



## TEAMSTERS CANADA RAIL CONFERENCE

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### CONFÉRENCE FERROVIAIRE DE TEAMSTERS CANADA

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December 11, 2024

Ron Peters  
President - Division 322  
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#### To Be Posted for all members to see

Dear Sir and Brother,

This is in response to a letter sent by you, dated December 2, 2024, requesting an interpretation regarding a motion passed at the regular division meeting held on November 20, 2024. The motion of concern is the following:

***"All division 322 officers holding their turn first out to conduct union business will when booking on utilize article 42.12 of the collective agreement and book 10 hours rest".***

You are questioning the above motion as being out of order based on the following:

- 1) The language of Article 42.12 states: *"When these Union officers activate their turns again they will be permitted to book up to 10 hours rest (10 hours plus a 2-hour call)"*
- 2) The collective agreement allows for rest to be taken **"UP TO"** 10 hours. The motion passed would be restricting that and makes it mandatory for the maximum amount of rest to be taken.
- 3) You believe this makes it to be in contravention of the Collective Agreement.

It is not the role, responsibility, nor ability of the National President to interpret collective agreements. This is the sole responsibility of the applicable General Committee, more specifically, the General Chair of that committee.

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Ron Peters  
December 11, 2024  
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TCRC Bylaws, General Committee Rules – Section 34 (a) states:

*“The right to make and interpret contracts, rules, rates of pay and working conditions for members of the Rail Conference shall be vested in the regularly constituted GCA of the Rail Conference”.*

TCRC Bylaws, General Committee Rules – Section 11 (e) states in part:

*“The general chairman shall be recognized as the GCA between meetings of that body; and his decision on all matters within the scope of authority of the GCA shall be made effective subject to appeal in accordance with the provisions of Sections 24 and/or 25 – TCRC GCA Rules, except for matters specifically stipulated in Sections 30 and 31 – TCRC GCA Rules”.*

The first question that must be considered is if this involves a collective agreement interpretation. As you have referred to the application of the collective agreement and how it applies to the motion in question, it does require a collective agreement interpretation. This must be forwarded to the applicable General Chairs for interpretation and if allowed.

The second question that must be considered is if the motion passed is allowed by the General Chair, is the motion valid under the bylaws. You have stated that the motion was made and passed at the regular division meeting on November 20, 2024. TCRC Bylaws, Division Rules – Section 16 (e) identifies the requirement for changes to working conditions which states:

*“Local working conditions of a craft over which a division has jurisdiction may not be revised or changed unless authorized to do so by a majority of the votes cast by the members holding seniority and working in the craft at the time of the vote. Such a proposal must be read at one (1) regular or special meeting and thereafter, all affected members must be notified of the proposal and the date on which the proposal will be considered”.*

In the application of the above, the motion would be ruled out of order based on it being moved and passed in the same regular monthly division meeting. This motion would have to be posted for all members to see with the date on which the proposal will be considered.

In Solidarity,



Paul Boucher  
President  
Teamsters Canada Rail Conference



## TEAMSTERS CANADA RAIL CONFERENCE

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**VIA EMAIL**

December 2<sup>nd</sup>, 2024

Mr. Paul Boucher President Teamsters Canada Rail Conference

Dear Mr. Boucher,

**RE: Booking rest after holding turn**

At the regular union meeting on November 20, 2024 (which I wasn't in attendance of) a motion was made and passed and we are requesting an official interpretation if it is allowed under the bylaws.

The motion was *"all division 322 officers holding their turn first out to conduct union business will when booking on utilize article 42.12 of the collective agreement and book 10 hours rest."*

Our request is based upon the language in Article 42.12, which states: *"When these Union officers activate their turns again they will be permitted to book up to 10 hours rest (10 hours plus a 2-hour call)."*

The Collective Agreement allows for rest to be taken **"UP TO"** 10 hours. The Motion that passed would be restricting that and makes it mandatory for the maximum amount of rest to be taken. We believe this makes it to be in contravention of the Collect Agreement, and in our opinion out of order.

In solidarity,

Ron Peters  
President

Shaun Lennie  
Secretary Treasurer