

Minutes of the General Committee of Adjustment (GcofA)

Central Region

Belleville, Ontario Monday June 3, 2013

The regular triennial meeting of the General Committee of Adjustment Teamsters Canada Rail Conference, Central Region convened at 0900, June 3, 2013 at the Travelodge Belleville, Ontario.

Brother Paul Vickers General Chairman presiding, Brother Randy Caldwell First Vice-Chairman, Brother Gary Anderson Second Vice-Chairman and Brother Richard Ellison Secretary Treasurer comprised the Executive Committee of the GcofA.

Roll Call: 13 delegates present with one delegate missing.

Division	Delegate	Members Liable for Assessment (March 2013)
67	Dieter Schoepfner	14 Absent
68	Gary Anderson	10
70	Brad Splawinski	26
89	G. Quesnel	66
145	Mike Sharkey	43
159	Mike Mitsovich	17
189	Paul Boucher	47
240	Peter Dufault	44
337	Brian Dell	13
390	Tony Van Egmond	16
469	Bruce McRae	4
728	Mike Byrnes	55
852	Cameron Wright	30
904	Ken Orr	60

Motion #1: By Brother Orr Division 904

Motion # 1 That the triennial meeting of the GcofA be opened and conducted without ceremony.

Seconded: By Brother Paul Boucher Division 189

Vote: 13 In Favor 0 Against 1 Absent

Motion#1: Carried

Brother Vickers welcomed the delegates to the GcofA meeting and reviewed the agenda.



Teamsters Canada Rail Conference

Conférence ferroviaire de Teamsters Canada

Agenda
for
G. C. of A.
Central Region

TRIENNIAL MEETING

JUNE 3 – 4 – 5 – 6 - 7, 2013

Monday June 3, 2013

09:00 – Open the meeting of the Central General Committee of Adjustment without ceremony.

- Roll Call

- Welcome the Local Chairmen

General Chairman report

Vice-General Chairman report (Brother Randy Caldwell)

Vice-General Chairman report (Brother Gary Anderson)

General Secretary report (Brother Richard Ellison)

**10:30 – Formation of the Finance Committee
Formation of the Bylaws Committee**

12:00 – Lunch

13:00 – Roll call

13:05 – Welcome TCRC Transition Director Rex Beatty, TCRC General Chairmen Bruce Willows and Jim Robbins for general discussions.

14:30 – Health Break

14:50 – TCRC Officers discussions

17:00 – End of Monday's session

18:30 – Hospitality Room

Tuesday June 4, 2013

09:00 – Open the meeting of the Central General Committee of Adjustment without ceremony.

- Roll call

09:30 – Elections

12:00 – Lunch

13:00 – Roll call

13:05 - Presentation of Denis Ellickson from CaleyWray

14:30 – Health Break

14:50 – Denis Ellickson continues presentation

17:00 – End Tuesday’s session

18:30 – Hospitality Room

Wednesday June 5, 2013

09:00 – Open the meeting of the Central General Committee of

Adjustment without ceremony.

- Roll call

09:05 – Welcome Paul Boucher. He will be giving us some instruction on the Local Chairman Training program. He will also information on our upcoming training course.

10:30 Health Break

10:45 Paul Boucher continues.

12:00 – Lunch

13:00 – Roll Call

13:05 – Jesse Taylor from BRCF

14:30 – Health Break

14:50 – division Concerns

Div. 67 - D. Schoepfner (ACR)

Div. 68 – Gary Anderson

Div. 70 – Brad Splawinski

17:00 – End Wednesday's session

18:30 – Hospitality Room

Thursday June 7, 2013

09:00 – Open the meeting of the Central General Committee of Adjustment without ceremony.

- **Roll call**
- **Report of the Finance Committee**
- **Report of the Bylaws Committee**
- **Adoption of 2 reports**

12:00 – Lunch

13:00 – Roll call

13:05 – Division Concerns

Div. 89 – Guy Quesnel

Div. 145 – Mike Sharkey (SOR)

Div. 145 – Mark Lusk (OVR)

Div 159 – Mike Mitsovich (GEXR)

1430 - Health Break

14:50 - Division concerns continue.

Div. 189 – Paul Boucher

Div. 240 – Peter Dufault

Div. 337 – Brian Dell

Div. 390 – Tony Van Egmond

Div. 469 – Bruce McRae (OCR)
Div. 728 – Mike Byrnes
Div. 852 – Cameron Wright
Div. 904 – Ken Orr

1700 - End Thursday's session

1830 – Hospitality Room

Friday June 7, 2013

09:00 – Roll Call

- **Division Concerns- finish remaining concerns**
- **General Discussions**

12:00 – End of GCA Triennial

Brother Vickers stated that the existing agenda would have to be adjusted to accommodate presentations and other business and asked for a motion to adjust the agenda as required.

Motion #2 Brother McRae Division 469

Motion#2 that the agenda of GCA meeting can be adjusted as needed to make the best use of the committee's time.

Seconded by Brother Orr Division 904

Vote: 13 In Favor 0 Against 2 Absent

Motion #2 Carried

Brother Vickers appointed the following committees;

Finance Committee:

Brother Richard Ellison
Brother Guy Quesnel
Brother Cameron Wright
Brother Peter Dufault

By Laws Committee:

Brother Paul Boucher
Brother Gary Anderson
Brother Ken Orr
Brother Mike Mitsovich

Report of the General Chairman:

Brothers,

Welcome to the TCRC-LE Central Region GCA.

Motion #3: By Brother Orr Division 904

Motion #3 that the report of the General Chairman be accepted into the minutes.

Seconded: By Brother Boucher Division 189

Vote: 13 In Favor 0 Against 1 Absent

Motion#3: Carried

Brother Vickers asked Brother Caldwell to make his report.

