



BROTHERHOOD OF LOCOMOTIVE ENGINEERS & TRAINMEN

GENERAL COMMITTEE OF ADJUSTMENT
Canadian National - Wisconsin Central Ltd
Including former DM&IR, DWP and EJ&E Railways

General Chairman's Report – October/November 2016

Dear Brothers and Sisters,

This is a condensed synopsis of the General Committee's activities for the months of October/November 2016.

CORRESPONDENCE

- With Local Chairmen, BLET National, and Labor Relations regarding various time claims, contract interpretations and discipline issues.
- With CN Labor Relations regarding LMRC meeting follow-up, grievance claims, out of cycle pay, denied union lay-offs, Members deaths, familiarization trips, First Division Arbitration, vacation issues, reinstatements, regular assignments, GEB guarantees, placement on GEB and excessive discipline.
- With BLET National Division concerning Members death, Membership Jurisdiction, OSHA (Bloodborne Pathogens) and First Division Arbitration.
- With CN General Managers regarding LMRC meeting follow-up, regular assignments, reinstatements, voluntary furloughs, denied union lay-offs and discipline issues.
- Discuss issues of mutual concern with IC GC Craddock and CP GC Semenek.
- Also received 371 phone calls in the month of October/November 2016 discussing various issues with Labor Relations, Timekeeping, Managers, Local Chairmen and Members.

Handled various issues regarding, but not limited to:

- General Office Duties: Telephone and Correspondence Communications
- Contract issues
- GTS claims
- Discipline appeals
- Discipline issues
- Investigation assistance
- National Health & Welfare Plan assistance
- The Hartford, Lincoln Financial, Principal and AFLAC Insurance
- Safety Committees
- Critical incidents
- First Division Cases
- LMRC meeting follow-up
- Efficiency testing
- Electronic devices
- Monies recovery
- Member's death – Scott Sterling (Division 174)
- Member's death – Michael Suriano (Division 174)
- Denied union lay-offs
- Seniority rosters
- OSHA - Bloodborne Pathogens
- Familiarization trips
- Out of Cycle pay
- Vacation allotments/ Vacation pay/ Vacation qualifications
- Letters of Reprimands
- Inward facing Cameras
- GEB guarantees
- Reinstatements
- Attachment "C" issues
- Calling procedures
- Regular assignments – Article 8 (1) of CBA
- Retirement assistance
- Placement on GEB
- Emergency numbers pamphlet
- Local Only Agreement
- FMLA Assistance
- Legislative – Illinois
- Legislative – Wisconsin
- BLET Auxiliary
- GCA Website – ongoing maintenance

TIME CLAIMS:

In October/November 2016, this office received forty-six (46) new time claims from the Local Chairmen of the following Divisions:

- Division 163 – 8
- Division 173 – 4
- Division 188 – 34

In October/November 2016, this office appealed forty-six (46) Step 3 time claims to Labor Relations for the following Divisions:

- Division 163 – 9
- Division 173 – 5
- Division 188 – 32

In October/November 2016, this office scheduled twenty (20) time claims to conference at next LMRC for the following Divisions:

- Division 163 – 2
- Division 173 – 3
- Division 188 – 15

Discipline Appeals:

In October/November 2016, this office received three (3) new discipline appeals from the Local Chairmen of the following Divisions:

- Division 173 – 1
- Division 174 – 1
- Division 520 – 1

In October/November 2016, this office submitted six (6) discipline appeals to Labor Relations for the following Divisions.

- Division 163 – 2
- Division 173 – 1
- Division 188 – 1
- Division 520 – 2

In October/November 2016, this office scheduled ten (10) discipline appeals for conference to Labor Relations for the following Divisions:

- Division 163 – 4
- Division 188 – 4
- Division 520 – 2

There were four (4) discipline appeals for Division 520 that was conferenced in October 2016. The results of the conference are as follows:

- WC-BLET-2016-00003 – Claim sustained – five (5) day suspension deferred for one (1) year removed from Claimant’s work record
- WC-BLET-2016-00004 – Claim sustained - Claimant reinstated to service
- WC-BLET-2016-00081 – Claim further declined
- WC-BLET-2016-00082 – Claim further declined

The discipline appeals that were further declined will be pursued in accordance of Article 30 (2)(D) of the Collective Bargaining Agreement.

