

IN THE MATTER OF AN ARBITRATION

BETWEEN:

Canadian Pacific

and

Teamsters Rail Conference

(Grievance Re: Deactivation of Benefits)

Before: William Kaplan
Sole Arbitrator

Appearances

For CP: John Bairaktaris
Director Labour Relations
Canadian Pacific Railway

David Pezzaniti
Assistant Director of Labour Relations
Canadian Pacific Railway

For Teamsters: Ken Stuebing
Caley Wray
Barristers & Solicitors

The matters in dispute proceeded to a hearing in Toronto on November 21, 2019.

Award

This case concerns the entitlement of employees who are held out of service or suspended for greater than thirty days. The parties filed detailed briefs and the matter proceeded to a hearing in Toronto.

After carefully considering the detailed briefs and the submissions made at the hearing, I conclude that a held-out employee, or one suspended for more than thirty days, is not entitled to access Weekly Indemnity Benefits. However, he or she, notwithstanding how long he or she is held out, or suspended, is entitled to access health and welfare benefits in accordance with the Extended Health and Vision Care Plan, and Dental Plan (as referenced in Article 37 of the Consolidated Collective Agreement).

At the request of the parties, I remain seized with respect to the implementation of this award.

DATED at Toronto this 22nd day of November 2019.

“William Kaplan”

William Kaplan, Sole Arbitrator