

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 1971

Heard at Montreal, Wednesday, 15 November 1989

Concerning

CANADIAN NATIONAL RAILWAY COMPANY

And

CANADIAN BROTHERHOOD OF RAILWAY, TRANSPORT AND GENERAL WORKERS

DISPUTE:

The computerization of the payroll activity in the Equipment Department at Transcona, Manitoba.

JOINT STATEMENT OF ISSUE:

In January 1985, the Company computerized the payroll system in the Main Shops at Transcona, Manitoba. As a result, the main tasks previously performed by the employees responsible for handling payroll documentation became redundant.

As a result of the aforementioned change, on January 10, 1986, the Company issued a notice pursuant to Article 8.1 of The Employment Security and Income Maintenance Plan dated June 18, 1985 in which the Brotherhood was advised that 12 time clerk positions, 2 general clerk positions and 1 cost clerk position would be abolished effective April 11, 1986. Concurrently, 10 general clerk positions would be reestablished.

The Brotherhood has contended that Supervisors are performing work which had been performed by employees represented by the Brotherhood. The Brotherhood has also contended that the newly established positions should have been evaluated as timekeepers at the "E" level rate of pay instead of general clerks at the "D" level rate of pay.

The Company disagrees.

FOR THE BROTHERHOOD:

(SGD) TOM MCGRATH
NATIONAL VICE-PRESIDENT

FOR THE COMPANY:

(SGD) W. W. WILSON
FOR: ASSISTANT VICE-PRESIDENT, LABOUR RELATIONS

There appeared on behalf of the Company:

D. McMeekin	– System Labour Relations Officer, Montreal
M. M. Boyle	– Manager, Labour Relations, Montreal
S. Grou	– System Labour Relations Officer, Montreal
D. W. Collins	– Assistant Accountant, Main Shops, Transcona
P. J. Nicholson	– Co-Ordinator, Special Projects, Montreal

And on behalf of the Brotherhood:

A. Cerilli	– Regional Vice-President, Winnipeg
T. McGrath	– National Vice-President, Ottawa
R. J. Stevens	– Regional Vice-President, Toronto
G. Murray	– Regional Vice-President, Moncton

AWARD OF THE ARBITRATOR

The Arbitrator is satisfied that on the basis of the material filed that, while the computerization of the payroll activity in the equipment department at Transcona, Manitoba resulted in a substantial reorganization of the work performed, it has neither involved a transfer of bargaining unit work to supervisors nor any improper downward reclassification of the work performed by general clerks at the 'D' level rate of pay.

The uncontroverted evidence before the Arbitrator is that a number of manual functions previously performed by the time clerk, including completing daily time cards, transferring times from daily time cards to total time cards and approving total time cards have been entirely discontinued with the advent of computerization. The same is true for the verifying and approving of daily time cards by the supervisor and the punching of time on daily time cards twice daily by a shop employee not represented by the Brotherhood. In the result, the core functions of the time clerk position, involving the recording of information for payroll purposes, are not performed by persons in the classification of general clerk. While it is true that the key punch operator represented by the Brotherhood does enter some payroll information into the computer, the material falls short of disclosing sufficient overlap between that function and those of the time clerk so as to justify the Brotherhood's claim with respect to improper classification. I am likewise satisfied that there is nothing in the evidence to disclose the performance of bargaining unit work by supervisors, as alleged.

On the basis of the material filed, the most that can be said is that, with respect to certain functions, the general clerk is required to have some of the same knowledge as was previously required of the time clerk. However, the overlapping qualifications so disclosed do not establish an overlap in function in violation of Article 21.6 of the Collective Agreement.

For the foregoing reasons the grievance must be dismissed.

November 17, 1989

(Sgd.) MICHEL G. PICHER
ARBITRATOR