

CANADIAN RAILWAY OFFICE OF ARBITRATION  
CASE NO. 3170  
Heard in Calgary, Thursday, November 16, 2000  
Concerning  
CANADIAN PACIFIC RAILWAY COMPANY  
And  
CANADIAN COUNSEL OF RAILWAY OPERATING UNIONS  
(BROTHERHOOD OF LOCOMOTIVE ENGINEERS)

EX PARTE

DISPUTE:

The Company's instructions to have freight crews handle their trains past their final destination of Ignace, Ontario, to either the first siding east or first siding west, a direct violation of article 30.09 and article 34.01 (1).

COUNCIL'S STATEMENT OF ISSUE:

The Council is of the position that the Company must serve a material change notice pursuant to article 34.01(I). The Council also states that the Company is in direct violation of article 30.09. The Company's position is that the switching zones have been extended which would permit this type of operation.

The Council has requested a new day for each time locomotive engineers were ordered to run-through their final destination.

The Company has declined the Council's request.

FOR THE COUNCIL:

(SGD.) D.C. CURTIS

GENERAL CHAIRMAN

Appearing on behalf of the Company:

D. E. Guerin

G. S. Seeney

G. J. Gionet

J. C. Copping

C. M. Graham

Appearing on behalf of the Council:

D. C. Curtis

L. O. Schillaci

R. Harding

- Labour Relations Officer, Calgary
- Manager, Labour Relations, Calgary
- Manager of Road Operations, Kenora
- Manager, Labour Relations, Calgary
- Labour Relations Officer, Calgary
- General Chairman, Calgary
- General Chairperson, Calgary
- Local Chairman, Thunder Bay

At the request of the parties, the hearing was adjourned *sine die*.