Report of the First Vice-General Chairman:

Brothers:

Let me start by saying that it has been an honour and a pleasure to serve this committee as 1st Vice-General Chairman

Randy Caldwell

Motion #4: By Brother Splawinski Division 70

Motion # 4 that the report of the First Vice-General Chairman be accepted into the minutes.

Seconded: By Brother Brynes Division 728

Vote: 13 In Favor 0 Against 1 Absent

Motion#4: Carried

Brother Vickers thanked Brother Caldwell for his report and asked Brother Anderson to make his report.

Report of the Second Vice-Chairman: Brother Anderson

Welcome to the triennial GCofA. Paul and I had discussions on issues that presented themselves, I was not formally used in my capacity as Second Vice General Chairman so I have nothing to report.

Motion #5: By Brother Boucher Division 189

Motion #5 that the report of the Second Vice- Chairman be accepted into the minutes.

Seconded: By Brother Dell Division 337

Vote: 13 In Favor 0 Against 1 Absent

Motion #5: Carried

Brother Vickers thanked Brother Anderson for his report and asked Brother Ellison to make his report.

Report of the Secretary Treasurer:

Brothers;

Welcome to the Triennial meeting of the General Committee of Adjustment. I have been in office for sixteen years, and in that time I have worked to bring the General Committee into full compliance with financial requirements of our bylaws and Revenue Canada. Private members bill C-377 has passed in the House of Commons and is now awaiting senate approval. It is expected that the government will be placing an onerous burden of reporting and disclosure of union finances and transparency. I feel that our GCA finances and compliance exceed the current standard and have been conducted to the high standard during my tenure as Secretary Treasurer I am not sure of the impact these changes and new compliance issues enacted will have on the duties of the Secretary Treasurer but will no doubt be more complex and consume more time and energy.

Our membership has declined over the past three years and is currently averaging 364 members active per month, down 9% from my last report three years ago. Our membership has declined in part due to the economic downturn reducing positions. Had it not been for efforts to seek new membership by adding our newest short line divisions our committee membership would have declined an additional 10 to 15 per cent.

The average monthly expenses of the General Committee were \$ 23,916.49 per month in 2012. This is a decrease of \$2841.56 per month or about 9 % over the three years since the last triennial meeting in 2010. This can be attributed to, reducing expenses and no rent increases during the last term of office.

Our auditors BDO have requested several areas where we need to improve our reporting and with the cooperation of the new General Committee I will strive to implement the changes highlighted in the 2012 audit.

Balance Sheet

Cash on hand.....April 1, 2013.....	\$ 295317.11
General Chairman's Expense Petty Cash Advance.....	<u>5,000.00</u>
Total of Credits.....	300,317.11
Debits.....Outstanding Cheques @ April 1, 2013.....	\$ 39,509.82
Outstanding unfiled report obligations.....	\$ 70,986.00
GCofA Total Assets.....	\$ 189,821.29
Surplus over last 3 years.....	\$ 13,203.43

Overview of GCofA

Our financial position is stable but is not immune to inflationary pressure and declining revenue. Our total assets have stabilized over the last three years. Expenses have decreased slightly in that time but revenues have declined due to shrinking membership. With Brother Vickers not seeking re election the likelihood is the office will need to be relocated at an increased rent and moving expenses incurred. The overall cost of the GC of A meeting is significant and will put further pressure on our financial position.

It is my recommendation to the Financial Committee to consider a dues increase to ensure the financial viability of our General Committee. I will be asking the Finance Committee to consider an increase in the compensation for the Secretary Treasures position. The current rate is \$315.22 per semi monthly, which works out to far less than two days pay per month at the GCA rate once union dues are deducted from the salary. I currently work a minimum of two days per week conducting GCA business and I feel that the compensation should reflect the work involved. I am also mindful that the workload will increase once C377 is fully enacted and the Harper government increases reporting requirements.

While I am pleased that the progress made in the previous term has been helpful, declining membership, inflation, wages, costs associated with government regulation and possible relocation of the General Chairman's

office and increased rent depending on the elections results will challenge us to maintain a positive financial outlook.

It has been my pleasure to serve the General Committee and our membership over the last five terms and I would appreciate your support as we move forward into the next term to face the challenges ahead as we represent or member's interests.

Fraternally;

Richard Ellison
ST CN Central GCA

Motion #6: By Brother Dufault Division 240

Motion #6 the report of the Secretary Treasurer be accepted into the minutes.

Seconded: By Brother Van Egmond Division 390

Vote: 13 In Favor 0 Against 1 Absent

Motion#6: Carried

Brother Vickers thanked Brother Ellison for his report.

General finance issues were discussed. Brother Ellison explained that the finance committee would discuss, amend or reject the recommendations, make its report to the delegates and every delegate would vote on the recommendation of the finance committee and the report could be accepted as is or amended as the delegates desired.

Motion#7: By Brother Vickers

Motion #7 that the meeting should be adjourned for 15 minutes for health break.

Seconded: By Brother Dell Division 337

Vote: 13 In Favor 0 Against 1 Absent

Motion#7: Carried

Motion#8: By Brother Vickers

Motion #8 that the meeting should be re-opened from health break.

Seconded: By Brother Splawinski Division 70

Vote: 13 In Favor 0 Against 1 Absent

Motion#8: Carried

Brother Vickers introduced Jesse Taylor a Chairman from North American Railway Foundation (NARF) and International Secretary Treasurer for Brotherhood's Relief and Compensation Fund (BRCF) who gave an overview of each of the organizations.

Mr. Taylor thanked Brother Vickers for the opportunity to address the GCofA and wished him well on his impending retirement.

