

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 1797

Heard at Montreal, Wednesday, June 15, 1988

Concerning

CANADIAN NATIONAL RAILWAY COMPANY

And

UNITED TRANSPORTATION UNION

DISPUTE:

Claim of Trainman B.A. Hoggard, Toronto, for difference in earnings between Trainman and Conductor's rate of pay on 4 March 1987.

JOINT STATEMENT OF ISSUE:

On 4 March 1987 B.A. Hoggard was called to work as Brakeman in straight away service on passenger trains 129-128 Toronto to North Bay, and return.

Upon completion of their tour of duty at North Bay, the Conductor of that assignment booked rest.

As a result, Trainman Hoggard was promoted to work as Conductor on Train 128, the return portion of the trip North Bay to Toronto.

Trainman Hoggard was compensated at the Brakeman's rate of pay from Toronto to North Bay and Conductor's rate of pay North Bay to Toronto.

The Union contends that Trainman Hoggard is entitled to Conductor's rate of pay for his tour of duty Toronto to North Bay in accordance with Article 63.1 of Agreement 4.16

The Company declines the Union's contention.

FOR THE UNION:

(SGD.) TOM HODGES
GENERAL CHAIRMAN

FOR THE COMPANY:

(SGD.) M. DELGRECO
FOR: ASSISTANT VICE-PRESIDENT, LABOUR RELATIONS

There appeared on behalf of the Company:

J. B. Bart – Manager, Labour Relations, Montreal
H. Koberinski – Manager, Labour Relations, Moncton

And on behalf of the Union:

T. G. Hodges – General Chairman, St. Catharines
B. Leclerc – General Chairman, Quebec
R. A. Bennett – Canadian Legislative Director, Ottawa
R. A. Stevenson – Secretary, Local 1052, Fort Erie
G. Bird – Local Chairman, Local 1872, Montreal

At the request of the parties, the Arbitrator adjourned the hearing *sine die*.