

FIRST QUADRENNIAL CONVENTION
OTTAWA, ONTARIO - SEPTEMBER 19-21, 2006

TEAMSTERS CANADA RAIL CONFERENCE



TRANSCRIPT
VOLUMES 1-3
(final)

HELD AT:

Victoria Ballroom
Marriott Hotel
100 Kent Street
Ottawa, ON

September 19-21, 2006

613.521.0703

StenoTran Services Inc.

www.stenotran.com

1 Ottawa, Ontario / Ottawa (Ontario)
 2 --- Upon commencing on Tuesday, September 19, 2006
 3 at 1000 / L'audience débute le mardi
 4 19 septembre 2006 à 1000
 5 --- Video presentation / Présentation vidéo
 6 SEC. TREASURER DYON: Good morning,
 7 Brothers and Sisters, Delegates and distinguished
 8 guests. My name is Richard Dyon. I am the
 9 Secretary-Treasurer of the TCRC.
 10 On behalf of the Executive Board, I
 11 am very pleased to welcome you to this first convention
 12 of Teamsters Canada Rail Conference.
 13 It is my privilege to introduce the
 14 President of the TCRC, Brother Gilles Hallé.
 15 Gilles...?
 16 --- Applause / Applaudissements
 17 PRESIDENT HALLÉ: First of all, let
 18 me thank Brother André Bourgeois who is the Delegate of
 19 Division 258 Montreal for the nice video he put
 20 together.
 21 First of all, welcome to Ottawa to
 22 all of you delegates and to the guests. We have to get
 23 rolling right now, so the first order of business we
 24 will be following is found in section 35 of our Bylaws
 25 to call the meeting to order without form and to start

1 with I would like to have the presentation by Brother
 2 Harvey Gallaher, Division 821 Kamloops, B.C., who is a
 3 Delegate, and Brother Don A. Anderson from Division 098
 4 Jasper.
 5 --- American National Anthem /
 6 Hymne national des États-Unis
 7 --- Canadian National Anthem /
 8 Hymne national du Canada
 9 --- Applause / Applaudissements
 10 PRESIDENT HALLÉ: Just stay there,
 11 Brothers and Sisters.
 12 Confrères, consoeurs, s'il vous
 13 plaît, un autre petit moment. On va avoir une
 14 invocation.
 15 We will have a small invocation
 16 prayer, and it will be by more than a special guest.
 17 It is Brother Chuck Anderson from La Grande, Oregon,
 18 Member of Division 362.
 19 Brother Anderson has been here
 20 helping us. It is a great help, Brother Anderson and
 21 Brother Ditzel.
 22 I asked Brother Chuck if he could do
 23 this for us. There was no provision and no Bylaws for
 24 Chaplain. I saw him in Las Vegas at the IBT
 25 Convention, so I asked Brother Chuck to say a little

1 prayer for us.
 2 Brother Anderson...?
 3 BROTHER ANDERSON, Division 362:
 4 Good morning, Brothers and Sisters. Please join me
 5 in prayer.
 6 Our Heavenly Father, we acknowledge
 7 Your greatness, Your holiness and Your power. You are
 8 an awesome God, one who cannot be trifled with, and one
 9 who holds us accountable for our actions. But You also
 10 love Your people with a great an undying love, and on
 11 that basis we humbly make our petitions to You.
 12 We first ask that You forgive us
 13 for those times when we have failed to meet Your
 14 expectations of us, for those times when we have hurt
 15 our brothers and sisters, when we have not done our
 16 best, not gone the extra mile, when we have been
 17 impatient, uncaring, thoughtless or selfish.
 18 We are imperfect people and we need
 19 Your grace and favour in our lives.
 20 O Lord, we ask that You help us this
 21 week in the work we have to do. Give us wisdom to make
 22 the critically important decisions before us.
 23 We pray for our officers at the helm
 24 of this fine union, as they daily shoulder the
 25 enormously heavy responsibility of watching over our

