

ADJOURNED TO SEPTEMBER 1992

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 2272

Heard at Montreal, Thursday, 16 July 1992

concerning

CANADIAN PACIFIC EXPRESS & TRANSPORT

and

TRANSPORTATION COMMUNICATIONS UNION

EX PARTE

DISPUTE:

On or about November 11th, 1991, the Company issued an article V notice of the Job Security Agreement in light of operational changes to the Vancouver to Prince George Linehaul runs.

UNION'S STATEMENT OF ISSUE:

The Union's review of this specific case matter clearly illustrates that the Company had arbitrarily and unilaterally decided to have this linehaul work, that presently being performed by bargaining unit employees, operated by an outside contractor.

The Union maintains that the Company has countenanced the continued erosion of the bargaining unit's work in lieu of seeking other feasible alternatives.

The Union asserts that this form of ``contracting out'' of bargaining unit work is a direct violation of the present terms of the collective agreement.

The Union further asserts that subcontracting out of this specific work is understood in the trucking industry as ``contracting out'' and not ``interlining of traffic'' as the Company implies.

To date, the Company has denied any wrongdoing, and that this form of ``contracting out'' is not a violation of the present collective agreement.

FOR THE UNION:

(SGD.) M. W. FLYNN

for: EXECUTIVE VICE-PRESIDENT

There appeared on behalf of the Company:

P. A. Young

Counsel, Toronto

B. F. Weinert

Director, Labour Relations, Toronto

B. D. Neill

Vice-President, Human Resources, Toronto

J. H. Barrett

Regional Manager, Western Canada Linehaul, Vancouver

And on behalf of the Union:

M. Church

Counsel, Toronto

J. Crabb

Executive Vice-President, Toronto

M. Gauthier

Vice-President, Montreal

M. Flynn

Vice-President, Vancouver

J. Marr

Vice-President, Saint John

At the request of the Union, the hearing was adjourned to September 1992.