

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 614

Heard at Montreal, Wednesday, June 15, 1977

Concerning

QUEBEC NORTH SHORE AND LABRADOR RAILWAY

and

UNITED TRANSPORTATION UNION (T)

DISPUTE:

Payment of guarantee for employees on the spare board.

JOINT STATEMENT OF ISSUE:

Trainman Poitras was available, made 878 miles and arrived Sept-Îles 0600, January 15th, at which time he was 19 times out. On January 19th, he booked off at 0140, at which time he was first out.

The Union claims that this employee was available and ready to work up to the date that he booked off and should be paid accordingly. The Railway maintains that this employee, by booking off as he was first out, made himself unavailable for work for the purpose of computing guarantee time as he was "playing the board" and had no intention of being available for work. The grievance was denied.

FOR THE EMPLOYEE:

(SGD.) G. ROBICHAUD
VICE-CHAIRMAN

FOR THE COMPANY:

(SGD.) F. LEBLANC
SUPERINTENDENT, LABOUR RELATIONS

There appeared on behalf of the Company:

J. Bazin – Counsel, Montreal
G. A. Dolliver – Superintendent, Train Movement, Sept-Îles
J. Y. Tardif – Assistant – Labour Relations, Sept-Îles
C. Nobert – Assistant – Labour Relations, Sept-Îles

And on behalf of the Brotherhood:

R. Cleary – Counsel, Montreal
G. Robichaud – Vice-Chairman, Sept-Îles

AWARD OF THE ARBITRATOR

The facts in this case do not differ in any significant way from those in [Case No. 613](#). The reasoning set out in that case applies equally here. Accordingly, the grievance is allowed.

(sgd.) J. F. W. WEATHERILL
ARBITRATOR