

**MINUTES OF THE 2007 TRIENNIAL MEETING OF THE PROVINCIAL LEGISLATIVE BOARD OF ONTARIO
TEAMSTERS CANADA RAIL CONFERENCE
APRIL 23-26,2007, NIAGARA FALLS, ONTARIO**

MONDAY APRIL 23, 2007

0900

SAFETY MESSAGE

**911 – Rob Smith
CPR – Tim Organ**

INTRODUCTION

Teamsters Canada Rail Conference, Provincial Legislative Board of Ontario, convened the 2007 Triennial meeting in the meeting room at the Sheraton Fallsview Hotel in Niagara Falls, Ontario on Monday, April 23, 2007. The meeting will be held April 23-26, 2007 inclusive.

The meeting began with a Safety Message from Rob Smith, then one minute of silence for deceased members.

Brother Rob Smith welcomed everyone to the Triennial meeting. It is great to see many familiar faces and the new Legislative Representatives also. We hope that the new Legislative Representatives will find the Triennial meeting both productive and educational. We also hope to enrich our families and communities by our deliberations within the next four days.

As there are a number of new Legislative Representatives this year, Brother Smith proceeded with introductions. Roll call was conducted to ensure that all Legislative Representatives were present. There were two members absent from the Triennial, Brothers Bill Cargill Div. 728 and Ed Parkman Div. 904.

HOUSEKEEPING ITEMS

There was a fatality at TTC this morning, no details at this moment.

Mark Robb from BRCF is paying for lunch for all Legislative Representatives today.

Brother Ken McDonald, LR Div 288 was assigned to look after the entertainment for the guests accompanying the delegates. The Board will pay for the cost of the transportation and other miscellaneous expenses related to outside entertainment for those accompanying delegates to this Triennial meeting.

A lot of work went into preparing for this Triennial. Our intention is for you to learn and also have a good time.

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AGENDA

Working Committees are as follows:

- Credentials Peter Fargey Div. 189
 Leo Bourbonnais Div 658
 Don Ashley Div 529
- Finance Tim Organ Div 528
 Paul Ruffell Div 068
 Craig Watt Div 295
- Secretary/Treasurer Glen MacDonald Div. 852
- By-Laws Maureen Carson Div. 070
 Ken McDonald Div. 288
 Mike Patreau Div 145

REPORT OF THE CREDENTIALS COMMITTEE

Brother Peter Fargey (189) reported that all credentials had been examined and recommended that they be made part of the records, and the delegate's names herein be stated as Representatives of the 28 Divisions listed below.

Brother Bill Cargill (72) and Brother Ed Parkman (904) were the only delegates not present.

<u>Division</u>	<u>Delegate</u>	<u>Fully Assessed</u>
067	Hugh Ritchie	18
068	Paul Ruffell	25
070	Maureen Carson	144
132	Pat Monaghan	9
145	Mike Patreau	68
159	Steve White	14
189	Peter Fargey	60
240	Tim McMullin	55
243	Ray Pakylak	150
288	Ken McDonald	63
295	Craig Watt	336
308	Claude Charbonneau	32

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319	Jim Apsey	125
337	Rob Love	15
381	Rob Smith	124
390	Gerry Paterson	23
469	Denis Dumais	26
528	Timothy Organ	214
529	Don Ashley	55
535	Allan Carlson	154
562	David Leblanc	125
631	Mike Garbachewski	16
654	Ken Topozini	21
658	Leo Bourbonnais	31
723	Wayne Sykes	57
747	John Gawel	143
749	Doug Hartnell	25
852	Glen MacDonald	55

MOVED by Brother Ken McDonald (288) that the Report of the Credentials Committee be accepted as presented. **SECONDED** by Tim Organ (528).

CARRIED

A motion was made by Brother Al Carlson (535) that the Minutes of the 2004 Triennial Meeting be accepted as read. **SECONDED** by Brother Pat Monaghan (132).