ARBITRATION:

The following thirty-two (32) Dockets requested for hearings before the Division with the Referee present were submitted in October 2016 to the First Division of the National Railroad Adjustment Board for the purpose of considering evidence that has been submitted, hearing argument, and rendering an award for the following cases:

NRAB-00001-160427 DOCKET No. 48929 INWARD FACING CAMERA	NRAB-00001-160428 DOCKET No. 48930 INWARD FACING CAMERA	NRAB-00001-160429 DOCKET No. 48931 INWARD FACING CAMERA
NRAB-00001-160430 DOCKET No. 48932 SLEEPING	NRAB-00001-160431 DOCKET No. 48933 RULE G	NRAB-00001-160432 DOCKET No. 48934 TRAIN HANDLING
NRAB-00001-160433 DOCKET No. 48935 AMC VIOLATION	NRAB-00001-160434 DOCKET No. 48936 AWOL	NRAB-00001-160435 DOCKET No. 48937 MISSED CALL
NRAB-00001-160436 DOCKET No. 48938 AMC VIOLATION	NRAB-00001-160437 DOCKET No. 48939 MISSED CALL	NRAB-00001-160438 DOCKET No. 48940 SLEEPING

NRAB-00001-160439 DOCKET No. 48941 ELECTRONIC DEVICE	NRAB-00001-160440 DOCKET No. 48942 ROLL-BY	NRAB-00001-160441 DOCKET No. 48943 TRACK AUTHORITY
NRAB-00001-160442 DOCKET No. 48944 RUN-THRU SWITCH	NRAB-00001-160443 DOCKET No. 48945 SPEEDING	NRAB-00001-160444 DOCKET No. 48946 AWOL
NRAB-00001-160445 DOCKET No. 48947 ROLL-BY	NRAB-00001-160446 DOCKET No. 48948 AMC VIOLATION	NRAB-00001-160447 DOCKET No. 48949 ELECTRONIC DEVICE
NRAB-00001-160448 DOCKET No. 48950 MISSED CALL	NRAB-00001-160449 DOCKET No. 48951 AMC VIOLATION	NRAB-00001-160450 DOCKET No. 48952 ROLL-BY
NRAB-00001-160451 DOCKET No. 48953 TRAIN COLLISION	NRAB-00001-160452 DOCKET No. 48954 AMC VIOLATION	NRAB-00001-160453 DOCKET No. 48955 SIMULATED OBSTRUCTION
NRAB-00001-160454 DOCKET No. 48956 JOB ABANDONMENT	NRAB-00001-160455 DOCKET No. 48957 PROPERLY SECURING EQUIPMENT	NRAB-00001-160456 DOCKET No. 48958 AMC VIOLATION
NRAB-00001-160457 DOCKET No. 48959 TRAIN HANDLING	NRAB-00001-160458 DOCKET No. 48960 FALSIFYING FMLA PAPERWORK	

As of this time, this office is waiting for a date to be rendered by the NRAB for the aforementioned cases to be adjudicated.

The following Dockets requested for hearings before the Division with the Referee present were held at the headquarters of the First Division of the National Railroad Adjustment Board, Thursday, July 28, 2016 for the purpose of considering evidence that has been submitted, hearing argument, and rendering an award for the following cases:

Case NRAB-00001-150021 Docket No. 48303 Award No. 28352 Claim Denied Run Through Switch	Case NRAB-00001-150166 Docket No. 48375 Award No. 28353 Claim Sustained – 1 Basic Days Pay Forced to Perform Service on IC Assignment	Case NRAB-00001-150167 Docket No. 48376 Award No. 28354 Claim Denied Overtime on Rest Day AFHT
Case NRAB-00001-150168 Docket No. 48337 Award No. 28355 Claim Denied Overtime on Rest Day AFHT	Case NRAB-00001-150169 Docket No. 48378 Award No. 28356 Claim Denied Overtime on Rest Day AFHT	Case NRAB-00001-150170 Docket No. 48379 Award No. 28357 Claim Denied Overtime on Rest Day AFHT
Case NRAB-00001-150171 Docket No. 48380 Award No. 28358 Claim Denied Overtime on Rest Day AFHT	Case NRAB-00001-150172 Docket No. 48381 Award No. 28359 Claim Denied Overtime on Rest Day AFHT	Case NRAB-00001-150174 Docket No. 48382 Award No. 28360 Claim Sustained in Accordance with the Findings Track Authority

