



BROTHERHOOD OF LOCOMOTIVE ENGINEERS & TRAINMEN

GENERAL COMMITTEE OF ADJUSTMENT – Canadian National/Wisconsin Central Ltd - Fox Valley & Western Ltd

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August 13, 2012

Mr. Douglas J. Mandalas, Labor Relations
Wisconsin Central LTD
17641 South Ashland Avenue
Homewood, Illinois 60430

Dear Mr. Mandalas,

BLET would like to address the following at the Labor/Management Resolution Committee meeting to be held on June 27 – 28, 2012 pursuant to Article 2 (c) of the February 1, 2009 Collective Bargaining Agreement, in Kaukauna, Wisconsin.

- 1) BLET would like to address lodging and restaurant facilities for away crews tying up in Chicago (**Article 19, Section 1, paragraph (c)**).

Resolution:

General Superintendent Noland will address issues concerning shuttle being available to transport crews to restaurants within reason and inquire about installing a CATS terminal.

- 2) BLET would like to address an extra M-340 being crewed at Schiller Park that should be bulletined as a regular assignment (**Article 8, Section 1 (a)**).

Resolution:

The Company will establish a regular M-340 type Assignment at Schiller Park.

- 3) BLET would like to address how long Engineers protect before rest days and what time they return to the board following rest days for the Ore Pool assignments on the former DMIR (**Various Articles**)

Resolution:

BLET wants The Ore Pools on the former DMIR protection times for rest days and returning to the Ore Pool Board following rest days the same as the GEB. This issue was agreed to be discussed in Section 6 Negotiations.

- 4) BLET would like to address when new Engineer promotions are assigned what terminals are considered the home terminal for employee taking promotion.

Resolution:

The Company will bid Engineer positions prior to trainee(s) becoming qualified.

- 5) BLET would like to discuss attendance (example - when laying off without pay before midnight and marking up in less than twenty-four (24) hours, it should be counted as one (1) day off rather than two (2) days off).

Resolution:

The Company acknowledges that system may overstate absences and that each issue will be addressed case by case until a new system is put in place.

- 6) BLET would like to address the direction of road assignments (example – if an assignment is bid to go north it should go north not south (**Article 8, Section 1 (f)**).

Resolution:

The Company's position is that Engineers can operate in either direction as long as they normally perform the assigned duties (including tie-up location) of the job. The Organization disagrees with the Company's position and interprets the CBA that Engineers shall only operate the direction and tie-up at their bid location. The Organization will continue to file grievance claims.

- 7) BLET would like to discuss bulletins requiring Engineers to report on rest when assignments are set back more than two (2) hours (**Article 8, Section 1 (b)**).

Resolution:

The Company's position is Federal Law supersedes and invalids conflicting labor contract provisions. The Organization disagrees with the Company's position and will continue to file grievance claims.

- 8) BLET would like to discuss number of PLD days for Engineers who are only allotted four (4) PLD days (**Article 20 (a)**).

Resolution:

The Company's position is that Engineers are only allowed PLD's allotted for by the BLET CBA. The Organization disagrees with the Company's position and thinks any Engineer who was hired as a Trainman on or prior to January 1, 2012 shall be entitled to a maximum of twelve (12) PLD's for each calendar year.

- 9) BLET would like to address payment for Engineers attending recertification classes (**Article 14 (e)**).

Resolution:

The Company's position is that Engineers attending class on their rest day will be paid actual time at the rate of time and a half. The Company will attempt to not schedule Engineers for recertification class on their rest days.

- 10) BLET would like to discuss not filling vacancies correctly, CMC moves up call window crews rather than fill window vacancies off the extra board (**Article 11 (d)**).

Resolution:

The Carrier maintains their ongoing position that "as necessary" means that it is not necessary to fill vacancies if there is another available window Engineer to fill the vacancy.

- 11) BLET would like to discuss Engineer qualification in the Twin Ports area.