CARRIED

REPORT OF THE FINANCE COMMITTEE (Tim Organ Div 528)

The following is the overview of the financial shape of the PLB.

2006 income - \$351,153.00

2006 expenses - \$348,819.00

2006 net income - \$2,334.00

The present net worth of the PLB as of 04/22/07 is \$164,494.00

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Projected income for 2007:

- 1250 working locomotive engineers @ \$14.00 per member current = \$210,400.00
- 850 working conductors CPR @ \$14.00 per member an increase of \$1.40 = \$142,800.00
- Total amount \$352,800.00

Our goal as a financial committee is to operate for the next three (3) years without a membership dues increase.

Our recommendations are to reduce expenses based on a targeted goal of \$45,000.00 per year to prepare for the next convention. We feel, to achieve this goal, it would be necessary to have the approval of this body to:

1. Have C.P. Rail conductors pay \$14.00 to this Board per month instead of the \$12.60 to achieve parity with engineers.
2. Effective July 1, 2007 the PLB will no longer pay dues to belong to Council 52.
3. Recommend to the By-Laws Committee to enact by-laws to reduce the operating budget for the following three (3) years from \$352,800.00 per annum to \$307,800.00 or less. This will produce a projected saving of \$135,000.00 over the course of the three (3) years.
4. Recommend that the Delegates wages go from \$280.00/day to \$300.00/day effective this triennial.
5. Mileage allowance will increase from .35 cents per kilometer to .40 cents per kilometer effective this triennial.
6. That the Secretary-Treasurer's salary be increased from \$13,500.00 annually to \$15,000.00 annually effective if the CN UTU dues start.

Motion made by Brother Don Ashley (529) to accept the By-Laws report.
SECONDED by Brother Ray Pakylak.

CARRIED

REPORT OF THE SECRETARY-TREASURER (Glen MacDonald)

Ladies and Gentlemen, I am happy to report to you once again that as an Advisor to the Finance Committee there should be no requirement for a dues increase. This will be nine (9) years that there has been no additional burden to our membership.

Our financial well being is due in a large part to the expansion of our membership with the CP Conductors joining the Teamsters organization. We have seen a tremendous amount of change since the last triennial. The Chairman's position is now full-time and we have been funding battles against the carriers for the last three (3) years with newspaper ads, legal opinions, and a lot of hard work from the Board Executive. We have done a lot of educational training with Maureen Carson and some of the new CP Conductors. We are fortunate to have Don Ashley as part of our Board, he is an overqualified instructor and has been responsible for most of the training with WSIB these past two (2) years.

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We will have to reduce some of our spending to avoid a dues increase and rebuild the convention fund for the next triennial. I anticipate a surplus of fifty thousand dollars (\$50,000.00) leaving this convention which is still healthy but as you can see in the financial report that growth required for convention expenses has been reduced.

I have felt privileged to have been allowed to serve you and this Board as Secretary-Treasurer and thank you for your trust in me.

SHORT PRESENTATION – Council 52 (Rob Smith)

1000-1015

Break

1015-1045

PRESENTATION

Mark Robb, International President / Director of Sales Brotherhood's Relief & Compensation Fund

1045-1115

REPORT OF THE CHAIRMAN (Rob Smith)

Brothers and Sisters, I am sure most of you can understand that my Provincial Legislative Board report will not be at great length as I have only held this position since February 16th of this year.

Our former PBLO Chairman and newly elected National Legislative Director, Brother Mike Wheten will be here this week and available to answer any questions or concerns you may have regarding Board matters over the last three years.

At our Triennial meetings in Kingston in April of 2004 we provided education for our Ontario Legislative Delegates and I feel we are providing even more education at these Triennial meetings. With that said, we trust that by Thursday of this week you will all be better prepared to fulfill your duties as Legislative Representatives on your respective properties.