Case NRAB-00001-150175 Docket No. 48383 Award No. 28361 Claim Denied Attendance	Case NRAB-00001-150176 Docket No. 48384 Award No. 28362 Claim Denied Train Handling	Case NRAB-00001-150177 Docket No. 48385 Award No. 28363 Claim Denied Attendance
Case NRAB-00001-150178 Docket No. 48386 Award No. 28364 Claim Sustained in Accordance with the Findings 90-Day Suspension Reduced to a 60-Day Suspension Red Signal Violation	Case NRAB-00001-150179 Docket No. 48387 Award No. 28365 Claim Denied Attendance	Case NRAB-00001-150180 Docket No. 48388 Award No. 28366 Claim Sustained in Accordance with the Findings Late for Duty/Failed to Whistle a Crossing
Case NRAB-00001-150181 Docket No. 48389 Award No. 28367 Claim Sustained in Accordance with the Findings 45-Day Suspension Reduced to 20-Day Suspension Engaged in Non-Railroad Activities	Case NRAB-00001-150182 Docket No. 48390 Award No. 28368 Claim Denied Attendance	Case NRAB-00001-150183 Docket No. 48391 Award No. 28369 Claim Denied Electronic Device/Radio Procedures

The following Dockets requested for hearings before the Division with the Referee present were held at the headquarters of the First Division of the National Railroad Adjustment Board, Thursday, May 26, 2016 for the purpose of considering evidence that has been submitted, hearing argument, and rendering an award for the following cases:

Case NRAB-00001-140233 Docket No. 48226 Award No. 28409 Claim Sustained Removal of 15 Day Deferred Suspension for 1 Year from Claimant's Personal Record	Case NRAB-00001-140234 Docket No. 48227 Award No. 28410 Claim Denied Attendance	Case NRAB-00001-140235 Docket No. 48228 Award No. 28411 Claim Denied General Rule H, Safety Rules T12 and T13	Case NRAB-00001-140236 Docket No. 48229 Award No. 28412 Claim Settled Prior to the Arbitration Meeting
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MEETINGS - IN TOWN MEETINGS

10/9/2016	• Attend Division 209 meeting
11/1/2016	• Met with Smart/UTU GC Flashberger for conference call with LR concerning Out of Cycle issues
11/2/2016-11/3/2016	• Met with FVC Hau concerning First Division Cases and CBA issues
11/20/2016	• Attend Division 209 meeting

MEETINGS – OUT OF TOWN MEETINGS

10/6/2016	Wausau, WI	• Attend Funeral Services for Scott Sterling
10/10/2016	Gladstone, MI	• Attend Division 185 meeting
10/18/2016	Superior, WI	• Attend Division 188 meeting
10/18/2016	Proctor, MN	• Attend Division 163 meeting
10/25/2016-10/27/2016	Bloomington, IL	• Met with BLET-VP Ruef Concerning Discipline Cases and CBA Issues
11/9/2016	Superior	• Attend Twin Ports Auxiliary meeting
11/15/2016-11/16/2016	Bloomington, IL	• Met with BLET-VP Ruef concerning CBA issues and discipline cases.

I am saddened to announce the passing of Brother Scott Sterling (Division 174) and Brother Mark Suriano (Division 174). This is a sad reminder of how fragile life really is. On behalf of all the members of the CN-WC membership I extend our most heartfelt sympathies to the Sterling and Suriano families.

Fraternally yours,

John Reynolds

John Reynolds
General Chairman, CN-WC BLET