Mr. Taylor explained to the delegates the genesis of NARF, that it was created in the 1990's to support organized railway unions. NARF assists divisions and GCofA's by donating equipment in the form of computers, high speed scanners and photocopiers for example to assist them in doing labour activities. Mr. Taylor explained that a simple application form funding request must be sent with a copy of a last audit statement accompanied by a letter of endorsement from a member of the executive committee. Each application is then considered on its merits for approval to be funded. The application for funding is generally limited to one

request every 3 to 4 years and that new requests for funding are given priority over requests from organizations that have been given assistance in the past. The NARF information website (narfoundation.org) is available for information and application forms for funding requests and he urged every delegate to visit the site and utilize the assistance available to seek funding. NARF has distributed approximately \$350,000.00 in equipment assistance and another \$500,000.00 in financial support this year. Mr. Taylor then answered questions regarding his presentation.

Mr. Taylor then moved on to the Brotherhood's Relief and Compensation Fund. He explained the aim of the organization was to provide protection for its members in the case of being investigated for discipline. He explained that approximately 95 % of all the applications are approved. That if you compare the cost of similar protection BRCF is the best value.

Claims must be for a violation occurrence while at work.

Mr. Taylor explained that the fund was not designed to protect against every circumstance of discipline. He cited examples of discipline infractions that are not covered, availability (missing calls), and insubordination, use of electronic devices & drugs and alcohol. That each case is examined when a copy of the investigation, evidence and discipline assessed (Form 780) is provided with the claim form. After the paperwork is filed a quick decision is made and benefits are paid usually the next day. If a member is not in agreement with a decision that denies a claim an appeal process is available to the member to make his case that his claim should be paid.

Mr. Taylor talked about dismissal by accumulation of demerits and that the majority of the demerits must be from covered occurrences or "good" demerits in order to receive benefits.

Benefits received do not have to be repaid if your discipline is reduced, eliminated or an award for wage compensation is by the

company for lost earnings is granted by an arbitrator. BRCF has accidental work place death or dismemberment insurance included in the cost of premium. BRCF has a refer a coworker program to reward members successfully bring a new member to the plan. BRCF has a retirement benefit paid out to long time members who retire from active service.

Mr. Taylor explained that BCRF has a very good website that has all the required information, forms and up to date information 24/7. www.brcf.org

Mr. Taylor talked about the implementation of inward facing cameras and voice recording equipment being introduced on USA railway properties and the use of cellular telephones internet and social media sites being accessed while at work. Questions were taken on his presentation and he thanked Brother Vickers for the opportunity to address the GCofA.

Motion#9: By Brother Vickers

Motion #9 to adjourn the meeting for lunch break.

Seconded: By Brother Quesnel Division 89

Vote: 13 in Favor 0 Against 1 Absent

Motion#9: Carried

**AFTERNOON SESSION
MONDAY JUNE 3, 2013**

Motion#10: By Brother Vickers

Motion #10 to re-open the meeting from lunch break without ceremony.

Seconded: By Brother Quesnel Division 89

Vote: 13 In Favor 0 Against 1 Absent

Motion#10: Carried

ROLL CALL: 13 present 1 Absent 3 Guests

Bruce Willows: General Chairman CN West Engineers

Jim Robbins: General Chairman CN Central CTY

Bill Michael: General Chairman Via Rail

Rex Beatty: TCRC President

GUEST PRESENTATIONS TO THE GcofA

Brother Vickers introduced the guests to the GCofA to the delegates.

Brother Vickers asked Brother Willows to address the delegates.

Bruce Willows: General Chairman CN West Engineers

Brother Willows thanked Brother Vickers for the invitation to address the GCA and stated he was pleased to have an opportunity to meet everyone.

Brother Willows stated that the CN West GCofA have enjoyed a close working relationship with this GCofA and that the cooperation was to the mutual benefit of both general committees.

He stated that he wished Brother Vickers a happy retirement and wished to thank him for his support over the many years they worked together. Brother Vickers however does have the diplomatic skills of a sledge hammer however! Paul was never afraid of “calling a spade a spade” but was well respected by both company and union people. That he was smart and tactical in dealing with the challenges of his position. He stated that he looked forward to working with Brother Caldwell and the continued support of this GCofA.

Brother Vickers thanked Brother Willows and asked Brother Robbins to address the delegates.

Jim Robbins: General Chairman CN Central CTY

Brother Robbins thanked Brother Vickers for the opportunity to address the GCA and stated that Brother Vickers and he have worked together for more than 25 years together. That he wished to congratulate him on his decision to retire that he will be missed very much. He thanked Brother Vickers for his friendship and support over the years.

Brother Robbins stated he looked forward to working with the new executive that will be elected and that it is shaping up to be a rough road ahead dealing with the tactics of the company.

Bill Michael: General Chairman Via Rail

He wishes Brother Vickers a happy retirement. Brother Michael remembers meeting Paul for the first time showing up for work with running shoes, long hair and a bad attitude. Paul found union

work before I did and his reputation was that he was outspoken, keen, honest and hard working and a friend that I wish the very best in his retirement.

Brother Michael stated that Randy Caldwell were co workers from the Go trains. He congratulates him on his election to the General Chairmans office and looks forward to working with him in the future.

Brother Michael stated he wanted to congratulate Brother Boucher As well that he thinks he will be an asset to the TCRC and hopes he has a bright future with the union. His first impression of Brother Boucher was that he was a quiet guy until he started talking.

Brother Michael wished Brother Wright good luck with his new position.

Brother Michael thanked Brother Beatty for his work on the bylaws and his struggle to move the union forward. He stated the Union is only as good as its members and he encouraged everyone to vote no matter how you cast your ballot, YOU NEED TO VOTE!

Motion# 11: By Brother Vickers

Motion #11 that the meeting should be adjourned for 15 minutes for health break.

Seconded: By Brother Dell Division 337

Vote: 13 In Favor 0 Against 1 Absent

Motion# 11: Carried

Brother Vickers asked Brother Beatty to address the delegates.

