

LE and CTY GCA West

Brothers:

This is an update in regard to the over hours arbitration scheduled for Wednesday. We have made a decision to postpone the hearing on this matter for 60 days.

We will try and be as concise as we can in explaining the situation and reasoning for this decision.

Please advise your members that everything is ready to go for arbitration. The case is not withdrawn. We have good data and we are ready to present our arguments, however, we want to be as sure as we can be, that we have all the opinions and counter arguments that the Company will throw at us during the arbitration hearing covered off.

In a meeting, Monday February 3<sup>rd</sup>, with Mr. Guido Deciccio and Mr. Myron Becker, both senior executive officers of the Company, a discussion was held regarding the pending case. On behalf of the Company they argued that the Union had failed to communicate directly with senior management that blatant and malicious over hour violations were occurring on the property alongside violations that had transpired account mechanical or unforeseen issues. They were very outspoken that they would be arguing this perceived lack of direct Union involvement in front of the Arbitrator at the supplemental hearing. Of course we completely disagreed with their assessment of the events that have transpired. In turn the Senior Vice President of Operations Mr. Deciccio challenged the Union to allow him a last chance opportunity to adopt complete control of the situation to rectify and eliminate over hours across the system. In rebuttal we challenged why his original involvement had dissipated.

Notwithstanding the arguments we reflected on what the Arbitrator

had instructed of the parties in award 4078. The closing statement of the award of Mr. Picher stated ⑧ Should the parties, ***after serious and extensive efforts***, be unable to reach any resolution, the matter may be returned to this office for the issue of remedy to be spoken to ⑨ (emphasis added). It was this closing sentence we wanted sealed tight to thwart any chance of argument by the Company.

We are very cognisant that the members and Local Chairman in the TCRC have done a remarkable job in compiling data on the violations, nevertheless, we wanted to make sure that the Company had no rebuttal that serious and extensive efforts had not taken place between the Company and Union which in turn could overshadow the favourable results we are seeking to achieve at arbitration.

We know you have all done your due diligence in advancing grievances and it is now that we want to close any loop hole they may try and use to convince the Arbitrator otherwise. We trust you all know that we are working to achieve the most successful outcome possible. Displaying to the Arbitrator we have diligently complied with his ruling, going beyond the involvement of the serious and extensive efforts he ordered, we trust his decision will reflect the efforts that have been put forward by the TCRC Union should the Company not live up to the commitments made by Mr. Deciccio.

It is more important than ever to document violations of the over hours with all relevant details should the violations not cease as the Vice President has committed. These next days are under the spot light and will be relied upon extensively at the hearing.

We trust you will understand this decision was not taken lightly and we look forward to presenting a justifiable case to the CROA Arbitrator and ask for the patience and support of the membership to complete this challenge.

In solidarity,

Dave Able    Dave Olson