

**Weekly Crew Change Agreement  
Between  
Canadian Pacific Railway  
And  
TCRC – Conductors/Trainmen/Yardmen Division 76  
Governing Weekly Placement Procedures  
For Winnipeg Road Operations TCRC - T**

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This agreement is made pursuant to the Collective Agreement and the Memorandum of Settlement date November 13, 2004. There is no intentional changes to any Collective Agreement clause or application, but is meant to recognize and manage the unique situations associated with this specific terminal, in conjunction with the Weekly Placement Process.

**General Principles:**

- 1) These procedures are designed to eliminate mid-week displacements and consequently provide employees a more stable work place.
- 2) A weekly crew change will take place each Sunday at 2201 to be effective 0001 Monday governing:
  - Establishment of or reduction to the number of regular assignments
  - Adjustments to the pool
  - Adjustments to the spare board
  - Movement to or from permanent or temporary vacancies
- 3) All regular assignments, temporary vacancies existing or known to be for seven consecutive days or more (road), and positions on the respective spareboard(s) will be filled on a weekly basis.
- 4) Annual Vacation will begin and end effective with the weekly crew change. Employees will automatically be booked off and on by CMC, to coincide with the weekly crew change. If one or more General Holidays fall within an employee's annual vacation period, in all circumstances, the extra day(s) of vacation will be filled as a vacancy of less than seven days (road).
- 5) Conductors/Trainmen electing to take annual vacation after the scheduled vacation period, in the application of item 4, will have their turn established in the pool or spareboard (seniority permitting) at 2201 Sunday night, effective 0001 Monday and the turn will run spare until the employee returns. (See item 18)
- 6) General Advertisement of Assignments will coincide with the weekly crew change and all regularly assigned positions will be bulletined and awarded as per individual bid and on a seniority basis.

- 7) New assignment, abolishments, annual vacation vacancies or any other known vacancy will be communicated by 1200 Tuesday. Employees will be responsible to communicate their status prior to 0900 Tuesday of the proceeding week when known in advance that they will be unavailable for the following 7 day bid period.
- 8) Subsequent vacancies created by employee(s) bidding positions outlined in items six and seven above will be filled for the following seven day period in accordance with Item(s) ten and eleven of this agreement. If no applications are received, or a position is not filled by bid, employees will be assigned to the position as follows.
  - Road - junior qualified employee in road service.
- 9) Weekly crew changes will be posted, no later than 16:00 CT on Saturday. The Company will notify employees, who are affected due to the weekly crew adjustment process, in a timely manner.
- 10) Local Union representatives and the Company will meet to determine the basis for adjusting pool(s) and spare board(s) by no later than Thursday at 1400 CT. The results of any adjustments will be reflected in the weekly crew changes. This weekly mileage information will be posted at all reporting locations.

### **WEEKLY BID SYSTEM**

The weekly bid system will operate in the following manner:

- 11) In order to administer this agreement, all employees will submit a Weekly Placement Bid Sheet upon implementation of this agreement, this bid sheet will indicate.
  - Their preference of available positions in assigned and/or unassigned service (A vacancy of seven consecutive days or more , and positions on the spareboard).

NOTE: This does not replace the requirements to submit a bid at General Change of Advertisement.

- 12) Subject to Collective Agreement and local rule provisions regarding the movement of employees between and within road and yard service, the latest Weekly Placement Bid Sheet on file will be used to award positions and claimable vacancies for the following weekly crew change period.
- 13) A New Weekly Placement Bid Sheet may be submitted at any time but must be submitted prior to 1000 CT Friday to be effective for the following seven-day period.
- 14) When returning from annual vacation, conductors/trainmen may submit a new bid prior to the 1000 CT Friday deadline in accordance with item 11 above. If no bid is received by that time, the employee(s) will be considered to have retained his last election to fill a position according to the Collective Agreement.

- 15) Conductors/Trainmen returning from unscheduled absences in excess of seven consecutive days or more (road), and whose temporary vacancy has been filled under the terms of this agreement, will be expected to notify the company of their expected date of return prior to the 10:00 Friday deadline for the following seven day period. This employee will be placed according to their weekly bid, and in accordance with the terms of this agreement. Item 16 of this agreement would apply in the event the employee cannot be placed on the working list effective with the weekly crew change, but is scheduled to return mid-week.

The Company commits to an ongoing effort to track absent employees and attempt to consistently determine when the employee(s) will be returning in advance of crew change, in order to facilitate effective crew placement.

- 16) In the unlikely event that Conductors/Trainmen unexpectedly return mid-week from unscheduled absences in excess of seven consecutive days or more (road), and who were unable to provide proper notification as outlined above, will be handled as follows;

TCRC – T (Road):

- Employee(s) will be placed in accordance to their weekly bid sheet (seniority permitting).
- This may include adding a turn to the pool(s) or spare board
- In either event, this will not result in a displacement.

- 17) Conductor/Trainman who leave or do not occupy their position for the full seven day weekly placement period will have their position(s) treated as vacancy of less than seven days (road).

Note: This includes taking an extra day(s) Annual Vacation due to a General Holiday(s) falling within the relevant annual vacation period.

#### **NO BIDS OR INSUFFICIENT CHOICES**

- 18) If no bid exists for an employee, or if there are insufficient choices provided by the existing weekly bid, employee(s) will be placed according to their previous weekly bid card, or their change of card bid form. This is to be done in conjunction with the weekly crew change.

This Memorandum of Understanding is effective on the 20th Day of May, 2005. A thirty-day (30) written notice to amend the terms of the agreement may be served by either party. Should this clause be enacted, the parties will meet within seven (7) days to attempt to rectify the situation.

Administration of the Agreement will be done locally and any unresolved issues may be advanced to the General Chairman and the General Manager.

Dated this 20th day of May, 2005.

For the Company:

For the Union:

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Peter Marotta  
Manager, Road Operations  
Winnipeg, Manitoba

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B. Domino  
Local Chairman  
TCRC – T (Road)

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Steve Baker  
Manager, Yard Operations  
Winnipeg, Manitoba

(sgd) *Dave Freeborn* for/

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D.E. Freeborn for/  
Manager, Labor Relations

(sgd) *Ryan Strauss*

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Assistant Manager, CMC