

**CANADIAN RAILWAY OFFICE OF ARBITRATION
& DISPUTE RESOLUTION
CASE NO. 4110**

Heard in Edmonton, Tuesday, 12 June 2012

Concerning

CANADIAN NATIONAL RAILWAY COMPANY

And

TEAMSTERS CANADA RAIL CONFERENCE

DISPUTE:

Administrative closure of Vancouver Locomotive Engineer P.J. Wells' employment file on November 15, 2010.

JOINT STATEMENT OF ISSUE:

On March 15, 2010, the grievor was reinstated through *CROA&DR 3876*. Following his reinstatement numerous attempts were made to contact the grievor to begin the return to work process without success.

On November 15, 2010, having received no response or medical documentation from the grievor, the Company closed the grievor' employment file.

The Union contends the Company is in violation of Article 86 of Agreement 1.2 and Section 239, Division XIII of the *Canada Labour Code*, for issuing discipline to an employee because of absence due to illness.

The Company disagrees with the Union's contentions.

FOR THE COMPANY:

(SGD.) D. CROSSAN

FOR: DIRECTOR, LABOUR RELATIONS

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

D. Crossan	– Labour Relations Officer, Prince George
K. Morris	– Sr. Manager, Labour Relations, Edmonton

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

K. Stuebing	– Counsel, Toronto
B. Willows	– General Chairman, Edmonton

At the request of the parties the hearing was adjourned sine dies and no award was issued.