

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 1861

Heard at Montreal, Thursday, 15 December 1988

Concerning

CANADIAN PARCEL DELIVERY  
(CP EXPRESS AND TRANSPORT)

And

TRANSPORTATION COMMUNICATIONS UNION

EX PARTE

DISPUTE:

Union grievance concerning the Company's establishment of "route productivity standards" and enforcement of said standards by discipline.

UNION'S STATEMENT OF ISSUE:

The Company has established route productivity standards for specific routes. The Company has then disciplined employees who fail to meet those standards.

The Union's position is that the standards are unreasonable; that they have not been consistently applied or enforced; and that discipline for failure to meet said standards is unjust and unreasonable.

The Company had denied the Union's grievance.

FOR THE UNION:

(SGD) J. J. BOYCE  
General Chairman  
System Board of Adjustment 517

There appeared on behalf of the Company:

M. D. Failles	- Counsel, Toronto
P. McLeod	- Labour Relations Officer, Toronto
D. Dougan	- Regional Manager, Western Canada
R. Johnson	- Terminal Manager, Calgary
R. Dearden	- District Manager, BC Centres outside Vancouver
F. McMullen	- Director, Human Resources, Toronto
G. Swanson	- District Manager, Quality Improvement

And on behalf of the Union:

H. F. Caley	- Counsel, Toronto
J. J. Boyce	- General Chairman, Toronto
J. Crabb	- Vice-General Chairman, Toronto
R. Moore	- Witness
D. Crawford	- Witness

AWARD OF THE ARBITRATOR

For the reasons stated in CROA 1864 this grievance must be allowed. The Arbitrator finds and declares that the productivity standards system established within its terminals cannot be relied upon as a just and reasonable basis for the assessment of discipline against employees who fail to meet those standards.

December 16, 1988

(Sgd.) MICHEL G. PICHER  
ARBITRATOR