

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 156

Heard at Montreal, Tuesday, June 10th, 1969

Concerning

CANADIAN NATIONAL RAILWAY COMPANY

and

UNITED TRANSPORTATION UNION (T)

DISPUTE:

Run-around claims of Conductor O.T. Senkpiel and crew for 100 miles Blue River, B.C., January 24, 1967.

JOINT STATEMENT OF ISSUE:

On January 23, 1967 Conductor Jensen and crew, who at the time stood first out in the chain gang at Blue River, B.C., were ordered to report for duty as soon as possible to handle equipment and assist in the detraining of passengers who were arriving Blue River in baggage car equipment from a derailed passenger train. Conductor Jensen and crew reported for duty at 1915, performed service at Blue River, then deadheaded Blue River to Kamloops Junction on a west-bound passenger train which departed at 0320, January 24. They claimed payment, and were paid, on a continuous time basis from the time of reporting for duty at Blue River until the time released from duty at Kamloops Junction.

Conductor O T. Senkpiel and crew (Brakemen J.T. Ashley and C.R. Memphis) who stood first out in the chain gang at Blue River at 0320, January 24, submitted run-around claims for 100 miles each at through freight rates of pay on the grounds that they, instead of Conductor Jensen and crew, should have been deadheaded from Blue River to Kamloops Junction. The Company declined payment of the claims and the Brotherhood alleges that in so doing the Company violated Article 3, Clause (f) of the Conductors' and Trainmen's Agreements.

FOR THE EMPLOYEES:

(Sgd.) J. S. CORBETT
GENERAL CHAIRMAN

FOR THE COMPANY:

(Sgd.) K. L. CRUMP
ASSISTANT VICE PRESIDENT, LABOUR RELATIONS

There appeared on behalf of the Company:

D. O. McGrath – Labour Relations Assistant, Montreal
A. J. DelTorto – Labour Relations Assistant, Montreal

And on behalf of the Brotherhood:

J. S. Corbett – General Chairman, Winnipeg

AWARD OF THE ARBITRATOR

The preliminary objection in this case, and the facts on which it is based, are identical to those in **Case No. 154**. For the reasons there set out, the grievance must be dismissed.

(signed) J. F. W. WEATHERILL
ARBITRATOR