

TEAMSTERS CANADA RAIL CONFERENCE MAINTENANCE OF WAY EMPLOYEES DIVISION

Affiliated with the International Brotherhood of Teamsters

July 7, 2015

Without Prejudice (BY EMAIL)

Mr. Myron Becker
Assistant Vice-President
Labour Relations
CP Rail
7500 Ogden Dale Road SE
Calgary, AB T2C 4X9

Dear Mr. Becker:

Re: The CROA&DR and Your Letter of June 26, 2015

This has reference to your letter of June 26, 2015 in which you provide notice of CP Rail's intention to withdraw from the CROA&DR.

We have read the response submitted to you on July 3, 2015 by Mr. R. Hackl on behalf of the TCRC. Please be advised that the TCRC-MWED fully agrees with and supports the positions taken by the TCRC in its letter.

Furthermore, we too reserve the right to respond at a later date to issues concerning any or all of the perceived or real administrative or procedural problems existing, now or in future, at the CROA&DR.

As far as CP Rail's apparent unilateral decision to withdraw from the CROA&DR is concerned, we would note that subsections 15.15 and 15.16 of Wage Agreement No. 41 entered into between the TCRC-MWED and CP provide that grievances not settled at the last step of the grievance procedure may be referred by either party to the CROA&DR for final and binding settlement without stoppage of work (in accordance with sections 56 and 57 of the *Canada Labour Code*). Since these collective agreement provisions were duly negotiated and mutually agreed upon (repeatedly), they are a matter of contract and may not be properly or legally disregarded or altered without the consent of both parties.

With that in mind, the TCRC-MWED expects CP to honour its contractual obligations and to continue to participate indefinitely and fully in the CROA&DR grievance arbitration and dispute resolution system.

Like the TCRC, the TCRC-MWED is also of the view that CP is obliged to continue its participation in the CROA&DR Administrative Committee. Issues related to participation in the CROA&DR Administrative Committee are, in our view, properly addressed by the Administrative Committee itself. Please be advised that any possible refusal by CP Rail to

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Louis G. Wilson

Vice-President
Gary Doherty

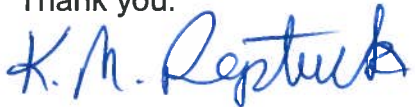
Secretary-
Treasurer
Jean Lafrenière

continue its participation in the Administrative Committee will not be viewed or accepted by the TCRC-MWED as in anyway diminishing or relaxing CP Rail's contractual obligation to continue participating fully in the CROA&DR grievance arbitration and dispute resolution system.

Finally, we would highlight the long, past success of the CROA&DR system. The TCRC-MWED is strongly of the view that the current "problems" are purely temporary and are, at root, nothing more than a result of the inelegant termination and departure of Mr. Michel Picher.

That being said, the TCRC-MWED is always open to the idea of engaging in discussions that may further the interests of its membership. Therefore, on an entirely without prejudice basis to all of the above, the TCRC-MWED is prepared to consider any proposals that CP may have that will serve to improve the CROA&DR system.

Thank you.



Ken Deptuck
TCRC-MWED
CROA&DR Administrative Committee Member

cc: April Dumas, CROA&DR General Secretary
Barry Kennedy, Unifor
Steven Hadden, USW
Doug Fisher, CN
Roland Hackl, TCRC
TCRC-MWED Representatives