

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 2499

Heard in Calgary, Thursday, 16 June 1994

concerning

CANADIAN NATIONAL RAILWAY COMPANY

and

**CANADIAN COUNCIL OF RAILWAY OPERATING UNIONS
[UNITED TRANSPORTATION UNION]**

DISPUTE:

Appeal of the thirty demerits assessed to Conductor R.W. Haydock of Vancouver, B.C. for lack of responsibility while employed as Yard Foreman on 1400 East Lead Assignment at Thornton Yard on November 24, 1989.

JOINT STATEMENT OF ISSUE:

On November 24, 1989 Yard Forman Haydock was assigned to the 1400 East Lead Yard at Thornton Yard. The crew was monitored by two Company Officers from approximately 1630 to 1750. As a result of this monitoring the Company alleges that the crew was performing their duties in such a fashion as to attempt to slow operations.

Following an investigation into this matter Mr. Haydock was assessed thirty demerits for lack of responsibility while employed as Yard Foreman on the 1400 East Lead Assignment at Thornton Yard on November 24, 1989.

The Union appealed the discipline contending that the discipline was totally unsubstantiated and requests that the discipline be expunged.

FOR THE UNION:

(SGD.) J. W. ARMSTRONG
GENERAL CHAIRPERSON

FOR THE COMPANY:

(SGD.) B. LAIDLAW
for: SENIOR VICE-PRESIDENT, WESTERN CANADA

There appeared on behalf of the Company [among others]:

M. A. King – Solicitor, Edmonton
G. C. Blundell – Manager, Labour Relations, Edmonton

And on behalf of the Union [among others]:

D. Ellickson – Counsel, Toronto
J. W. Armstrong – General Chairperson, Edmonton
R. W. Haydock – Grievor

At the request of the parties, the hearing was adjourned. The matter was ultimately resolved between parties.