



# TEAMSTERS CANADA RAIL CONFERENCE DIVISION 320



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November 26, 2009

**Subject: TCRC – on CN Serves Strike Notice-Negotiations update (5)**

Dear Brothers and Sisters,

Appended please find a message from TCRC President Dan Shewchuk regarding strike notice (attached) served by TCRC Locomotive Engineers on CN. Also appended is a note regarding the strike notice, and an attempt to mediate a settlement short of a strike or lockout. If there will be any affect to our membership on CP, we will keep you apprised.

In Solidarity,

Murray Douglas  
TCRC Div 320  
S&C Officer  
604-312-1074

Sisters and Brothers,

**Please be advised that we have set the strike deadline at Canadian National Railways for 00:01 local time, Saturday, November 28, 2009.**

The attached letters to CN Rail, copied to the Director General of FMCS and the Minister of Labour, is required by the Canada Labour Code and must be filed 72 hours prior to any strike/lockout action being initiated. Therefore these documents have been filed at 20:00, Tuesday, November 24, 2009 to ensure that the time lines contained within the Canada Labour Code are followed.

**Please advise all our members of this deadline and ensure that your strike committee has developed the plans associated with commencing strike action at CN Rail at 00:01, local time, Saturday, November 28, 2009.**

As stated in our strike notice, we have initiated this action due to the company's most recent unilateral imposing of new terms and conditions to our Collective Agreements, with the possibility of more changes to come. The ramifications of the mileage cap increases are far reaching and extremely serious for all our members. Unchallenged, this change would create an even more onerous work environment and the resulting board changes, based on 4300 miles, would leave our CTY sisters and brothers without employment. In addition, this could be the start of many more changes to come.

We are extremely disappointed that CN would take this approach but we saw no other alternative but to initiate strike action to prevent further abuse of our members and our Collective Agreement. In addition, given the positions taken by the company over the past two weeks, our legal council has instructions to proceed forward with a complaint of “bargaining in bad faith” and to file this with Canada Industrial Relations Board as soon as possible.

We are open to continue with the negotiation process and have offered, through the mediators, to suspend/postpone our strike notice if the company would suspend/postpone their unilateral changes to the Collective Agreement and return to the table to continue negotiations. We are presently waiting a response but, again, we must be prepared to initiate strike action at the specific time and date outlined above.

Thank you for your patience and continued support during these difficult time. Please contact your General Chairman should you require any further information.

In Solidarity,

D.J. Shewchuk  
President

It has just been confirmed that we will be meeting with CN with the assistance of FMCS Mediators Jacques Lessard and Rejean Bercier, commencing Friday afternoon.

It must be noted that CN has not agreed to withdraw or postpone their plan to unilaterally apply the 1.5% wage increase and increase in the mileage cap to 4300 miles. As a result, we have not withdrawn our strike notice.

While we strongly favour a re-commencement of mediation / negotiations, a positive result is not guaranteed and you should continue with the necessary preparations.

(end)