



BROTHERHOOD OF LOCOMOTIVE ENGINEERS & TRAINMEN

*GENERAL COMMITTEE OF ADJUSTMENT –
Canadian National/Wisconsin Central Ltd*

N6380 Church Road
Brandon, WI 53919
Office: 920-346-2906
Cell: 920-375-6055
Email: ehaublet@gmail.com

September 29, 2020

Mr. Doug Mandalas, Labor Relations
Canadian National Railway
17641 South Ashland Avenue
Homewood, Illinois 60430

Re: Future LMRC

Dear Mr. Mandalas,

BLET would like to address the following discipline claims and issues at the Labor/Management Resolution Committee meeting to be held on date and location to be determined pursuant to Article 2 (C) and Article 29, Section 2 (D) and Article 30, Section 30, Section 2 (C) of the April 1, 2002 revised: August 4, 2014 Collective Bargaining Agreement.

1. The parties need to discuss the discipline policy and address any questions or concerns associated therewith.

Resolution:

General managers explained they have no latitude to alter any part of the discipline policy. The General Managers suggested that both Organizations get together with their respective counter parts on the IC and GTW and draft a request letter for desired changes to the policy and send to V.P., D. Taylor.

2. The parties need to discuss the efficiency test policy in connection with item #1 listed above and address any questions or concerns associated therewith.

Resolution:

General Managers had no issue with switch banner tests. See item #1.

3. The parties need to discuss the calling of crews and manning of trains within the consolidated Chicago terminal boundaries as defined by the Chicago Implementing Agreement.

Resolution:

The Organizations both pointed out they did not want either the IC or GTW doing work that was traditionally that of the WC as supported by both the CBA and Chicago Coordination Agreement. The Organizations also suggested the hotel crews in Chicago be utilized first whenever possible to stay in cycle. Both GM Albritton and McClarren along with L.R. want direct real-time examples when calling procedures are not followed.

4. The parties need to once again discuss the misuse of crews between the Fond du Lac and Chicago corridors that lead to crew shortages, unnecessary expense to the Company and other concerns for the Organization.

Resolution:

Same as item #3

5. The parties need to discuss the Company's practice of showing crews in deadhead status yet they are still used to perform yard, local and extra service. Additionally, the parties need to discuss the aforementioned practice in connection with item #4 above.

Resolution:

GM Bistis looked into the problem areas where this occurs and is working with local Managers to correct the issue.

6. The parties need to discuss how the deadhead calls referenced in item #5 above affect guarantee pay, hours of service reporting and ESIP contributions.

Resolution:

GM Bistis will address the issue of Local-Only effect on DH calls and guarantee pay. ESIP contributions should not be affected by DH calls.

7. The parties need to discuss CMC's approving PLDs outside of the six (6) month parameters of Article 20 paragraph D of the CBA.

Resolution:

LR will send a reminder to the Vacation Desk to remind them that PLD/SDV approvals are based on 6 calendar months and not 180 days.

8. The parties need to discuss the Company's purchase of the Hallet Dock facility in Duluth, MN and the current operation and future plans in connection with the newly acquired facility.

Resolution:

This purchase was by subsidiary of the CN. Current operations at the Hallet Dock will remain unchanged and will not affect any current CN Transportation jobs. All work done will stay within the facility and will not traverse CN lines.

9. The parties need to discuss possible dates for the next LMRC meeting in order to assure that the required meetings do not get stretched too far apart.

Resolution:

The Organizations are to send out potential meeting dates for 2021.

10. The Parties need to discuss using GEB engineer's out-of-order to "qualify" on various assignments. While the Organization agrees that all GEB engineers need to be afforded the ability to be qualified, this needs to be done in accordance with Article 11 (C).

Resolution:

The Organization pointed out their position on the CBA requiring the GEB operate first-in first-out period. The Company does not agree with the Organization's stance.

11. The Parties need to discuss scheduling and payment for Carrier required re-certification physicals (Article 24).

Resolution:

GM Albritton to work with the Training Department in attempt to set up re-certification physicals to coincide with re-cert classes.

12. The Parties need to discuss GEB guarantees and the application of the "local-only" provision of the CBA.

Resolution:

Previously resolved in item # 6.

13. The Parties need to discuss Change of Card (COC) protections and conveyance of information to payroll departments (Attachment "A").

Resolution:

L.R. to convey previously agreed-to protection requirements on C.O.C. to CMC.

14. The Parties need to discuss the Carrier's Payroll Department's continual shortening of claim submission deadlines to an unrealistic expectation (It used to be all claims had to be submitted by Thursday after the end of the pay period end on Sunday. Then to Wednesday, then Tuesday, now Monday. Reminder that employees are now required to submit their own guarantee claims and do not even know until Sunday at 2359 if they need to claim guarantee that day. If they end up working late Sunday and have to quick-tie after a long shift, they will surely miss the deadline and be shorted pay.

Resolution:

L.R. to discuss with Payroll Department and get back to Organizations..

The Organization would like to discuss the removal or adjustment of discipline for the following Claimants:

1. The Organization would like to address the excessive discipline assessed to Claimant Ryan Grosland (WC-BLET-2020-00161). The Claimant was assessed a fifteen (15) day actual suspension from service. 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 spent 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: ***Further Declined***

2. The Organization would like to address the excessive discipline assessed to Claimant Jason Westman (WC-BLET-2020-00154). The Claimant was assessed a fifteen (15) day actual suspension from service. 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 spent 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: ***Further Declined***

3. The Organization would like to address the excessive discipline assessed to Claimant Brian Flaherty (WC-BLET-2020-00155). The Claimant was assessed a fifteen (15) day actual suspension from service. 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 spent 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: ***Further Declined***

4. The Organization would like to address the excessive discipline assessed to Claimant Oscar Jude (WC-BLET-2020-00196). The Claimant was assessed dismissal from service. The Organization requests the Claimant's immediate reinstatement to service and all mention of the discipline be expunged from the Claimant's record and that he be compensated for

all lost time including the time spent 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: ***Further Declined***

5. The Organization would like to address the excessive discipline assessed to Claimant Randy Gerard (WC-BLET-2020-00252). The Claimant was assessed a fifteen (15) day actual suspension from service. 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 spent 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: ***Further Declined***

6. The Organization would like to address the excessive discipline assessed to Claimant Dylan Hauke (WC-BLET-2020-00222). The Claimant was assessed a five (5) day actual suspension from service. 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 spent 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: ***Further Declined***

7. The Organization would like to address the excessive discipline assessed to Claimant Jonathan Yang (WC-BLET-2020-00216). The Claimant was assessed a fifteen (15) day actual suspension from service. 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 spent 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: ***Further Declined***

8. The Organization would like to address the excessive discipline assessed to Claimant Ryan Johnson (WC-BLET-2020-00258). The Claimant was assessed dismissal from service. The

Organization requests the Claimant's immediate reinstatement to service and all mention of the discipline be expunged from the Claimant's record and that he be compensated for all lost time including the time spent 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: ***Further Declined***

The claims cited herein are submitted pursuant to the specificities contained in Article 29 of the CBA. The Committee is of the position that the claims are with support under the CBA. The grievances are valid and should be allowed.

Sincerely,

A handwritten signature in black ink, appearing to read "E. A. Hau". The signature is stylized with a large, sweeping initial "E" and a distinct "H" at the end.

Eric A. Hau

General Chairman – CN/WC, BLET