

**CANADIAN RAILWAY OFFICE OF ARBITRATION
& DISPUTE RESOLUTION**

SUPPLEMENTARY AWARD TO

CASE NO. 3487

Heard in Montreal, Tuesday, 13 September 2005
concerning

CANPAR TRANSPORT LTD.

and

UNITED STEELWORKERS OF AMERICA (LOCAL 1976)

There appeared on behalf of the Company:

M. Failes – Counsel, Toronto
B. Neill – Vice-President, Human Resources, Mississauga

And on behalf of the Union:

R. Summerside – Vice-President, FTS, Montreal

SUPPLEMENTARY AWARD OF THE ARBITRATOR

The award herein dated May 16, 2005 provided that the grievor is to pursue his own rehabilitation and that his physician is to provide quarterly reports to the Company and the Union with respect to his progress. It appears that the parties have been in disagreement as to the who is responsible for paying for the reports. With respect to that issue the Arbitrator declares, for the purposes of clarification, that the grievor is to bear the cost of any medical reports issued pursuant to the award herein. As noted below, however, those reports need not be extensive.

Further to the foregoing, and for the purposes of clarity, the Arbitrator directs that the Company provide to the grievor's physician simple forms to be filled in for the purposes of his quarterly reports to the Company, with copies to be provided to the Union. The report need be no more than a brief statement of the current state of the grievor's cognitive disability and the doctor's opinion as to Mr. Gough's capacity to take on the offers of accommodated and modified work which had been made by the Company, the general nature of which shall be indicated by the Company in its communication with the grievor's physician.

The grievor should appreciate that any failure to comply with these conditions may have substantial adverse consequences. The Arbitrator continues to retain jurisdiction.

September 19, 2005

(signed) MICHEL G. PICHER
ARBITRATOR