Rex Beatty: TCRC President

Brother Beatty Paul Vickers is his closest friend. Paul did not shy away from confrontation and he was warned when Paul was speaking not to interrupt. Rex stated that they worked closely together on the extended run committee and they spent time outside work together. That his personality changed while flying with Rex he found Paul to be a pussy cat at least until the plane is on the ground. He found Paul to be a little nervous around wildlife. He showed Paul the claw marks a bear had left on the outhouse door at his camp and took the opportunity to make growling noises and slap him on the back while he was visiting the outhouse late in the evening.

Rex has appreciated Paul's immense help to him in a job that has constant challenges. That he has had the benefit of a good working relationship with this GCA.

Brother Beatty thanked Paul Boucher for the great job he is doing on the training for the National office. That he will be an asset to the TCRC in the future.

Brother Beatty explained the electronic voting had a very high rate of participation and obtained a 95% ratification result. He asked for feedback on the voting process and encouraged the delegates to let him know if there were any issues during the voting that need to be addressed.

Brother Beatty was gratified the CN Rail contract was settled so quickly and it was the first time to his knowledge that a new contract was in place before the old contract had expired.

Brother Beatty stated that TCRC is one of the most powerful unions in Canada but we need to do a better job wielding that power. Brother Beatty said he was trying new things with the surplus of funds that we have at this point. We need to invest our surplus funds to further the goals of our union. The general chairman's association was one example. Out of this association the idea for the national office to support the general committees with funding legal services.

Brother Beatty encouraged the delegates to have their member file grievances for all violations. This proves to the board that the company is not acting in good faith. There has been a new arbitrator appointed her name is Christine Schmidt. We need to have the arbitrators' dockets full to ensure our message about the process needing to be changed to embarrass the company.

Brother Beatty also reported that he would be meeting with a media consultant to make sure our message is being represented in the media. That the Teamsters trucks that we utilized was a positive way of displaying our message to the public and at the same time make our presence felt with the company. We need to educate the public about our working conditions, company spying and constant harassment. We need to get our perspective out about accidents and derailments. My vision is to hire a firm to coordinate our press releases so the union side of the message is heard. Brother Beatty spoke briefly about inward facing cameras and voice recording. That he expects that at least two cameras one facing the control stand and a side view camera of the cab. They are being used in the USA now and eventually they will find their way here as well.

Brother Beatty talked about the judicial review case on remedy grievances. He stated the case has been heard but he did not expect the result until sometime in July. The case serves as a message to the arbitrator that the union is not afraid to take them to task over a bad decision. He spoke about registering awards with the courts as a way to side step the arbitration process and get our awards enforced with some consequences to the company for repeatedly violating the awards. Brother Beatty stated that they are going back through the awards and will register old awards as well to better protect the membership.

Brother Beatty explained his reasons for wanting to revamp the bylaws. The when the TCRC was formed the Bylaws were quickly put together and were not perfect. That the next convention saw ninety bylaw proposals but only one was passed. His vision is for the membership to send a message to those who would impede our progress. Ron Douglas will review the bylaws and Gary Whitlan will ensure the changes will be approved by the international. That he has done the prep work to ensure the bylaws will not conflict with the IBT and looks for the process to finish around the 24th of July. This is a critical deadline otherwise the convention for reforms to the legislative branch changes to recognize the Canadian system. The bylaws are a contract with the membership. His vision is to have the legislative branch is funded in the funds can't be used for anything else. Brother Beatty stated that with \$5 for legal matters and \$10 for legislative that there would be no increase in dues and there may be a dues decrease.

Motion# 12: By Brother Vickers

Motion# 12 that the meeting should be adjourned for the day and the Bylaws and Finance committees meet and discuss recommended changes.

Seconded: By Brother Orr Division 904
Vote: 13 In Favor 0 Against 1 Absent
Motion# 12: Carried

TUESDAY JUNE 22, 2010
MORNING SESSION

Roll Call: 13 delegates present and 1 absent.

Motion# 13: By Brother Orr Division 904

Motion # 13 To open the morning session without ceremony.

Seconded: By Brother Van Egmond Division 390
Vote: 13 In Favor 0 Against 1 Absent
Motion# 13: Carried

ELECTIONS

Brother Vickers appointed the election tellers as follows:

Brother Splawinski Division 70
Brother Quesnel Division 89
Brother Ken Orr Division 904

Brother Vickers opens nominations for the position of General Chairman.

General Chairman

Brother Orr Division 904 nominated Brother Caldwell.
Brother Quesnel Division 89 seconds the nomination.

Brother Caldwell accepted the nomination.

Three calls were made for further nominations. No further nominations were received.

Brother Vickers declared Brother Caldwell acclaimed as General Chairman.

Brother Vickers relinquished the floor to Brother Caldwell.
Brother Caldwell thanked the committee for its support.

Brother Caldwell opened nominations for the position of First Vice General Chairman.

First Vice General Chairman

Brother Wright Division 852 nominated Brother Boucher.
Brother Splawinski Division 70 seconds the nomination.
Brother Boucher accepts the nomination.

Brother Van Egmond Division 390 nominated Brother Anderson
Brother Mc Rea 469 seconds the nomination.
Brother Anderson accepts the nomination.

Three calls were made for further nominations. No further nominations were received.

Nominations were closed.

Vote was taken tellers collected ballots.

Tellers Report:

Brother Boucher: 10 votes

Brother Anderson: 3 votes

Brother Caldwell declared Brother Boucher elected First Vice General Chairman.

Second Vice General Chairman

Brother Caldwell opened the floor for nominations for Second Vice General Chairman.

Brother Boucher Division 189 nominated Brother Wright.

Brother Dufault Division 240 seconded the nomination.

Brother Wright accepts the nomination.

Brother Orr Division 904 nominated Brother Brynes.

Brother Van Egmond Division 390 seconded the nomination.

Brother Brynes accepts the nomination.

Three calls were made for further nominations. No further nominations were received.

Nominations were closed.

Vote was taken tellers collected ballots.

Tellers report:

Brother Wright- 10

Brother Brynes- 3

Brother Caldwell declared Brother Wright elected Second Vice General Chairman.