1 welfare and leading the charge for economic and
 2 workplace justice.
 3 And, last, we ask that You equip
 4 and enable us, so that when we leave this first
 5 convention of the TCRC we will be better officers,
 6 better union members, more effective in serving the
 7 needs of our membership.
 8 Give us strength to work tirelessly
 9 on their behalf, so that they will better understand
 10 the greatness of this organization.
 11 And help us to be more
 12 formidable against our adversaries who have no
 13 care whatsoever for the welfare of those who work for a
 14 living.
 15 This is a great cause, O Lord, and
 16 one that we cannot accomplish without Your blessing.
 17 Finally, we ask that You uphold,
 18 comfort and strengthen the victims, families, friends
 19 and loved ones at Dawson College, who are in the midst
 20 of such a great ordeal.
 21 Be also with those of our countrymen
 22 who are serving overseas in the Armed Forces and bring
 23 them safely back to us.
 24 For these things, O God, we humbly
 25 thank You and give You praise in Jesus' name. Amen.

1 PRESIDENT HALLÉ: Thanks, Brother
2 Anderson.

3 Now we will honour, with a minute of
4 silence, our Brothers and Sisters who have passed away
5 since our last convention five years ago; and above
6 that, also, for our troops from both countries who are
7 serving overseas, and, like Brother Anderson said,
8 maybe a little thought about the Dawson College
9 incident of last week.

10 --- A Minute of Silence / Une minute de silence

11 PRESIDENT HALLÉ: Brothers and
12 Sisters, confrères et consœurs, let me welcome you to
13 Ottawa, our National Capital. It is a great pleasure
14 to see all of you here as delegates and guests. I
15 think we have moved a lot since 2001.

16 We are all nervous here up front
17 and back stage because this is our first convention.
18 We will try to get this convention working pretty good.
19 We will do our best. You have our commitment to this.

20 On va essayer de faire de cette
21 convention -- on est tous nerveux -- du meilleur de
22 notre possible. En avant ici ou en arrière, les
23 employés, tout le monde est très nerveux. On va
24 essayer de rendre ça le plus facile possible.

25 To my French-speaking Brothers -- we

1 have some Brothers, some delegates, who have some
2 problems with the English language -- I ask you to bear
3 with us. If there are any problems, we have made
4 arrangements. You will have translation, or just sit
5 by Brothers who are bilingual.

6 Si, pour quelque raison que ça soit,
7 vous voulez vous adresser à l'assemblée, vous pouvez le
8 faire en français. Je vais traduire votre question et
9 traduire la réponse pour les autres délégués.

10 If they want to speak French at the
11 microphone, I will make sure that we have the exact
12 translation of the question as well as the answer.

13 Thank you very much.

14 Next, I would like to introduce the
15 TCRC Executive Board. I will start with Brother George
16 Hucker, who is the Vice President, and also the
17 National Legislative Representative.

18 --- Applause / Applaudissements

19 PRESIDENT HALLÉ: Next to George is
20 Brother Richard Dyon, from Montreal, who is our
21 Secretary-Treasurer.

22 --- Applause / Applaudissements

23 PRESIDENT HALLÉ: Brother Dennis
24 Curtis, from Calgary, or the Shuswap Lake, will be
25 Recording Secretary.

1 --- Applause / Applaudissements

2 PRESIDENT HALLÉ: Brother Mike
3 Wheten, Provincial Legislative Board of Ontario, is a
4 Trustee.

5 --- Applause / Applaudissements

6 PRESIDENT HALLÉ: Brother Jim
7 Ruddick, Trustee and General Chairman for the Rail
8 Traffic Controllers.

9 --- Applause / Applaudissements

10 PRESIDENT HALLÉ: And Brother
11 Dan Shewchuk, Trustee and General Chairman for CP
12 Locomotive Engineers.

13 --- Applause / Applaudissements

14 PRESIDENT HALLÉ: I also have some
15 special guests to introduce. There was one who was
16 supposed to be on the podium.

17 First -- and I don't know where he
18 is -- I would like to introduce Brother Robert Bouvier,
19 who is the President of Teamsters Canada.

