

January 1999

MEMORANDUM OF AGREEMENT

BETWEEN CANADIAN PACIFIC RAILWAY, VANCOUVER TERRITORY

AND

BROTHERHOOD OF LOCOMOTIVE ENGINEERS, DIVISION 320

VANCOUVER TERRITORY PROMOTION AGREEMENT

PURPOSE:

The purpose of this agreement is for the parties to jointly administer the Collective Agreement, local rules and practices so as to reduce and/or eliminate the forcing of locomotive engineers from their preferred home terminal who have no desire to work in the other home terminal within the Vancouver/Roberts Bank Territory.

It is recognized the relationship and history between the two home terminals of Roberts Bank and Coquitlam has been and is unique. With regard to both parties respective positions on the application of the language in the current BLE Collective Agreement the following agreement is entered into without precedent or prejudice.

APPLICATION:

This agreement will apply to all Locomotive Engineers working within the jurisdiction of Division 320 and will be known as The Vancouver Territory Promotion Agreement (VTPA).

1) MANNING OF VACANCIES:

The manning of vacancies "temporary and permanent" will be handled as per Appendix A (Home Terminal Promotion Rules) and in conjunction with the Seven Day Board agreement between Division 320 and CPR. This Agreement and Appendix A will change the existing way that the Vancouver Territory vacancies are managed. There will be a clearer distinction of Roberts Bank and Vancouver/Coquitlam vacancies.

For the purpose of this agreement, the word "forced" means a Locomotive Engineer who has bid to work only one terminal but is required to work another terminal they have indicated their desire NOT to work. Reference to Coquitlam vacancies is intended to apply to all jobs currently and in the future assigned to Coquitlam manpower except Roberts Bank. When referring to Roberts Bank vacancies it is intended to apply to all jobs currently and in the future assigned to Roberts Bank.

2) ORDER OF CALLING: For Roberts Bank

Whereas "Locomotive Engineers' work is Locomotive Engineers' work" and in recognition of the long history of calling for spare work at Roberts Bank, the current order of calling for Roberts Bank will be modified as follows. It is agreed the Roberts Bank Spare Board will be eliminated and all work will be called from the Pool as noted below.

- 1) First rested RB pool engineer
- 2) Close RB pool
- 3) Coquitlam Spareboard - (DH applies)
- 4) RB Extra work
- 5) RB ESB - (No DH)
- 6) RB Miles - (No DH)
- 7) Coquitlam Order of Calling - (DH applies)

NOTE: In the application of BLE Local Rule 5, ESBs will be called at their respective home terminals in accordance with Clause "D" of Appendix A attached.

3) AUTOMOBILE ALLOWANCE:

Locomotive Engineers forced to work vacancies in either Roberts Bank or Coquitlam who have indicated a desire not to work at the other terminal, will be reimbursed for automobile expenses at the rate specified in the appropriate, existing collective agreement. The distance to be claimed will be one 100 km round trip for each trip worked while forced.

NOTE: Engineers forced to another terminal will not be permitted to claim the commuting allowance provided for in Letter #6 of the RCLS Agreement.

4) ANNUAL VACATION:

Locomotive Engineers will be awarded vacation on separate lists, Coquitlam or Roberts Bank; unless otherwise mutually agreed.

It is agreed the Vancouver Territory Promotion Agreement will take effect on the date this memorandum is signed. It shall remain in effect until mutually revised, or terminated on 30 days notice by one party to the other party.

Signed on this date: January 21, 1999

I CONCUR

I CONCUR

SIGNED: G.M. Ranson
G.M. Ranson
Local Chairman
BLE Division 320

SIGNED: D.A. Lypka
D.A. Lypka
Manager Road Operations
BC District, CPR

I CONCUR

SIGNED: J.S. Babson
J.S. Babson
Manager Yard Operations
BC District, CPR

January 1999

APPENDIX A

HOME TERMINAL PROMOTION FOR THE VANCOUVER TERRITORY

- A) This Home Terminal Promotion Rule will allow Locomotive Engineers (ESBs) the opportunity to work as a preference at the Vancouver Territory Terminal (COQUITLAM or ROBERTS BANK) of their choice, before being "forced to the other terminal" under the following conditions.

If a Locomotive Engineer/ESB is desirous of availing themselves of this opportunity, they will indicate such on the proper form at the Change of Card. A Locomotive Engineer/ESB who does not indicate such a desire will be considered as desiring promotion in seniority order at both terminals of the Vancouver Territory

- B) A Locomotive Engineers/ESB who has indicated only one station on their preference bid, will not be forced to the other station until all Locomotive Engineers/ESBs who have indicated the other or both stations have been placed on vacancies at that station. If forcing does occur to another station, the senior ESB in the Vancouver Territory not set up will be forced. An engineer so forced will be entitled to claim expenses for his/her automobile as stipulated in Clause 3 of the VTP Agreement.
- C) Locomotive Engineers/ESBs who bid one terminal only (Coquitlam or Roberts Bank) at Change of Card and have been cut off the engineers list at that terminal will not be required to exercise their seniority to the other terminal. Locomotive Engineers bidding only one terminal will work vacancies at that location and will not be permitted to work at the other location as temporary or permanent unless forced.
- D) If so desired Engine Service Brakemen will indicate their preference of work at Change of Card, to apply when their seniority entitles them to be setup as a locomotive engineer at either terminal. If they do not indicate any preference desired they will be regarded as desiring promotion in seniority order at both terminals of the Vancouver Territory.
- i) If an ESB-Roberts Bank is working at that location as a trainperson, they will be entitled to spare calls at Roberts Bank before ESBs at Coquitlam.
 - ii) If an ESB-Coquitlam is working at that location as a trainperson, they will be entitled to spare calls at Coquitlam before ESBs at Roberts Bank.

iii) The only time that an ESB is entitled to a deadhead claim is when they are called for an ad hoc trip at the terminal at which they are not currently stationed.

iv) Should vacancies arise requiring an ESB to be forced to a terminal they have indicated their desire NOT to work, for the purpose of reductions in the engineers's list they will rank junior to other ESBs who have declared that station.

E) Coquitlam Spare Engineers will be used for spare work at Roberts Bank after the Roberts Bank pool has been depleted. If there are no spare locomotive engineers available at Coquitlam, RB ESBs as stated in clause 2 of the VTPA will be used in preference to Coquitlam locomotive engineers.

Note: RB Pool engineers will be used for all RB work before using Coquitlam spare engineers.

Notice of Preference to Work at Vancouver Territory "Home Terminal" in Accordance with Appendix A of Vancouver Territory Promotion (VTP) Agreement signed January 21, 1999.

PLEASE FAX TO: CMC CALGARY, 403-888-989-9449

COPY TO: JOANNE FLAVELL, COQUITLAM YARD OFFICE (FAX 944-5708)

NAME: _____ EMPLOYEE NUMBER _____

In accordance with Appendix A of the Vancouver Territory Promotion Agreement, please accept this as proper notice of my desire to avail myself of the opportunity to work as a Locomotive Engineer as a preference at the following Vancouver Territory Terminal:

A) COQUITLAM

OR (Please circle one or the other, not both)

B) ROBERTS BANK

I understand that in providing this notice of my preference, such notice will remain in effect until the next General Advertisement of assignments (Change of Card).

SIGNED: _____
Locomotive Engineer (ESB)

DATE: _____