

# Railfax



July 24, 2009

## Locomotive Engineers give 72 hour strike notice at VIA Rail

Dear Brothers & Sisters,

The Teamsters Canada Rail Conference Union representing locomotive engineers at VIA Rail have served notice that their membership will take legal strike action at noon on Friday, July 24, 2009.

The TCRC said “We remain optimistic that we will be able to secure an acceptable collective agreement and will continue with the conciliation/mediation process as long as we have a positive indication that we are moving forward.”

Via Rail stated “As you are aware we are in collective bargaining with the Teamster Canada Rail Conference. In the event of a labour disruption, we do not intend to operate trains. We plan on implementing the following protocol to provide for the orderly shutdown of operations, if a labour disruption occurs while respecting the terms of Collective Agreements #1, #2 and #3 as much as possible in the circumstances.

- Agreement #2 - employees would receive immediate lay-off notices unless required to perform their duties for a short period of time.
- Agreement #1 - employees may be required to perform their duties for a period of time including the storing and securing of equipment and supplies, assisting passengers, processing refunds and handling inquiries.
- The employees retained will be selected by position and location in seniority order.
- Those not required will receive lay-off notices.
- The employees retained for the shutdown period must report for work, as required. The shifts will primarily be between 08:00 and 18:00 and at major locations.
- Agreement #3 - employees: Via has stated, if a labour disruption occurs as of Friday, July 24<sup>th</sup>, 2009 it plans on honouring third party contracts such as *West Coast Express*, *Amtrak* and *Capital Projects*.
- Agreement #3 - employees assigned to external contracts will remain on their positions for a period of up to five (5) working days to allow a smooth transition.
- Employees retained for required servicing of trains (I.E.) sterilization, in date air brake testing, Locomotive servicing, will be indentified by location and classification in seniority order and qualifications; those not required will receive lay-off notices as per the applicable rules of collective agreement #3.

- In the event that there is a modification with regard to the number of employees affected or the scope of work, the Corporation will advise the Union accordingly.

We are in the process of finalizing the contingency plan. Once the plan is completed, we will provide you with further details and we will also share with you information received regarding a labour disruption.”

The Canadian Auto Workers Union takes this opportunity to express its full support for TCRC and its members in their struggle to achieve a satisfactory collective agreement with VIA Rail. CAW members who are not laid off, are of course, legally required to work as usual. The CAW has notified VIA that under no circumstances will our members perform any work that is normally and historically performed by TCRC members. The employer is legally bound by the Canadian Labour Code to respect our position.

If any problems or questions arise in either respect, you are requested to immediately contact a fulltime Union Representative for assistance; your Regional Representative (Council 4000), Regional Vice-President (Local 100) or a CAW National Staff Representative.

We wish the TCRC and its members every success in achieving their demands.

**In solidarity,**

John Burns  
President  
CAW Local 100

Robert Chernecki  
Assistant to the President  
CAW Canada

Robert Fitzgerald  
President  
Council 4000