sera tenu par le **Conseil canadien de relations industrielles** afin de déterminer si les travailleurs ayant droit de vote acceptent la dernière offre de la Compagnie de chemin de fer Canadien Pacifique.

SCRUTIN SUR LA DERNIÈRE OFFRE

Le scrutin se tiendra par téléphone ou par Internet. Les votants admissibles recevront, à leur **ADRESSE DOMICILIAIRE** inscrite au dossier de l'employeur, une lettre indiquant la marche à suivre pour voter et leur fournissant leur numéro d'identification personnel (NIP), lequel est nécessaire pour voter. Les votants devraient recevoir cette lettre au plus tard le 14 mai 2018, qui est la date du début du scrutin. Veuillez communiquer avec le **CENTRE D'AIDE AUX VOTANTS** au numéro sans frais **1-866-344-2818** si vous n'avez pas reçu cette lettre d'ici le début du scrutin le **14 mai 2018**.

Veuillez aviser la direction de votre employeur, Compagnie de chemin de fer Canadien Pacifique, si votre adresse domiciliaire a changé au cours des six derniers mois et que vous n'en avez pas encore informé l'entreprise.

Les votants seront libres de voter sans aucune ingérence, contrainte ou coercition quelle qu'elle soit. Le directeur du scrutin nommé par le Conseil supervisera le vote.

Il s'agit d'un vote au SCRUTIN SECRET. Votre choix demeure tout à fait confidentiel.

PÉRIODE ET MODE DU SCRUTIN

Le scrutin débutera à compter de 9 h (l'heure avancée de l'Est) lundi, le 14 mai 2018 et prendra fin à midi (l'heure avancée de l'est) mercredi, le 23 mai, 2018.

- Pour voter en ligne, consultez le site www.cirb-tcrc.isivote.com et suivez les directives.
- Pour voter par téléphone, téléphonez sans frais au **1-888-359-2302** et suivez les directives.

Vous aurez besoin d'un NIP pour voter. Si vous avez perdu votre NIP, veuillez communiquer avec le **CENTRE D'AIDE AUX VOTANTS** au numéro sans frais **1-866-344-2818**.

Le NIP fourni est réservé à l'usage personnel du votant autorisé et ne doit pas être communiqué à quelqu'un d'autre ni utilisé par quelqu'un d'autre.

Le résultat du scrutin sera divulgué aux heures et endroits que le Conseil déterminera. Les parties en seront avisées en conséquence.

Natalie Zawadowsky
Directeur du scrutin
Conseil canadien des relations industrielles

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COMMENTS / COMMENTAIRES:

Board File: 32573-C

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