

CANADIAN RAILWAY OFFICE OF ARBITRATION

CASE NO. 2819

Heard in Montreal, Thursday, 16 January 1997

concerning

CANADIAN NATIONAL RAILWAY COMPANY

and

**NATIONAL AUTOMOBILE, AEROSPACE, TRANSPORTATION AND
GENERAL WORKERS UNION OF CANADA (CAW-CANADA)**

DISPUTE:

Assessment of discipline to Mr. T. DeRose of Thunder Bay, Ontario.

JOINT STATEMENT OF ISSUE:

Following an investigation held on 08 March 1994, Mr. DeRose was assessed 10 demerits for his poor timekeeping between 5 January 1994 and 27 February 1994.

It is the Union's position that Mr. DeRose's level of absenteeism did not exceed the average during the time in question and that this discipline is exceedingly harsh considering that numerous occasions were as the result of trains blocking entrances to his work location. The Union requests that the 10 demerits be removed from Mr. DeRose's file.

The Company denies the request.

FOR THE UNION:

(SGD.) A. S. WEPRUK
NATIONAL COORDINATOR

FOR THE COMPANY:

(SGD.) J. TORCHIA
FOR: SENIOR VICE-PRESIDENT, WESTERN CANADA

There appeared on behalf of the Company:

D. Lanthier	– Labour Relations Officer, Edmonton
S. Michaud	– Labour Relations Officer, Edmonton
J. Dixon	– Manager, Labour Relations, Edmonton
C Colquhoun	– Senior Technical Officer, Winnipeg

And on behalf of the Union:

A. S. Wepruk	– National Coordinator, Montreal
A. DeRose	– Grievor

AWARD OF THE ARBITRATOR

For the reasons related in **CROA 2821**, the grievance is allowed, in part.

January 20, 1997

(signed) MICHEL G. PICHER
ARBITRATOR