Our PLB Executive, our Office Administrator Chantal Robillard, along with much help from Brother Don Ashley LR Division 529, have put together some very good reference material that will most certainly assist you in helping your members in legislative matters.

I would now like to give you a brief summary of some matters the PLB has been involved in.

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Diesel Fumes:

Since the last Triennial meetings we have seen positive changes with the Class One Railways in Ontario regarding diesel emissions with the purchase of new, more efficient locomotives, in particular, at CPR. Also, the fuel that is available being used by the railways is low sulfur diesel and many locomotives now have air-conditioned cabs which allows for windows to be closed.

OFL WSIB Committee:

Our PLBO Executive has placed Brother Don Ashley on the OFL WSIB Committee to represent our board. Don has a vast knowledge in WSIB Legislation and also does work for the OFL as an instructor for the Occupational Disability Response Team.

Locomotive Cab Temperatures:

In a meeting with Transport Canada on February 22nd 2007 the issue of locomotive cab temperatures was raised along with the status of Fatigue Management Plans. Since that time a committee has been formed to address locomotive cab temperatures and related fatigue.

Our National Legislative Director Brother Mike Wheten will be sitting on that committee to help address this National concern. The Ontario PLB will be putting forward recommendations concerning this matter.

That concludes the PLBO Chairman's Report.

MOVED by Tim Organ (Div 528) that the report of the Chairman be accepted as read
SECONDED by Peter Fargey (Div 189)

CARRIED

1st VICE CHAIRMAN'S REPORT (Rob Smith)

Brothers and Sisters, over the last three years there has been time spent in a number of different areas. Between working in unassigned pool service, performing Health and Safety Committee duties at Division 381 as well as other legislative matters within the division and for the Ontario Board, it has been busy to say the least.

I have been involved in Rest House issues for our Smiths Falls Winchester Road Crews working into Montreal from a fatigue and health and safety aspect. This has proved to be a very frustrating process dealing with CPR Management. After three changes of location and much debate and hard work to finally be settled after a year and half is a relief as well as a victory.

I have also attended WSIB training sessions and other union courses over the past three years. This knowledge has certainly helped in dealing with railway management and handling workers compensation cases for our members at all levels.

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I have also been involved with some RTW cases for the PLB and for the most part we have been able to work closely with the respective Protective Departments and have achieved success with most cases. When it comes to workplace accommodations it is essential that both the Legislative and Protective Departments work as a team for the members involved.

In closing, I look forward to working with all of you and sharing some stories over the next few days and hopefully the next few years. Have a great week.

That concludes the PLBO First Vice's Report.

MOVED by Jim Apsey (319) that the report of the 1st Vice Chairman be accepted as read
SECONDED by Dave Leblanc (562)

CARRIED

1115-1200

SUBMISSIONS (See Addendum #I)

1200-1300

Lunch Break

1300-1700

PRESENTATIONS

Don Mustard, Regional Investigator for Rail & Pipeline - TSB
Michelle Cartmill, Safety Officer – Transport Canada
Bill Hunter- Manager, Railway Operations/Occupational H&S

1700 Meeting adjourned for the day

TUESDAY, APRIL 24, 2007

0900

Roll call was conducted to ensure that all Legislative Representatives were present. There were two members absent from the Triennial, Brothers Bill Cargill, Div. 728 and Ed Parkman Div. 904.

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HOUSEKEEPING ITEMS

Mike Wheten, National Legislative Director is here today and lunch will be paid for all the Legislative Representatives by Mike Wheten.

Entertainment for guests_ - Wine tour and Niagara on the Lake – limo leaving at 1:30 p.m.