Brother Caldwell opened the floor for nominations for Alternate Second Vice General Chairman.

Alternate Second Vice General Chairman

Brother Boucher Division 189 nominated Brother Brynes.
Brother Anderson Division seconded the nomination.
Brother Brynes accepted the nomination.

Three calls were made for further nominations. No further nominations were received.

Nominations were closed.

Brother Caldwell declared Brother Brynes acclaimed Alternate Second Vice General Chairman.

Brother Caldwell opened the floor for nominations for Secretary Treasurer.

Brother Orr Division 904 nominated Brother Ellison.
Brother Boucher Division 189 seconded the nomination.
Brother Ellison accepts the nomination.

Three calls were made for further nominations. No further nominations were received.

Nominations were closed.

Brother Caldwell declared Brother Ellison acclaimed to the position of Secretary Treasurer.

Brother Caldwell opened the floor for nominations for Alternate Secretary Treasurer.

Brother Boucher Division 189 nominated Brother Mc Rae.
Brother Dufault Division 240 seconds the nomination.
Brother Mc Rae accepts nomination.

Three calls were made for further nominations. No further nominations were received.

Nominations were closed.

Brother Caldwell declared Brother Mc Rae acclaimed to the position of Alternate Secretary Treasurer.

Brother Caldwell congratulated all successful candidates and declared elections closed.

Motion# 14: By Brother Vickers

Motion # 14 to adjourn the meeting for a ten-minute health break and then resume the meeting.

Seconded: By Brother Orr Division 904

Vote: 13 In Favor 0 Against

Motion# 14: Carried

DIVISION SUBMISSIONS TO GC of A

Brother Gary Anderson - London Division 68:

Brother Anderson stated that the first time he met Brother Vickers was in Niagara Falls and he was in Paul's working group. The days business concluded and they adjourned to a local watering hole where Paul proceeded to get into a brawl with another patron who was abusing his wife. Brother Anderson stated he wasn't sure what to make of his new acquaintance.

Brother Anderson asked Brother Caldwell to send out an “Acknowledgement of Receipt” for all grievances filed with his office. He wants to be sure that the General Chairman receives each item he sends. He stated that he had progressed this concern at the last GCofA.

Brother Vickers his office had always responded to calls regarding the status of grievances in the grievance procedure. He stated to his knowledge he had never lost a grievance on time limits and that local chairman should understand that the general chairman’s job is time consuming and he did not send out acknowledgements.

Brother Caldwell stated that a procedure would be in place to track grievances. That the CPR has a system to track grievances that he wanted to look into. Brother Boucher talked about the CPR system and it had a few useful features like sending out warning on time limits that were automatically generated by the system.

Brother Splawinski - Toronto Division 70:

Brother Splawinski stated that he too would like responses to grievances filed to the General Chairman’s office and to be kept up to date on the progress of them in the system. He also stated that He would like to know the file number a grievance is assigned by the General Chairman’s office. Brother Vickers stated that grievances need to be filed with the proper information supplied with the grievance. Bypass train arrival time, locomotive time ready on shop track and blue flag removed time are critical information that needs to be supplied as well as held time, ordering time total time held etc. should all be supplied and presented in the

grievance. Standard forms are being used by divisions to make sure the required information is supplied by the employee.

Brother Splawinski stated that the work allocation between Toronto and Port Robinson is supposed to be 50/50 and not being respected. Each terminal will have to keep track of the miles to be equalized and get the work allocated at the change of card if possible to resolve the mileage owed. Brother Vickers stated that service design of the assignments is such that an arbitrator is not going to force the company to cross deadhead to equalize the miles. Brother Splawinski stated Port Robinson crews were being deadheaded into Toronto to work trains that the power and train originate in Toronto and this should be is his divisions work.

Relief jobs created by the company the travel allowances are being cut Oshawa, Oakville & Aldershot for example. Company saying that you have to accept the condition of the assignment. Brother Vickers stated that divisions with this issue should consider giving the new General Chairman the power to cancel all travel allowances in the collective agreement and revert to the provisions of the collective agreement. That the vast majority of terminals would be better off but he acknowledged that there would be instances that would not be in the unions favor and the company would pay out less if the company didn't back down.

Valid LC claims are still being cut. Brother Vickers stated the issue is slated for discussion with the company in Sarnia at the end of June and seniority issues will also be addressed. Brother Vickers stated that employees need to ensure their claims are well document and conform to company policy to ensure payment so the grievance can be successfully addressed. Water, spine board missing, removing garbage crew packs are all things that should be claimed if they are missing. Brother Boucher said that employees need to be warned that the shop staff is being directed to monitor

graffiti in the cabs of the locomotive in an effort to identify the employees involved.

Motion# 15: By Brother Vickers

Motion # 15 to adjourn the meeting for a ten-minute health break and then resume the meeting.

Seconded: By Brother Orr Division 904

Vote: 13 In Favor 0 Against

Motion# 15: Carried

Brother Guy Quesnel - Montreal Division 89:

Brother Quesnel brought up the issues with rest violations.

Brother Quesnel stated he had issues with the company not responding to grievances files at step 2 for assessment of discipline or rest violations. That he was documenting each instance of a non response with a step 1 grievance.

Brother Quesnel has issue regarding CN and AMT where new jobs may be created but agreements have to be reached on how the work will be shared. Brother Quesnel stated that he has discussed it with the other district and has an agreement but the company wants a formal agreement.

Brother Quesnel still has seniority issues.

Brother Caldwell stated the vast majority of the issues were a result of improper placement of employees from Gimli Course

126. That the company used room numbers or alphabetical order to place employees on the seniority list instead of the correct procedures. Some issues were a result of company officers manually adjusting the list without proper authority and this was addressed when the company issued a directive to management. District 2 and 3 lists need adjustments but the union asked the company to hold off so all issues could be addressed together.

