

**CANADIAN RAILWAY OFFICE OF ARBITRATION  
CASE NO. 3352**

**Heard in Edmonton, Wednesday, 9 July 2003**

**concerning**

**CANADIAN NATIONAL RAILWAY COMPANY**

**and**

**BROTHERHOOD OF LOCOMOTIVE ENGINEERS**

**DISPUTE:**

Appeal the discipline assessed the personal record of Locomotive Engineer E.W. Bugoy of Melville, SK for failure to report for an employee investigation.

**JOINT STATEMENT OF ISSUE:**

As the result of a Company investigation conducted on July 17, 2000, Locomotive Engineer Bugoy was assessed fifteen (15) demerits to his personal discipline record.

The Brotherhood contends that the Company has not established the grievor's responsibility in the instant matter that would result in any amount of discipline being assessed.

Accordingly, the Brotherhood requests that the Company be directed to expunge the discipline imposed.

The Company has denied the Brotherhood's request.

FOR THE BROTHERHOOD: FOR THE COMPANY:

(SGD.) D. E. BRUMMUND (SGD.) D. VANCAUWENBURGH

FOR: GENERAL CHAIRMAN FOR: VICE-PRESIDENT, LABOUR RELATIONS

There appeared on behalf of the Company:

D. VanCauwenburgh – Manager, Human Resources, Winnipeg

S. M. Blackmore – Manager, Human Resources, Edmonton

R. Reny – Senior Manager, Human Resources, Vancouver

S. Crick – Transportation Supervisor, Winnipeg

And on behalf of the Brotherhood:

D. E. Brummund – Sr. Vice-General Chairman, Edmonton

B. Willows – Vice-General Chairman, Winnipeg

**AWARD OF THE ARBITRATOR**

This file has been consolidated with **CROA 3351** and **CROA 3353**. The award and reasons of the Arbitrator are to be found in **CROA 3353**.

July 14, 2003

(signed) MICHEL G. PICHER  
ARBITRATOR