

# CANADIAN RAILWAY OFFICE OF ARBITRATION

## CASE NO. 2500

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 Written Reprimand assessed to Yard Foreman R.W. Haydock of Vancouver, B.C. for inappropriate radio communication to a Company Officer during a tour of duty on the 0200 Extra Yard at Thornton Yard on January 14, 1991.

### **JOINT STATEMENT OF ISSUE:**

On January 14, 1991 Yard Foreman Haydock was assigned to the 0200 Extra Yard at Thornton Yard. During his shift Manager Train Service R. Sherbo contacted Mr. Haydock on the radio to ascertain his location. The Company alleges that Mr. Haydock responded in a manner that was considered inappropriate and he was required to attend an investigation in connection with this incident.

Following the investigation, Yard Foreman Haydock was assessed a Written Reprimand for inappropriate radio communication to a Company Officer during a tour of duty on the 0200 Extra Yard at Thornton Yard on January 14, 1991.

The Union appealed the discipline contending that the discipline was unwarranted and requests that the discipline be removed.

The Company denied the appeal.

### **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.