20 There he is.

21 --- Applause / Applaudissements

22 PRESIDENT HALLÉ: Our next guest is
23 well known. He was just re-elected this summer as
24 President of the BLET, Brother Don Hahs, from
25 Cleveland, Ohio.

1 --- Applause / Applaudissements

2 PRESIDENT HALLÉ: We have in the
3 audience Brother Ed Rodzwick, who was just re-elected
4 as First Vice President of BLET.

5 --- Applause / Applaudissements

6 PRESIDENT HALLÉ: Brother Bill
7 Walpert, from Cleveland, Ohio, was just re-elected as
8 National Secretary-Treasurer for the BLET.

9 --- Applause / Applaudissements

10 PRESIDENT HALLÉ: Later on this week
11 we will have Brother Bill Brhel. He had a commitment
12 in Calgary today, but he will be here later this week
13 to address this body.

14 We have Francois La Porte, who is the
15 Assistant to the President for Teamsters Canada.

16 --- Applause / Applaudissements

17 PRESIDENT HALLÉ: We have Kent
18 Deptuk, who is from the Maintenance of Way Division.

19 --- Applause / Applaudissements

20 PRESIDENT HALLÉ: We have Stephan
21 La Croix, Public Relations with Teamsters Canada.

22 --- Applause / Applaudissements

23 PRESIDENT HALLÉ: You probably all
24 know Mark Robb. He will be addressing this body this
25 afternoon.

<p style="text-align: right;">Page 9</p> <p>1 It is a great honour for us Canadians 2 to have Mark Robb from Division 945, Vancouver, to be 3 the President of the Brotherhood's Relief and 4 Compensation Fund in Harrisburg, Pennsylvania. 5 Mark will also be a guest, who will 6 say a few words this afternoon. 7 --- Applause / Applaudissements 8 PRESIDENT HALLÉ: I kept one for 9 last. He is more than a guest. He is Phil Benson. I 10 know where Phil is. He is a lobbyist here in Ottawa, 11 doing a wonderful job. He is the Teamsters Canada 12 Lobbyist. He is always on the go somewhere. You will 13 see him during these three days. He is a great asset, 14 one of the greatest assets in this merger with 15 Teamsters Canada was all the good work that Phil does 16 for us, opening all these doors in Ottawa. 17 So to move forward, we will do a 18 safety briefing. On va avoir un petit briefing sur la 19 sécurité. 20 Je demanderais au confrère Brunet, 21 s'il vous plaît, Benoît Brunet, de venir faire un 22 briefing sur la sécurité. 23 --- Pause 24 DELEGATE BRUNET: Bonjour. Good 25 morning, everyone.</p>	<p style="text-align: right;">Page 11</p> <p>1 Elevators will not be serviceable. 2 Use the stair or the staff will guide you to go out. 3 We will be gathering outside in the parking lot on the 4 north side. 5 Le point de rassemblement est dehors, 6 dans le stationnement au nord de l'hôtel. 7 Les délégués qui sont qualifiés pour 8 le RCR, si vous voulez lever la main. 9 Delegates that are qualified on CPR, 10 could you please raise your hands? 11 Arrangement committee members, can 12 you please take notes of the seat number? 13 Also, there will be no campaigning, 14 campaign buttons, signs or campaign literature 15 distribution in the convention hall or other areas when 16 the official business of the convention is being 17 conducted. 18 Il n'y a pas de campagne électorale, 19 de boutons de campagne, de pancartes ou distribution de 20 documents dans la salle de convention. 21 Seuls les délégués, le personnel de 22 soutien et les membres du comité d'accueil sont admis 23 dans la salle de convention. Le personnel de soutien 24 et les membres du comité d'accueil sont admis seulement 25 lorsqu'ils sont en fonction.</p>
<p style="text-align: right;">Page 10</p> <p>1 All right, we will start. 2 En cas d'urgence, utilisez le 3 téléphone interne et signalez le 4-911 ou parlez à un 4 membre du comité d'accueil. 5 In case of emergency, use the 6 in-house phone and dial 4-911 or you could ask anybody 7 from the arrangements committee. 8 Fire alarms. 9 S'il y a une alarme intermittente, 10 vous restez à l'écoute, il y a une annonce générale qui 11 va être diffusée, vous donnant les procédures. 12 If there's an intermittent alarm 13 going on, stand by, there will be a general 14 announcement over the PA giving you the procedures. 15 If there's a continuous alarm, you 16 will have a notice to evacuate. Proceed to the nearest 17 exit located in the front and at the back of the 18 ballroom. 19 S'il y a une alarme continue, vous 20 entendrez un avis d'évacuer. Allez aux sorties 21 d'urgence les plus proches qui sont situées à l'arrière 22 et à l'avant de la salle. 23 Les ascenseurs seront hors d'usage. 24 Utilisez les escaliers. Le personnel de l'hôtel vous 25 dirigera.</p>	<p style="text-align: right;">Page 12</p> <p>1 Only delegates, convention staff and 2 arrangement committee members are allowed on the 3 convention floor. Convention staff and arrangement 4 committee members are permitted on the convention floor 5 only when performing their official duties. 6 Visitors are not allowed on the 7 convention floor and must remain in their 8 designated area. 9 Les visiteurs ne sont pas admis dans 10 la salle de convention et doivent rester dans l'espace 11 qui leur est désigné ou réservé. 12 Finalement, la direction de l'hôtel 13 veut rappeler aux fumeurs que la loi actuelle exige 14 qu'ils soient au moins à 25 pieds de l'entrée publique. 15 On vous demande d'utiliser la zone de fumeurs au nord 16 de l'hôtel, près de la rue Sparks. S'il vous plaît ne 17 pas fumer devant les portes de l'hôtel. Votre 18 collaboration est grandement appréciée. 19 The hotel management reminds smokers 20 that the present law requires them to do so at least 21 25 feet from any public entrance. You are recommended 22 to use the smoking area north of the hotel entrance 23 near Sparks Street walking mall. Please do not smoke 24 in the area under the carport in front of the hotel. 25 Your cooperation will be greatly appreciated.</p>

