

LE LIEN DIRECT

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TO ALL VAUGHAN MEMBERS OF TC LOCAL 1976 AT CPKC:

Brothers and Sisters,

Last July, there was a hearing regarding the reduction of your lunch break. In her award, the Arbitrator ordered that you be made whole financially from the time of the grievance until December 31, 2022.

The company did not agree with the interpretation of the Union that for an everyday that a member worked they would be entitled to 10 minutes at overtime rate. The Company's position was that the Arbitrator did not have jurisdiction to award a monetary remedy. They also claimed that the members were already made whole because you did not lose any pay.

Earlier today, we had a conference call with the Arbitrator to clarify what she meant by financially whole. The Union claimed 10 minutes at overtime rate. The Company claimed nothing was owed.

Here is the clarification from the Arbitrator:

Further to our conference call this morning, one of the issues raised was that the parties sought clarification of my direction that "members are to be made financially whole": paragraph 43[d] of my Award dated July 25, 2024.

The remedy anticipated was that members were to receive back 10 minutes at straight time as compensation. The remedy was not anticipated to place employees into an overtime position.

On the issue of natural justice and procedural fairness, I am satisfied the Company did have the ability to respond to and make submissions at the hearing - and did so - regarding whether a remedy was appropriately ordered, in these circumstances.

I remain seized until the parties come to agreement on the amount of remedy.

We do not have details yet because this just happened but we will make sure that we will keep you informed about the next steps.

In Solidarity,

Nancy, Manny and Jeff
