

# CANADIAN RAILWAY OFFICE OF ARBITRATION

## CASE NO.1395

Heard at Montreal, Thursday, July 11, 1985

Concerning

### CP EXPRESS AND TRANSPORT

and

### BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS, FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYEES

### EX PARTE

#### DISPUTE:

The assessing of thirty demerits to employee D. Simpson, Montreal, Quebec, for a clearance accident.

#### BROTHERHOOD'S STATEMENT OF ISSUE:

November 23rd, 1983, employee D. Simpson was involved in a backing up accident.

Employee D. Simpson was assessed thirty demerits for the incident.

The Brotherhood grieved the assessment stating the penalty was too excessive and requested the demerits be reduced.

The Company denied our request.

#### **FOR THE BROTHERHOOD:**

#### (SGD.) J. J. BOYCE

GENERAL CHAIRMAN, SYSTEM BOARD OF ADJUSTMENT NO. 517

There appeared on behalf of the Company:

N. W. Fosbery – Director Labour Relations, Toronto

And on behalf of the Brotherhood:

J. J. Boyce – General Chairman, Toronto  
J. Crabb – General Secretary-Treasurer, Toronto  
G. Moore – Vice-General Chairman, Moose Jaw  
M. Gauthier – Vice-General Chairman, Montreal  
D. Wray – Counsel, Toronto

The above dispute was resolved between the two parties at the hearing.

**(signed) DAVID H. KATES**  
ARBITRATOR