1 Thank you. Merci.
 2 --- Applause \ Applaudissements
 3 PRESIDENT HALLÉ: Thank you very
 4 much, Brother Brunet. Merci, Benoit.
 5 I have a couple of announcements to
 6 make right now, and I would like first to recognize an
 7 association, if I can say that, that helps us a lot in
 8 getting this convention together. It is what we call
 9 NARF between ourselves, North American Railway
 10 Foundation, that's part of the BRCF.
 11 A lot of subordinate bodies,
 12 general committees, boards, on both side of the border
 13 have used the services of NARF or have been sponsored
 14 with NARF, which is a non-profit operating foundation
 15 that came out the BRCF, that has a fund now to support
 16 the rail as re the education, the safe technology in
 17 both countries, the United States and Canada. With the
 18 initial funding by the Board of Directors of BRCF, NARF
 19 has grown up and has been helping a lot of us in the
 20 rail labour.
 21 We saw here in Canada some
 22 assistance of contributing all the equipment, the video
 23 equipment, for this convention. It is sponsored by
 24 NARF, which is a great help for us and is a great
 25 support. And even places like the Railway Museum in

1 Canada, they support that, too. So all the committees,
 2 the general committees, the provincial boards, the
 3 state boards in the U.S., the BLET had great support
 4 from NARF at their convention.
 5 We received, in our organization
 6 connected to NARF, almost \$1.1 million. That comes
 7 from the benefit out of the BRCF. Although they are
 8 separate and distinct, we have worked together for
 9 many, many years, both BRCF and NARF, given back to all
 10 men and women in rail labour some money, and even to
 11 the community.
 12 It is important for us to recognize
 13 this commitment and continue to support these two fine
 14 organizations that make us stronger and more united.
 15 Thank you.
 16 Some other stuff that you will have
 17 this week as financial support. Lunches will be
 18 provided in order to defer your costs. That will make
 19 some savings for you and for us to be able to reconvene
 20 this body promptly at lunch time. So today BRCF will
 21 sponsor the lunch, that you get some instruction to go
 22 outside, you come back, eat your lunch. There will be
 23 staff to clean right after that and you can go for a
 24 walk after that. Lunches are provided for the
 25 delegates only.

