

Bulletin NMC 011-12 Run Times

As you are all aware the Company has issued a bulletin in regard to the subdivision run times and the necessary time required to be called for a particular run. In April we took this exact issue to arbitration with the Arbitrator agreeing with our position. The Award dictated the Company was estopped from cancelling the 1994 bulletin during the currency of the collective agreement. The arbitrator further directed the parties to bargain in good faith a suitable guideline or other mechanism in respect of the application of the first in first out principles.

The purpose of this email is to inform the membership that we did not negotiate the times or terms in the bulletin and we have informed the Company of our position. While there were preliminary talks about the issue, the matter was not resolved on any level. Our position remains, the Company must adhere to the 1994 bulletin until end of the contract and the proposed change is contrary to both the Arbitrator's award and Bill C-39. Should the Company not rescind the bulletin we will pursue any and all legal avenues including referring the matter back to the arbitrator under the previous award.

In the meantime, should any member be affected by the Company's bulletin and not properly called under the terms of the 1994 Bulletin, we recommend a runaround claim is submitted and progressed through the grievance procedure. We will keep you informed of any further developments on this issue.

Dave Able Dave Olson

General Chairman LE West General Chairman CTY West

Update: The Company rescinded the Bulletin in question on June 15, 2012