

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 3110

Heard in Calgary, Wednesday, 10 May 2000

concerning

CANADIAN PACIFIC RAILWAY COMPANY

and

**CANADIAN COUNCIL OF RAILWAY OPERATING UNIONS
(UNITED TRANSPORTATION UNION)**

DISPUTE:

The application of Lay-Off Benefits as governed by the Memorandum of Agreement concerning the Implementation of Remote Control Systems and Beltpack Technology at Coquitlam and Williston.

JOINT STATEMENT OF ISSUE:

The Union position is that eligibility for lay-off benefits in clause 4.5 and 4.6 of the Agreement. Employees who meet those requirements are entitled to layoff benefits under the Agreement.

The Company contends that eligibility benefits under the Agreement must be based upon a demonstrable connection between the implementation of an RCLS yard assignment, as the cause of the adverse effect, and the layoff of the materially adversely affected employee, and that eligibility for the benefits under this agreement must be read in context with all clauses of the Agreement in addition to those cited by the Council.

FOR THE COUNCIL:

(SGD.) D. H. FINNISON
FOR: GENERAL CHAIRPERSON

FOR THE COMPANY:

(SGD.) K. E. WEBB
FOR: GENERAL MANAGER, OPERATIONS

There appeared on behalf of the Company:

K. E. Webb	– Manager, Labour Relations, Calgary
M. E. Keiran	– Director, Labour Relations, Calgary
N. Hill	– Manager, Payroll Administration, Calgary
R. K. Sutherland	– Assistant Labour Relations Officer, Calgary

And on behalf of the Council:

D. Finnson	– Vice-General Chairperson, Calgary
L. O. Schillaci	– General Chairperson, Calgary
M. Douglas	– Local Chairperson, Coquitlam

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