SHORT PRESENTATION – Teamsters Canada (Rob Smith)

0930 - 0945

Break

1015-1200

LEGISLATIVE REPRESENTATIVES TRAINING – Don Ashley

* See blue binder given at the triennial

1200-1300

Lunch break

1300-1700

PRESENTATIONS

Don Fraser, President of the Hamilton District Labour Council/ Director of labour studies Mohawk College - CLC

Wayne Galandy – Training Services Representative - WHSC

Suzanne Tremblay – Employee Health Advisor for Southern Ontario & Quebec – CP OHS

Jackie Anderson, - Team Leader, CN Occupational Health Services for Ontario, Manitoba & Saskatchewan

Louis Muscat – Referral Agent – CPR EFAP

1700 Meeting adjourned for the day

WEDNESDAY, APRIL 25, 2007

0900

Roll call was conducted to ensure that all Legislative Representatives were present. There were two members absent from the Triennial, Brothers Bill Cargill, Div. 728 and Ed Parkman Div. 904.

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SAFETY MESSAGE

911 – Rob Smith
 CPR – Tim Organ

HOUSEKEEPING ITEMS

Fatality in B.C. – no details as of yet

Moment of silence

ELECTION OF OFFICERS

Directed by Brother Mike Wheten, National Legislative Director of the National Legislative Board

Board of Tellers

Pat Monaghan (132) Tim McMullin (240) Doug Hartnell (749)

NOMINATIONS FOR CHAIRMAN

Brother Rob Smith (381) was nominated by Ken McDonald (288)
SECONDED by Peter Fargey (189)

As there were no further nominations for the position of Chairman of the Provincial Legislative Board of Ontario, nominations were declared closed.

Brother Smith was thereby acclaimed as Chairman of the PLBO.

NOMINATIONS FOR FIRST VICE-CHAIRPERSON

Sister Maureen Carson (070) was nominated by Don Ashley (529)
SECONDED by Dave Leblanc (562)

As there were no further nominations for the position of First Vice Chairperson of the Provincial Legislative Board of Ontario, nominations were declared closed.

Sister Maureen Carson was thereby acclaimed as First Vice-Chairperson.

NOMINATIONS FOR SECOND VICE-CHAIRPERSON

Brother Don Ashley (529) was nominated by Dave Leblanc (562)
SECONDED by Ray Pakylak (243)

Brother Ken McDonald (288) was nominated by Doug Hartnell (749)

Brother Ken McDonald respectfully declined the position as Second Vice-Chairperson

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As there were no further nominations for the position of Second Vice-Chairperson of the Provincial Legislative Board of Ontario, nominations were declared closed.

Brother Don Ashley was thereby acclaimed as Second Vice-Chairperson.

NOMINATIONS FOR SECRETARY-TREASURER

Brother Glen MacDonald was nominated by Ken McDonald (288)
SECONDED by Ray Pakylak (243)

Brother Gerry Paterson was nominated by Tim McMullin (240)

Brother Gerry Paterson respectfully declined the position of Secretary-Treasurer

As there were no further nominations for the position of Secretary-Treasurer of the Provincial Legislative Board of Ontario, nominations were declared closed.

Brother MacDonald was thereby acclaimed to the position of Secretary-Treasurer of the PLBO.

NOMINATIONS FOR ALTERNATE SECRETARY-TREASURER

Brother Dave Leblanc (562) was nominated by Maureen Carson (070)
SECONDED by Rob Smith (381)

As there were no further nominations for the position of Alternate Secretary-Treasurer of the Provincial Legislative Board of Ontario, nominations were declared closed.

Brother Dave Leblanc was thereby acclaimed to the position of the Alternate Secretary-Treasurer of the PLBO.

NOMINATIONS FOR EXECUTIVE COMMITTEE

3 TRUSTEES

TCRC National Legislative Director, Mike Wheten opens the floor to the nominations.

Brother Ray Pakylak was nominated by Don Ashley
SECONDED by Rob Smith
Brother Craig Watt was nominated by Ken McDonald
SECONDED by Maureen Carson
Brother Tim Organ was nominated by Ken McDonald
SECONDED by Maureen Carson
Brother Gerry Paterson was nominated by Tim McMullin
DECLINED by Gerry Paterson

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As there were no further nominations for the position of Trustee of the Provincial Legislative Board of Ontario, nominations were declared closed.

