

BLET Penalty Claim Process from Start to Finish

Steps 1 – The affected Engineer or his Local Chairman submits the claim into the CN CATS System within 60 days of the alleged infraction (the sooner the better).

Step 2 – The Company's designated officer reviews the claim and approves or denies it within 60 days of submission.

Step 3 – When the Engineer or Local Chairman finds the claim was denied the denial gets printed out of the CATS and forwarded to the Local Chairman or Vice Local Chairman whichever is applicable.

Step 4 – Within 60 days of the denial date the Local or Vice Local Chairman writes an appeal to the claim electronically in the Grievance Tracking System (GTS) to the applicable Superintendent.

Step 5 – The Superintendent then has 60 days to respond to the appeal electronically (GTS). If approved it is submitted to payroll for payment and if denied the Local or Vice Local Chairman forwards the claim to the General Chairman in the GTS.

Step 6 – The General Chairman then appeals the claim to CN Labor Relations within 60 days of the Superintendents denial. If approved the claim is submitted to payroll for payment and if denied it moves to the next Labor / Management Resolution Committee Meeting (LMRC). LMRC Meetings are scheduled to be held twice per year.

Step 7 – The Company then has forty-five (45) days from the meeting date to respond in writing to the claims. Claims resolved for payment at the LMRC are forwarded to payroll for payment while claims denied are reconsidered by both parties.

Step 8 – Claims chosen for further processing by either party are then moved to the Arbitration process within 180 days (6 months) of the final decision from the LMRC written response.

Step 9 – To initiate the process from the BLET side, the General Chairman writes a letter of intention to the Company of which claims were chosen to proceed to Arbitration. The Company and the BLET must decide on which Tribunal will hear the claim (The First Division or a Public Law Board). Then such claims are filed either jointly (PLB) or solely (First Division) by the BLET to one of the Tribunals.

Step 10 – The separate Tribunals have lists of Government appointed Arbitrators to hear and settle disputes. The individual Arbitrator chosen needs to be agreed upon by both parties usually based on their past decisions and fairness. Once the Arbitrator is chosen by the parties, the Company or the BLET writes a letter to the National Mediation Board (NMB) requesting a Hearing Date (this is where the process can really get long). There is no set time line for the NMB to set a date, much of which depends on National Budgets and availability of Arbitrators.

Step 11 – When the meeting actually takes place and the claim or grievance is heard, the Company puts on their case and the BLET puts on theirs. The Arbitrator then has basically an unlimited time to make their final decision, 90 days is the rough guideline. The Decision is then sent in writing to both the Company and the BLET for final and binding resolve to the dispute. In extreme cases Federal Courts could then be contacted and get involved but this is highly unlikely and a rare circumstance.

Step 12 – As part of the Decision a timeline is usually set by the Arbitrator in which the decision must be complied with by the parties.