Motion#16: By Brother Quesnel Division 89

Motion #16 to adjourn the meeting for lunch from 1300 to 1400 hours.

Seconded: By Brother Orr Division 904

Vote: 13 In Favor 0 Against 1 Absent

Motion#16: Carried

**TUESDAY JUNE 5, 2007
AFTERNOON SESSION**

Roll Call: All 13 delegates were present and 1 absent.

Motion#17: By Brother Vickers

Motion #17 to re-open the meeting from lunch break without ceremony.

Seconded: By Brother Quesnel Division 89

Vote: 13 In Favor 0 Against 1 Absent

Motion#17: Carried

Brother Vickers introduced Labour and Employment lawyer from CaleyWray to the committee and stated he would be explaining the relevant CROA arbitration cases that have shaped the evolution of industry drug and alcohol policy.

Denis Ellickson thanked Brother Vickers and gave a presentation on drug and alcohol testing. He highlighted and explained the resulting effects of pivotal arbitration awards. Random testing vs. privacy of employees.

Motion# 18: By Brother Vickers

Motion #18 that the meeting should be adjourned for 15 minutes for health break.

Seconded: By Brother Dell Division 337

Vote: 13 In Favor 0 Against 1 Absent

Motion# 18: Carried

New testing technology, pre-employment screening, the effects of the disability of addiction vs. recreational drug use and the outcomes of key cases Croa 4112, 1420, 1703 and 2280 plus SHP 378 case (Dale & Jones) and GDX V. Local 455 United Steel Workers of America. Mr. Ellickson also discussed privacy of employees using social media, posting to internet sites and how these actions may result in discipline in the workplace.

Motion# 19: By Brother Vickers

Motion# 19 that the meeting should be adjourned for the day and the Bylaws and Finance committees meet and finalize their recommendations.

Seconded: By Brother Orr Division 904

Vote: 13 In Favor 0 Against 1 Absent

Motion# 19: Carried

**WEDNESDAY JUNE 5, 2013
MORNING SESSION**

Roll Call: 13 delegates were present 1 absent.

Motion#20: By Brother Wright Division 852

Motion #20 to open the morning session without ceremony.

Seconded: By Brother Splawinski Division 70

Vote: 13 In Favor 0 Against 1 Absent

Motion#20: Carried

Brother Quesnel – Division 89 requested to add an issue he had Neglected to present regarding the seniority issues at Via Rail. Fred Boimstruck is supposed to be the last protected employee at Via Rail and anyone senior to Fred Boimstuck is covered by the Via Rail Special Agreement. General Chairman Rene Leclaire has

tried to advance a different interpretation. Brother Vickers was advised of meetings being held that he was affected by and not included. Brother Vickers sent Brother Caldwell to sit in and observe the proceedings, it was decided that our GCofA should file for intervener status. Employees that wish to go to Via Rail are being held in abeyance until a ruling is issued. The conciliator is due in September.

Brother Mike Sharkey – Division 145 (OVR) wanted to replace the EFAP representative and have Sharwood E.F.A.P. The division has issues with a waiver of privacy rights that are required for the present EFAP representative. The union has no recourse who is selected to be the representative, talk to the superintendant if you can make a case for the company to save money by hiring a new EFAP representative you might have a chance but it is no guarantee that the waiver will not be required.

Brother Mike Mitsovich – Division 159 I have no issues since our contract was recently negotiated and ratified very quickly. I want to thank Brother Vickers for a very successful round of negotiations that resulted in 100% ratification. There is an engineer fired for two cardinal rule violations in less than a year. The union is currently waiting for a response to a union proposal for return to work agreement. Engineer training at GEXR is mandatory and an employee is currently trying to disqualify himself from promotion.

Brother Paul Boucher – Division 189

Brother Boucher thanked Brother Vickers for his service to the union and his guidance over the years. He stated that Brother Vickers will be missed but wished him the best in his retirement.

Brother Boucher congratulated Brother Caldwell on his new position.

Brother Boucher stated that Randy Helmle is very unprofessional. He stated that crew calling grievances are a very large part of unresolved grievances in his division.

Extended Run Principles violations are a problem. CMC are running trains not identified as extended run trains through Belleville. The issue needs to be addressed.

RTC's are supposed to acknowledge when rest is due. The RTC is not complying with the article and the procedure in the CATS manual was never agreed to by the General Chairman.

SLE trainees are being refused due to the aggressive discipline policy of the company. Brother Boucher stressed that engineers should never refuse a trainee but should train by issuing instruction while in control of the train themselves.

Brother Boucher stated that grievances file need to be issued numbers to keep accurate records. Brother Boucher thanked Brother Caldwell for providing him with file numbers. Electronic filing of claims is needed and would be cheaper than issuing hard copies.

Brother Boucher stated the GCA website needs to be updated in a regular manner. Ours is pitiful and grossly out of date. Bilingual content and a revamp of the design of the site is needed. Brother Caldwell committed to the executive finding a resolution to the issues and finding a solution.

Brother Boucher suggested that the use of conference calls would be an effective way to discuss and deal with issues that affect all the divisions of the GCA.

Brother Pete Dufault – Division 240

The Sarnia crew calling manual policy grievance filed in March 2010 has yet to be resolved. The manual was reviewed and presented to Mr. Helmle but he has yet to respond. I would like the company pressured to have the crew calling manual signed by Mr. Helmle and followed.

Brother Dufault stated he would like to see some guidelines for what constitutes an Article 25 violation.

Brother Dufault asked to have “LA” Art. 84.4 claims added to the discussions of “LC, LU & LS” claiming at the meeting with the company that is scheduled.

Brother Brian Dell – Port Robinson /Niagara Falls Division 337

Motion#21: By Brother Brynes Division 728

Motion #21 to adjourn the meeting for lunch from 1300 to 1400 hours.