Resolution:

The Organization's position is that uneven training has led to many GEB problems with all kinds of runarounds and unpredictability due to lack of uniform qualification levels. The Company states that they are trying to concentrate the training during slow times, which is probably responsible for the current situation, and acknowledges that it could take several seasons to really straighten it out. The Organization is also concerned over HOS and DH issues related to qualifying out of other terminals than their regular reporting point. The Company understands that promoted Engineers are performing covered service and entitled to traditional treatment for HOS and DH purposes, but that pure trainees are not. The Company acknowledges distinction between non-promoted trainees and Engineers who are attaining territorial qualifications. The Company will pay claims of promoted engineers that are properly based.

- 12) BLET would like to address the inaccuracy of train line-ups which is causing rest/fatigue issues.

Resolution:

The Company stated they will do their best to keep line-ups updated and "TOPSY" automatically updates the line-ups and very little can be done manually except removing certain trains from lineups.

- 13) BLET would like to address the inaccuracy of PLD's and SDV's shown in CATS.

Resolution:

The Company explained that the PLD portion should be right and that the number of vacation days only changes when the Engineer enters into their first split week

and again when and if they enter into their second split week. At those times the weeks are increased from the standard five (5) days to six (6) days.

- 14) BLET would like to discuss when crew talk notifies an Engineer he is called to report to duty and the Engineer needs to talk to a real person and cannot reach them for thirty (30) minutes, does the time go against CMC or the Engineer. **(Article 17, Section 1 (a)).**

Resolution:

The Organization requested this issue be tabled.

- 15) BLET would like to discuss when will all CATS systems between the WC, former DMIR and former DWP be the same system.

Resolution:

The Company does not know when this change will take place.

- 16) BLET would like to follow-up on Seniority Protest of Engineer Keith Hayter from the June 30, 2010 and May 2, 2011 LMRC Notes.

Resolution:

Previously adjudicated.

- 17) BLET would like to follow-up on Seniority Protest of Engineer Eric Stroik from the June 30, 2010 and May 2, 2011 LMRC Notes.

Resolution:

Previously adjudicated

- 18) BLET would like to address Seniority Protest of Engineer Matthew Sumner **(Article 7, Section 2, paragraph (b)).**

Resolution:

Claimant's record and arbitration award shows Claimant being on suspension at the time Engineer promotion class was formed. Protest declined.

- 19) BLET would like to address Seniority Protest of Engineer Scott Reinke **(Article 7, Section 2, paragraph (b)).**

Resolution:

O.S.L. done properly in conjunction with Rinaldo Award.

20) BLET would like to address Seniority Protest of Engineer Thomas Dorin (**Article 7, Section 2, paragraph (b)**).

Resolution:

O.S.L. done properly in conjunction with Rinaldo Award.

21) BLET would like to address Seniority Protest of Ross Hanson (**Article 7, Section 2, paragraph (b)**).

Resolution:


Claimant's record shows this appeal has been previously appealed and Claimant was off for discipline when class was formed. Protest declined.

22) BLET would like to address the excessive discipline assessed to Engineer Vincent Porter (WC-BLET-2011-00333). Mr. Porter was assessed a thirty (30) day actual suspension. The Organization requests all mention of the discipline be expunged from the Claimant's record and that he be compensated for all lost time including the time attending the investigation, as well as pay for all work related benefits and seniority vacation rights unimpaired as a result of the assessed discipline is requested.

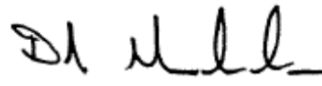
Resolution:

The Company further declined Claimant's discipline appeal and this constitutes final conference between the parties. The Organization will pursue this discipline in accordance of Article 29, Section 2 (f).

Sincerely,



John W. Reynolds
General Chairman – CN/WC, BLET

 /FOR

Timothy E. Rice
Director Labor Relations



Derek Taylor
General Manager