1 Also, tomorrow the lunch will be
 2 sponsored by the BLET, President Don Hahs has sponsored
 3 lunch for tomorrow. Also, tomorrow morning there will
 4 be a breakfast sponsored by the law firm of Shields &
 5 Hunt, where we are going to have a guest speaker.
 6 --- Cellphone ringing
 7 PRESIDENT HALLÉ: I will ask Brothers
 8 and Sisters, if you can please turn these cell
 9 phones -- I know it's -- please.
 10 For this convention, I would like to
 11 introduce our professional parliamentarian, Jim
 12 Shields, who will address the delegates later on and
 13 explain the procedures to vote on the bylaws
 14 resolution.
 15 As you know, the Bylaws Committee
 16 will come here and resolution. A big chunk of this
 17 convention is the Bylaws Committee Report. So it is
 18 very important that Mr. Shields explains to you the
 19 whole procedure: how we do the vote, the amendments,
 20 the major amendments, and so on, that you listen
 21 carefully.
 22 That will save a lot of time and a
 23 lot of money, because it's all money here. The more we
 24 drag this thing, the more money we spend.
 25 Je veux juste vous expliquer, pour

1 les membres francophones, qu'il va y avoir des
 2 procédures expliquées par le parlementaire Monsieur
 3 Shields, qui va vous expliquer comment on fonctionne
 4 sur les résolutions du comité des Bylaws. Ça va être
 5 très important, puis ça va nous aider à procéder plus
 6 vite, puis avoir un meilleur contrôle dans le
 7 déroulement de la convention.
 8 Now, the next order, I have appointed
 9 Brother Dennis Curtis, our Recording Secretary, as the
 10 timekeeper. In the procedures you will see that when a
 11 Member gets to the microphone to speak he has a time
 12 limit. To do that we have a timekeeper, Brother
 13 Curtis, that will keep the clock. It is cumulative
 14 when you speak. It will be explained to you.
 15 I have appointed Brother Jim
 16 Ruddick, one of our trustees, as the announcement and
 17 reading clerk. So any announcements you want to make,
 18 go to Brother Ruddick and give that to him before we
 19 recess for lunch or recess for the day, or we start the
 20 day. If there is an announcement, Brother Ruddick will
 21 do it.
 22 The first announcement I will make
 23 myself because we are a little short.
 24 There will be a tour bus today, a
 25 tour of Ottawa and Parliament for spouses and guests

1 who wish to participate. For those who intend to take
2 the tour, please plan to gather in the hotel lobby
3 around 12:45. The bus will leave at 1300. The tour of
4 Ottawa will last about two hours and then proceed to
5 Parliament for an hour tour. The bus will return to
6 the hotel around 1600.

7 It is the old British style
8 double-decker bus.

9 I would like to also recognize our
10 staff here at the convention: Brother Darrel Arnold,
11 the National Advisor; Ms Line Robillard from the
12 National Office; our comptroller, Shelley Moore, who
13 hands all these cheques to you and continues to do the
14 payroll through the week; Elaine Piddle, who is working
15 out of her office right now, but you will see Elaine in
16 and out; and Benoit, who is partly working for the
17 National Office, Benoit Brunet, will be around.

18 I have to say a little thing here.
19 We have two great consultants who have been provided to
20 us for our first convention. When you do that, it was
21 like a year ago, I started thinking about the
22 convention, this and that, and it goes so fast when you
23 reach three months, to the one and the week we are in.
24 Brother Don Hahs and I have been talking many times and
25 if you need any help, let us know. We discussed that.

1 Brother Chuck Anderson has been the
2 brains behind the BLE Constitution for many years. If
3 you need any ruling on the BLE Constitution, which is
4 to be very, very close to our bylaws and to work with
5 the Bylaws Committee, he was a great help. He has been
6 here for over a week now helping both the Bylaws
7 Committee and helping ourselves, Richard and I, to
8 prepare this convention.

9 We have also Brother Dave Ditzel --
10 and I don't know where Brother Dave is. He has been a
11 tremendous help. He has been here for over a week
12 helping us with all the little details that when you
13 put a convention like this together you don't know.

