

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

CASE NO. 3557

Heard in Montreal Thursday, 11 May 2006

Concerning

CANPAR TRANSPORT LTD.

and

UNITED STEELWORKERS OF AMERICA (LOCAL 1976)

EX PARTE

DISPUTE:

The dismissal of Mr. H. Pranger.

UNION'S STATEMENT OF ISSUE:

On July 2, 2003 Mr. Pranger was given a lay off notice. Mr. Pranger attempted to displace in Kitchener.

The Company denied his request to displace claiming he was out of time. Since that time Mr. Pranger worked as and when required until the beginning of June 2004.

On July 21, 2004, Mr. Pranger received a letter from Canpar advising him that he had forfeited his seniority and that his name was removed from the list.

The Union grieved that the Company should not have terminated Mr. Pranger because he had been available for work since his original notice of lay off of July 2, 2003, and claimed all wage loss and benefits.

The Company declined the grievance.

FOR THE UNION:

(SGD.) N. M. LAPOINTE
STAFF REPRESENTATIVE

There appeared on behalf of the Company:

P. D. MacLeod – Vice-President Operations, Mississauga
R. Lacroix – Supervisor, London

And on behalf of the Union:

- A. Kane – National Representative
- N. M. Lapointe – Staff Representative, Montreal

AWARD OF THE ARBITRATOR

This dispute was resolved using the dispute resolution process of the CROA&DR.

May 11, 2006

(signed) MICHEL G. PICHER
ARBITRATOR