

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 2081

Heard at Montreal, Tuesday, 11 December 1990

concerning

CANADIAN PACIFIC LIMITED

and

TRANSPORTATION COMMUNICATIONS UNION

DISPUTE:

Loss of earnings incurred by Mr. Réjean Trottier while he was trying to establish himself on a permanent position in accordance with Article 25.2 of the Collective Agreement and the agreement on the consolidation of seniority lists dated 14 April 1989.

JOINT STATEMENT OF ISSUE:

During the week of February 19 to 26, 1990 inclusive, Mr. R. Trottier tried to establish himself on a permanent position in three (3) different departments or services as follows:

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|----------------------|------------------------|
| – February 20 and 21 | Investigation Services |
| – February 22 | Intermodal |
| – February 23 and 26 | Building Services |

The Union maintains that Mr. Trottier should not be subject to loss of earnings given that he complied with the requirements of the employer and of the Collective Agreement concerning displacements. The Union claims one day's wages each for February 23 and February 26 from Building Services.

The Employer has refused payment.

FOR THE UNION:

(SGD.) C. PINARD
FOR: GENERAL CHAIRMAN

FOR THE COMPANY:

(SGD.) J. A. EDGE
MANAGER, FACILITY OPERATIONS

There appeared on behalf of the Company:

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| P. Pannitti | – Recruitment Specialist, Industrial Relations, Montreal |
| J. L. Durand | – Assistant Manager, Building Services, Montreal |
| R. Laroche | – Inspector, Personnel, Investigation Services, Montreal |
| D. J. David | – Labour Relations Officer, Industrial Relations, Montreal |

And on behalf of the Union:

- | | |
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| C. Pinard | – General Secretary/Treasurer, Vice-General Chairman, Montreal |
| J. Manchip | – General Chairman, Montreal |
| D. J. Bujold | – National Secretary/Treasurer, Ottawa |
| R. Trottier | – Grievor |

AWARD OF THE ARBITRATOR

For the reasons given in **CROA 2080**, this grievance must be dismissed.

December 14, 1990

(Sgd.) MICHEL G. PICHER
ARBITRATOR