



Teamsters Canada Rail Conference

General Committees of Adjustment
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Dave Able
General Chairman
Locomotive Engineers

Dave Olson
General Chairman
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1900.34.01.39J/R72

September 25, 2008

Mr. Doug McFarlane
AVP Operations West
Canadian Pacific Railway
401 - 9th Avenue SW
Calgary, AB T2P 4Z4

Dear Sir,

This office acknowledges receipt of your letter of September 19, 2008 informing us that you intend "to operate coal trains between Kamloops and Golden as a single run crewed from Kamloops working a 12 hour day."

The Union does not concede that all aspects of your proposed changes are matters to be dealt with under our respective Material Change Articles. We are presently considering your letter and our options contained in clause 72.13 of the Conductor, Trainperson, Yardperson (CTY) Collective Agreement and clause 34.08 of the Locomotive Engineer (LE) Collective Agreement.

This letter is not intended to be a full explanation of our position in this matter but we would like to draw your attention to some of our initial considerations. Your letter doesn't point out that your proposed changes involve two subdivisions and running through the current home terminal for the four unassigned freight pools which handle the trains referred to.

The moving of home terminals and running through home terminals were part of the Company proposals in the last round of bargaining. None of these proposals were achieved at the bargaining table. The Company also attempted to achieve a 12 hour day for our Members in several of your bargaining proposals. The fact that there were no 12 hour provisions contained in our Memorandum of Settlement was a major consideration for our Members when they narrowly ratified the agreement. The Union would not entertain 12 hour provisions during collective bargaining and cannot agree that our rest provisions are a matter for material change negotiations.

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Keeping in mind that we are still reviewing this matter, we are available should you wish to provide more detail of your proposal. Please contact us should you wish to do so.

Respectfully,



Dave Able
General Chairman

Respectfully,



Dave Olson
General Chairman