Brothers Ray Pakylak, Craig Watt, and Tim Organ were thereby acclaimed to the position of Trustee of the PLBO.

EXECUTIVE COMMITTEE

Brother Mike Patreau was nominated by Maureen Carson
SECONDED by Rob Smith
Brother Gerry Paterson was nominated by Don Ashley
SECONDED by Rob Smith
Brother Leo Bourbonnais was nominated by Rob Smith
SECONDED by Maureen Carson
Brother Paul Ruffell was nominated by John Gawel
SECONDED by Don Ashley

As there were no further nominations for positions on the Executive Committee of the Provincial Legislative Board of Ontario, nominations were declared closed.

Brothers Mike Patreau, Gerry Paterson, Leo Bourbonnais, and Paul Ruffell were thereby acclaimed to the position of the Executive Committee of the PLBO.

0930-0945

Break

0945–1200

At this time Brother Rob Smith, PLBO Chairman thanked everyone for their support. This year, we have a lot of new Legislative Representatives and I am certain they will represent their Divisions with the greatest care and concern that our experienced members have over the past 3 years. We have made this Triennial meeting more educational to benefit the new Legislative Representatives. The Teamsters Canada Rail Conference welcomes all this new blood with the many new ideas they will put forth throughout this three year term.

Sister Maureen Carson, First Vice-Chairperson thanked everyone for their support. I was appointed to this position by Mike Wheten, after a retirement from the Board. I do not have much to report, as I just received the position of First Vice-Chair position after Mike took the position of NLD at the National level and Rob Smith became Chairman. Over the past 3 years, I have done whatever Mike asked of me. Recently a lot of my time has been spent dealing with a crisis in our local; we lost 33 engineers positions. The fight continues and we will be going to arbitration in May. We will have to see how this all works out.

2004 PLBO BY-LAWS (See Addendum #II)

PLBO BY LAWS AS AMENDED AT THE 2007 TRIENNIAL MEETING (See Addendum #III)

LEGISLATIVE REPRESENTATIVES TRAINING (cont)

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1200-1300

lunch break

1300-1700

PRESENTATIONS

Phil Benson -Teamsters Canada Governmental Affairs

Presentations and Panel Discussion

Mike Wheten - National Legislative Director TCRC

Brigitte Sottile – Lawyer/Director of education for Teamsters Canada

Larry McDonald – President of Teamsters Joint Council 52

1700-1830

Cocktails

1830-2030

Banquet

2030-

Social Evening

THURSDAY, APRIL 26, 2007

0830

Roll call was conducted to ensure that all Legislative Representatives were present. There were two members absent from the Triennial, Brothers Bill Cargill, Div. 728 and Ed Parkman Div. 904.

SAFETY MESSAGE – Maureen Carson

911 – Rob Smith

CPR – Tim Organ

COMPLETION OF SUBMISSIONS (See Addendum #I)

1015-1030

break

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NEW BUSINESS

Division 243

1. Whereas the role of the Legislative Representative is to provide guidance and representation for an early return to work for our members who are injured and are covered under WSIB or WIB.

Canadian Pacific Railway and Manulife are responsible for providing WI benefits. The foresaid two cause undue duress to our members and their families by continually requesting medical updates which delays benefits. These medical updates must be paid for the injured employee who's income is already dramatically reduced. Benefits cease until medical documentation is provided. Injured workers and their families are without benefits until reports are submitted. This causes additional financial hardship to the individual, increased workload to the Division and the balance of the Teamsters organization.

Therefore, be it resolved that the Provincial Legislative Board lobby the Protective department to have any medical and related reports/expenses which the carrier is requesting be paid for by the carrier or provider. This should be incorporated into the Collective Agreement.

Recommendation: PLBO to handle.