14 I would like good applause for these
15 two Brothers that have been a great help.
16 --- Applause / Applaudissements

17 And a great round of applause for
18 Brothers Hahs, Ruddick and Walpert who have been
19 providing these two great Brothers to help us.

20 --- Applause / Applaudissements

21 I would like to introduce our
22 Arrangement Committee. I don't know if they are all in
23 the room.

24 The Captain of the Arrangement
25 Committee is Brother Paul Vickers, who is General

1 Chairman for CN Central. Paul, right at the back.

2 --- Applause / Applaudissements

3 Brother Daniel Genereaux, who is the
4 General Chairman for CP Conductors, Trainmen and
5 Yardmen, CP(E). Daniel.

6 --- Applause / Applaudissements

7 Brother René LeClerc, General
8 Chairman, CN East.

9 --- Applause / Applaudissements

10 Brother Rob McCaffrey, who is the
11 Provincial Chairman of Alberta. Brother Rob at the
12 back.

13 --- Applause / Applaudissements

14 And last but not least, Brother John
15 Tofflemire, General Chairman for VIA Rail. John is
16 right at the back.

17 --- Applause / Applaudissements

18 These Brothers have double functions.
19 They were also on the Credential Committee, which I
20 will cover later.

21 The Arrangement Committee are the
22 facilitators to these meetings. There is a special
23 desk there for the Arrangement Committee. It is at the
24 back of this meeting room near the entrance door.

25 If you need any assistance, just ask

1 one of them. If you require materials, photocopies,
2 messages, problems with the air conditioning or
3 something, contact a member. They are also the liaison
4 with the hotel. Any problem you have with your rooms,
5 or this and that, contact these people and they will
6 try to help you. They can deliver messages in and out.
7 People are not allowed in the room, but if there is a
8 message for one of you, they will deliver it.

9 They act like the sergeant at arms
10 for other organizations or conventions. They will
11 check delegates' badges so nobody is allowed in this
12 room. That is one of their duties.

13 Anything you need, ask these Brothers
14 and they will help you.

15 Another thing, when you go to the
16 microphone what I would like you to do, because this
17 whole convention is recorded and this is very
18 important, when you get to the microphone, state your
19 name, your division number and if you are from a
20 multiple craft division, state which craft you
21 represent first so that the court stenographer can
22 identify each of you for the record.

23 We have set up microphones one
24 to four. The only time you can get to the front of
25 the microphone is if you want to make a point of order,

1 point of information or second a motion. You may
2 step in right in front of the microphone and make your
3 point of order.

4 Pour être bien compris quand vous
5 allez au microphone, si vous avez des motions, des
6 résolutions, des amendements, vous allez dire votre
7 nom, le numéro de votre division, puis si vous êtes
8 d'une division qui a des multiples crafts, des
9 multiples employés, vous dites lequel vous représentez.

10 S'il y a une lignée au microphone et
11 que vous voulez faire un point of order, un point
12 d'information, ou vous voulez seconder une motion, vous
13 avez le droit de passer en avant des autres et aller
14 directement au microphone pour faire votre point
15 d'ordre.

16 The next thing we want to bring up to
17 you is we will be using -- you all have a copy of the
18 Rules of Order. The Executive Board will look at this
19 with the help of our Parliamentarian that look at what
20 we call the old rules of order, the one that has been
21 used for years and years. BLE had 140 years of history
22 using the said Rules of Order. Most of us are used to
23 that and most of you have been delegates to the BLE
24 before and you know these Rules of Order.

25 So under Section 14, paragraph 13 of

1 the TCRC Bylaws, we have adopted these Rules of Order
2 for this convention. You must understand that these
3 Rules of Order are supported by the Robert's Rules of
4 Order. If something is not covered by the Robert's
5 Rules of Order, these bylaws, you refer to the Robert's
6 Rules of Order.

7 That will be the duty and
8 responsibility of Mr. Shields to make sure that we
9 follow these Rules of Order and Robert's Rules of
10 Order.

