

IN THE MATTER OF AN ARBITRATION

BETWEEN

CANADIAN NATIONAL RAILWAY COMPANY
("the Company")

AND

UNITED TRANSPORTATION UNION
("the Union")

TEAMSTERS CANADA RAIL CONFERENCE
("the Intervenor")

Re abolishment of Second Engineer, Go Service

ARBITRATOR – MICHEL G. PICHER

APPEARANCES:

FOR THE COMPANY:

Robert Monette, Counsel
John Orr, General Manager, GTA
Doug Van Cawenbergh, Senior Manager, Labour Relations
Barry Hogan, Manager, Labour Relations
John Kelly, Senior Manager, Commuter Operations

FOR THE UNION AND INTERVENOR:

Michael A. Church, Counsel
Glen Gower, Local Chairperson, UTU Local 483
Paul Vickers, General Chairperson, TCRC Central
Joe Lucifora, Local Chairperson, Division 70
John Wilson, President, Division 70

A hearing in this matter was held in Ottawa on December 28, 2006

AWARD

The Union and Intervenor grieve the decision of the Company to reduce crews in Go train service at Toronto by abolishing the position of second engineer and repositioning the assistant conductor to work principally next to the first engineer in both the locomotive, eastbound on the Lakeshore line, and in the control car cab westbound on the same line. As the decision is to be implemented effective December 30, 2006, the matter was heard on an expedited basis, by agreement of the parties, it being understood that a “bottom line” decision would issue immediately, with reasons in writing to follow.

For reasons to be provided in writing, the Arbitrator dismisses the grievance of the Union and the request for interim relief made by the Intervenor. The Arbitrator also finds and declares that the Company’s plan of changed assignments does not violate or derogate from the Arbitrator’s decision in AH 408, an award between the Company and the Union dated July 22, 1996.

Dated at Ottawa this 29th day of December, 2006.

Michel G. Picher
Arbitrator