Seconded: By Brother McRae Division 469

Vote: 11 In Favour 0 Against 1 Absent

Motion#21: Carried

**WEDNESDAY JUNE 5, 2013
AFTERNOON SESSION**

Roll Call: 11 delegates present 1 absent.

Motion#22: By Brother Boucher Division 189

Motion # 22 to reopen the meeting for afternoon session.

Seconded: By Brother McRae Division 469
Vote: 11 In Favour 0 Against 1 Absent
Motion#22: Carried

Motion #23: By Brother Quesnel Division 89

Motion #23 to adjourn the afternoon session.

Seconded: By Brother Moore Division 728
Vote: 11 in Favour 0 Against 1 Absent
Motion #23: Carried

THURSDAY JUNE 6, 2013
MORNING SESSION

Roll Call: 11 delegates present 1 Absent.

Motion #24: By Brother Dell Division 337

Motion #24 to open the morning session without ceremony.

Seconded: By Brother Quesnel Division 89
Vote: 11 In Favour 0 Against 1 Absent
Motion #24: Carried

Brother Caldwell asked the Finance Committee to make its' report.

REPORT OF THE FINANCE COMMITTEE

There were three recommendations presented to the finance committee for the 2010 GcofA.

- 1) Recommend that the GCA daily rate remain at \$295.00 per Day for those used on union business and delegates to the GCA.
- 2) Recommend that the expenses per day for this GCA remain at \$125.00 per day for meals and expenses associated with attending the GCA.
- 3) Adopt the three recommendations of the auditor implement a Risk Management Process by the executive committee. Improve supporting documentation to 100 % compliance. Produce a letter to our auditor that explaining the compensation for union officers of the GCA for 2013 to be drafted with the rate each individual is paid per pay period. The rate of compensation for members that work for the general chairman on a daily rate basis. Also set out a schedule of the current negotiated raises that will be applied to union officer salaries in the future and how these percentages are arrived upon
- 4) Explore the cost of providing health benefits for the general chairman's office secretary. Ask about opting into the national office plan. Executive committee to review within six months.

- 5) Recommendation to increase salary of GCA secretary treasurer to \$600.00 per pay period to compensate for the actual work involved with his duties.
- 6) Recommendation for \$10.00 increase in dues to cover the next three years operating expenses of the GCA.

These are the recommendations of the finance committee.

Signed:

Richard Ellison
Guy Quesnel
Cameron Wright
Peter Dufault

Motion#25: By Brother Orr Division 904

Motion #25 to open discussion on the recommendations of the Finance Committee.

Seconded: By Brother Orr Division 904

Vote: 11 In Favor 0 Against 1 Absent

Motion#25: Carried

Discussion of the Financial Report.

Motion#26: By Brother McRae Division 469

Motion #26

Seconded: By Brother VanEgmond Division 390

Vote: 11 In Favor 0 Against 1 Absent

Motion#26: Carried

Motion#27: By Brother Anderson Division 68

Motion #27 to reject recommendation on Remedy Grievances.

Seconded: By Brother Dell Division 337

Vote: 11 In Favor 0 Against

Motion#27: Carried

Motion#28: By Brother Orr Division 904

Motion # 28 to accept recommendation of the finance committee to reduce the use of lawyers in all cases including dismissals.

Seconded: By Brother Anderson Division 68

Vote: 11 In Favor 0 Against 1 Absent

Motion#28: Carried

Motion#29: By Brother Boucher Division 189

Motion#29 To accept the report of the Finance Committee as amended.

Seconded: By Brother McRae Division 469

Vote: 11 In Favor 0 Against 1 Absent

Motion#29: Carried

Brother Caldwell asked the By-laws Committee to make its' report.

BY-LAWS COMMITTEE REPORT 2010 GCA

CN CENTRAL ENGINEERS

Recommendation # 1

Header page to include Algoma Central Railway, Ottawa Valley Railway and Southern Ontario Railway.

Recommendation # 2

Article 1 (A) – Re-word: To include the railways in recommendation #1.

Recommendation # 3

Article II (H) The General Chairman, General Secretary Treasurer and office secretary Will receive all wage increases negotiated at CN Rail.

Recommendation # 4

Article III (C) (4) – The General Secretary Treasurer will keep the Alternate General Secretary Treasurer familiar with all the duties / accounts and procedures of the office of GST. The initial meeting will occur within 30 days of convening the triennial meeting and thereafter as needed.

Recommendation #5

Article VII (C) The General Chairman is directed to take his maximum allowable vacation each year. Allowable vacation will be based on the vacation allotment they currently hold at the carrier on which they are employed. If the General Chairman is not employed by a carrier their allowable vacation will be based on the vacation allotment they last received on the carrier at which they were last employed. He may choose any dates during the year that he wishes.

Recommendation#6

Article X Add wording at the end “ credential will not be required.”

Discussion of Recommendation #1 of the report.

Motion#30: By Brother Dell Division 337

Motion#30 to accept the by-laws committee recommendation #1.

Seconded: By Brother Anderson Division 68

Vote: 11 In Favor 0 Against 1 Absent

Motion#30: Carried

Discussion of Recommendation #2 of the report.

Motion #31: By Brother Wright Division 852

Motion #31 to accept the by-laws committee recommendation #2.

Seconded: By Brother Quesnel Division 89

Vote: 11 In Favor 0 Against 1 Absent

Motion#31: Carried

Discussion of item#3 in the report.

Motion#32: By Brother Boucher Division 189

Motion #32 to accept recommendation #3 of the By-laws Committee Report.

Seconded: By Brother Mc Rae Division 469

Vote: 11 In Favor 0 Against 1 Absent

Motion#32: Carried

Discussion of item#4 in the report.

Motion#33: By Brother Orr Division 904

Motion # 33 to accept recommendation #4 of the by-laws committee report.

Seconded: By Brother Quesnel Division 89

Vote: 11 In Favor 0 Against 1 Absent

Motion#33: Carried

Discussion of Recommendation #5 of the report.