Motioned by Tim McMullin

Seconded by Peter Fargey

CARRIED

2. Whereas the HRSD Davey appeal (UTU vs CPR) stated that CPR and the Union are to work on an inclimate weather policy. Whereas all railway employees must travel in motorized vehicles in all types of weather, in various vehicles, driven by a variety of drivers.

Therefore, be it resolved that the NLB Director work with all railway policy committees to develop a transportation policy to protect our members who are being transported in company or contracted vehicles.

Recommendation: To be directed to the NLB Director.

Motioned by Gerry Paterson

Seconded by Tim McMullin

CARRIED

Division 469

Motion that the Provincial Legislative Board as well as the TCRC National Legislative Board of Canada work through the Provincial & National Transportation Minister in pressuring VIA Rail to work with the City of Ottawa in allowing commuters access to the present VIA Rail trains between Ottawa Union Station and Followfield Station to assist in reducing traffic congestion within the city limits in conjunction with the Kyoto accord.

Motioned by Denis Dumais

Seconded by Mike Patreau

CARRIED

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Division 535

Request that a standard is put in place for removal of vegetation (trees and weeds) along right of way. Not just crossing and signal/signage sight lines.

Motioned by Al Carlson

Seconded by Dave Leblanc

CARRIED

Division 631

1. Amend air brake car qualifications to state that cars and trains left without air supplied to them for more than 4 hours must be re-tested.

2. Nationalize air brake standards for all railroads.

Motioned by Mike Garbachewski

Seconded by Ken McDonald

CARRIED

Division 528

1. The PLB Chairman direct concerns about R.R.B. issues that was raised under new business, page 25 of the 2004 minutes to the Protective Department, since pension issues are the domain of that body.

Motioned by Tim Organ

Seconded by Ken McDonald

CARRIED

2. That the PLB in conjunction with the NLB lobby Revenue Canada to allow running trades employees to deduct auto expenses, clothing expenses and any other deductions as they see fit.

Motioned by Tim Organ

Seconded by Gerry Paterson

CARRIED

3. Request the PLB to conduct an independent study of exposure to the VACIS machine – via a dosimeter testing to determine any long term concerns that may arise along with any additional study that have already been conducted.

Motioned by Tim Organ

Seconded by Dave Leblanc

CARRIED

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4. The PLB to develop and adopt Provincial “bunkhouse” facility standards that can not be eroded or superseded by Collective Agreement wording.

- primary consideration for standards to include:
- room size/curtains
- room location within hotel
- bunkhouse location - geographic to rail/highways etc.
- noise standards or sound counter measures
- windows draping/light darkening standards
- cooking facilities – type of location
- locker area, location/size
- bunkhouse, rest house, hotel, Inn and/or other container used to provide rest

Motioned by Ray Pakylak

Seconded by Ken McDonald

CARRIED

Division 070

1. That more of the Canada Labour Code is applicable to on-board service employees, not just Part III in order to create a balance of legislation for railroaders.

Motioned by Ray Pakylak

Seconded by Gerry Paterson

CARRIED

2. That the PLBO encourages acceptance of the Canada Labour Code, review (Arthur report), specifically that harassment and bullying legislation becomes part of an amended Canada Labour Code.

Motioned by Dave Leblanc

Seconded by Peter Fargey

CARRIED

3. That the PLBO champion amendments to Part III of the C.L.C. to include the ability to eat at work and rest rules include C.L.C.

This legislation change should be done with Labour Canada officials as active participants to ensure our rights as Canadian citizens are covered.

2010 Triennial Meeting to be held in Ottawa, Ontario.

This ended the business of the 2007 Triennial Meeting of the Teamsters Canada Rail Conference of the Provincial Legislative Board of Ontario.

Chairman Rob Smith thanked all of the Delegates and others who had contributed to the success of our meeting and wished all a safe journey home.

The meeting adjourned at 1200 hours on Thursday, April 26, 2007.