11 Pour les délégués francophones, vous
12 avez reçu une copies des règles et statuts pour cette
13 convention qui vont être suivis. Ils sont supportés
14 par ce qu'on appelle les Robert's Rules or Order.

15 We are sorry because Robert's Rules
16 of Order, we tried to get a translation for them and
17 there is no translation.

18 There is another one called Martin,
19 which is almost the same but we cannot use les Martins.
20 On ne peut pas utiliser ces règles-là. Donc, vous
21 allez avoir votre set des Robert Rules of Order en
22 anglais, et vous avez vos règles pour la convention en
23 français. On va essayer de travailler avec ça.

24 The working hours for the convention,
25 as stipulated in our Bylaws, are 9 o'clock until 11:30

1 and recess back at 1300 until 1700.

2 Today we will work because we had
3 this problem to start the convention. We had this
4 problem because Parliament is in session, and the
5 traffic and people coming in. So Richard made the
6 decision to start this convention at 10 o'clock today.
7 We might overlap until 12:00. We will make sure that
8 you get an hour and a half lunch and we will carry on
9 from there.

10 Tomorrow we will have the usual time,
11 9 o'clock until 11:30 and 1300 to 1700.

12 Aujourd'hui, on a fait une exception,
13 on a commencé à 10 h 00. Demain matin, ça va être de 9
14 h 00 à 11 h 30, et de 13 h 00 à 17 h 00.

15 Maintenant, j'aimerais demander au
16 confrère Dyon de donner des explications sur la méthode
17 de paiement.

18 I will ask Brother Dyon to give you
19 some information on your payment as delegates.

20 SEC. TREASURER DYON: Daily rates
21 were set at \$280 a day, expenses per diem \$70 a day,
22 and we set another one for the travelling for regions.
23 Nova Scotia and New Brunswick is \$400; Quebec and
24 Ontario is \$300; Manitoba and Saskatchewan is \$400;
25 Alberta \$500, and British Columbia \$600.

1 I guess everybody received their
2 cheque yesterday. You will notice that we paid 5 days
3 at the delegate's rate. So, it's 3 days for the
4 convention and one day for travelling before and one
5 day for travelling after.

6 If, for any reason, the expense
7 allowed in the travelling portion is exceeding the
8 amount that we gave to you, you can go to the office
9 and take a form like this. What we will do, we will
10 reimburse the difference.

11 So it is strictly for the expense
12 of travelling. So, home to airport it takes
13 37.5 cents to the click, airport to home, airport
14 parking, taxi from the airport to the convention, taxi
15 back and the airfare.

16 The form is quite easy to complete.
17 The thing is, we are asking here to take the allowance
18 that we already paid. You will do your calculation
19 minus the allowance and that is what we are going to
20 give you. It is very important to give us receipts on
21 the airfare, taxi and all that.

22 Like I say, you can get the form at
23 the office here. You just fill it out, give it back to
24 Shelley, our Controller, and we will take care of it.

25 I don't think we will have time to

1 take care of it in the convention, but it is going to
2 be our priority to do it next week, first thing.

3 Thank you very much.

4 PRESIDENT HALLÉ: We are right on
5 target with our schedule. It's amazing.

6 The next order of business, which is
7 Order of Business No. 2, is the report of the
8 Credential Committee.

9 As I mentioned earlier, I had
10 assigned Dennis Curtis, our Recording Secretary, as the
11 Chair of the Credential Committee, with Brother Vickers
12 and some others on the Arrangement Committee, plus
13 Brother Mike Wheten as one of our trustees.

14 So we will ask Brother Curtis to come
15 and give us a report of the Credential Committee.

16 REC. SECRETARY CURTIS: Welcome,
17 delegates and guests.

18 The Credentials Committee reports all
19 113 delegates have registered for the convention and
20 all credentials are in order.

21 DELEGATE WHETEN, Division 728: Mike
22 Wheten, Delegate 728, I would like to move that the
23 Report of the Credential Committee be accepted as read.

24 Could I have somebody second the
25 motion please?

1 SEC. TREASURER DYON: No. Brother
2 Handkamer, because it is a report from the committee
3 and Mike is on the committee, you don't need a second.