Motion #34: By Brother Wright Division 852

Motion #34 to accept the by-laws committee recommendation #5.

Seconded: By Brother Quesnel Division 89

Vote: 11 In Favor 0 Against 1 Absent

Motion#34: Carried

Discussion of Recommendation #6 of the report.

Motion #35: By Brother Wright Division 852

Motion #35 to accept the by-laws committee recommendation #6.

Seconded: By Brother Quesnel Division 89

Vote: 11 In Favor 0 Against 1 Absent

Motion#35: Carried

Motion #36 By Brother Van Egmond Division 390

Motion #36 to adjourn the meeting for lunch from 1300 to 1400 hours.

Seconded: By Brother Orr Division 904

Vote: 11 In Favor 0 Against 1 Absent

Motion#36: Carried

**THURSDAY JUNE 7, 2007
AFTERNOON SESSION**

Roll Call: 11 delegates were present 1 absent.

Motion#37: By Brother Orr Division 904

Motion #37 to reopen the meeting for afternoon session.

Seconded: By Brother Boucher Division 189

Vote: 11 In Favour 1 Against

Motion#37: Carried

Brother Dell Division 337

Brother Dell stated the company was being unreasonable and acting unilaterally on the mileage check requirements. Brother Vickers stated the only recourse was to file a Step 1 grievance and progress it to remedy.

Brother Van Egmond Division 390

Brother Van Egmond asked regarding an up to date CATS manual for the company CATS system.

Brother Van Egmond asked if the GCA could develop templates for grievances. Discussions followed regarding what each division had put in place to deal with repeated violations of hot issue articles.

Brother Van Egmond stated that he was also having issues dealing

with the CMC managed Mr. Helmle. Same issue that were raised by other divisions.

Brother McRae Division 469:

Brother McRae stated that all his regular assignments were cancelled and are being run off the spareboard. Since there is no current language in the contract to prevent this he would like to see this dealt with in the new contract.

Brother Mc Rae asked about contract discussions. Brother Vickers Stated that he had discussions with the company representative Mr. Van Cowanburg and thought he had an agreement but nothing was ever progressed by the company after the hand shake agreement was reached.

Brother McRae brought up the issue of cellular telephone use to communicate with the trainmaster by texts. Brother Caldwell and Brother Vickers stated employees should never use their personal Cellular phones for work or personal business. If communication is poor a policy grievance should be filed to deal with the issue.

Brother Brynes Division 728:

Brother Byrnes stated that the company allow 10% of the engineer on the mileage check could move between Toronto North and Capreol. What recourse is there if an agreement cannot be reached Between the terminals on the number to be allowed to move.

Brother Brynes brought up the issue of CP track certification for Westward movements. A meeting was to address the issue some time in June 2013.

Brother Byrnes brought up personal leave days, grievances filed, Position letters and arbitration case. Adhoc 569 applies.

Brother Brynes brought up rest from a deadhead taxi. Six hours and a two hour call once taxi arrives.

Policy grievance on crew splitting. Extended run agreement has no Provisions for splitting crews. If there is no specific language in the Extended Run Agreement then the 1.1 applies.

Crews are being called to rescue trains and expected in some cases to walk nine to ten thousand feet in adverse winter weather and drifting on the Ruel and Medora Subdivisions. Would like to see this unsafe practice stopped as it is just a result of bad planning on the companies part.

Brother Brynes brought up the issue of remedy payments. It was stated that the union does not benefit from remedy payments as they go to the engineer involved not to the union.

Brother Byrnes asked about the status of grievances on emergency service. The grievances are still active and waiting a result as a remedy grievance.

Brother Wright Division 852:

Brother Wright thanked Brother Vickers for his service to the union and his guidance over the years. He stated that Brother Vickers will be missed but wished him the best in his retirement.

Brother Wright asked about the status of the six hundred plus grievances regarding yard crews doing roadwork. Since Pichers Ruling on step 1 & 2's the grievances are still in the system.

Brother Wright asked about the removal of the extended run steering committee violation of Add. 73 & Add. 74. Inaccurate lineups, ready train concept not being utilized. CLO's being qualified without full training.

Submitted contract demands, were improvements to contract language and priority to settling outstanding grievances.

Ordering crews in continuous rescue service. Grievances have been won on this issue but not paid and will be sent to arbitration.

Brother Orr Division 904:

Brother Orr thanked Brother Vickers for his service to the union and his guidance over the years. He stated that Brother Vickers will be missed but wished him the best in his retirement.

Brother Orr congratulated Brother Caldwell on his new position and stated that this was likely his last GCA.

Brother Orr asked that asked for more consultation before cases go to arbitration to insure all the information is accurate to insure none of the important issues are missed. Ken Stubing is doing the briefs and we are having issues getting them soon enough to change them. A meeting with Caley Wray to discuss the process and Brother Caldwell committed to more consultation with the local chairmen in future if he has the briefs in a timely fashion. Brother Caldwell said that the lawyers purposely leave details out Details that they feel hurt or are not relevant to the outcome of the case. Each arbitration case is reviewed with the employee involved before the hearing.

Contract demands, improvements to Short Term and Long Term Disability. Extend dental coverage while on Long Term Disability.

Get contract language on downloads as his terminal has the highest rate of downloads.

Exposure to engineers that are put at risk of dismissal due to errors of trainees was discussed.

Brother Caldwell asked Brother Boucher to present his training for New local chairmen and those who want to update their skills and receive information on future local chairmen training.

Brother Caldwell stated business of the 2013 General Committee of Adjustment was concluded and thanked the delegates for their participation and asked for a motion to adjourn.

Motion #38: By Brother Mc Rae Division 469

Motion #38 to adjourn the 2013 General Committee of Adjustment meeting.

Seconded: By Brother Boucher Division 189

Vote: 11 In Favour 1 Against

Motion#38: Carried