4 We recognize Brother Handkamer as
5 the second.

6 The Chair recognizes that 98 to
7 100 percent of the delegates are seated right now, if
8 not 100 percent. So we will vote on the motion by a
9 "yea" or "nay" because we don't have a voting machine
10 yet, but we recognize that we have a huge, almost
11 100 percent.

12 So all those in favour of adopting
13 the resolution by Brother Wheten say "yea".

14 DELEGATION: Yea.

15 SEC. TREASURER DYON: Opposed?

16 --- CARRIED

17 SEC. TREASURER DYON: Motion is
18 carried.

19 So we have adopted the report of the
20 Credential Committee. This is the only vote we are
21 going to do like this this week probably.

22 Now, we will move to Order of
23 Business No. 3 which will be to officially call the
24 convention to order.

25 Before we do that, I will ask Mr. Jim

1 Shepherd from the AVW-TELAV to come and explain the
2 functioning of the voting machine.

3 Maintenant, on va procéder à l'ordre
4 du jour numéro 3, qui est, officiellement, d'amener la
5 convention à l'ordre.

6 Avant que l'on fasse ça, je vais
7 demander à Monsieur Jim Shepherd de venir et
8 d'expliquer le fonctionnement des voting machines que
9 vous avez devant vous et le fonctionnement du -- je ne
10 sais pas le nom français -- du chip.

11 Mr. Shepherd.

12 MR. SHEPHERD: Thank you. Thank you
13 all. Welcome.

14 My name is Jim Shepherd. I am going
15 to be explaining the operation of the electronic voting
16 system that we have in place today.

17 In front of you, when you all sat
18 down, there is a keypad there. There is a picture of
19 it up on the screen if you want to know what the parts
20 of it are.

21 But before we get to the keypad, I
22 want to talk about the smart cards you got in the back
23 of your registration badge. There would be a smart
24 card there that has a little gold emblem on it. Okay?

25 Basically, you know how you vote with

1 a book when you have the book of ballots. Well, this
2 is your book of ballots, essentially. This is what
3 gives you access to the voting system.

4 The keypads won't work unless you put
5 your smart card in them. That way we have one man, one
6 vote. We don't have people sitting there with three
7 keypads voting with an inappropriate or a heavier
8 weight than others.

9 So the purpose of the smart card --
10 and I want you to remember this for the duration of the
11 convention, keep it with you, keep it on you so that
12 when a vote is called you are ready to proceed.

13 It is not tied in any way to the
14 machine that is sitting in front of you. So if you
15 happen to be over talking to a friend at the time that
16 a vote is called, pick up the nearest machine, put the
17 smart card in, it means that the card has now
18 authorized that unit as a legitimate vote.

19 So that is the purpose of your smart
20 card, is so that we know that you are voting, not what
21 you are voting, but that you are voting.

22 All right. The smart card slot is at
23 the top of the unit itself. When you put the card in,
24 make sure that the gold emblem is facing towards you as
25 you are looking at the screen of the card.

1 Slide the card into the machine like
2 that and it should come back with a welcome message.
3 That will show up in the display window.

4 The keypad itself is backlit. If you
5 are sitting in an area where it is not as bright as you
6 would like, you just press the big button in the
7 centre, the soft key, it is the big large button in the
8 centre just below the display. It will activate the
9 backlighting on the keypad so that you can see the
10 keypads better.

11 In your display window you are going
12 to look for a couple of things in there. First of all,
13 that there is in fact a display which means your
14 batteries are good and that's a good thing.

15 The second thing is, when you make
16 your selection for your vote, because you will see on
17 there that there isn't a "yes", a "no" or an "abstain"
18 key, what you are going to be looking for is the number
19 that corresponds to your choice.

20 So this is what we are going to start
21 with. This is a sample question: Are you enjoying
22 Ottawa so far? As a lifelong resident, I hope the
23 answer is overwhelming yes and, if it's not, let me
24 know what I can do to make your stay better.

25 We are going to open up the

1 voting now. At the bottom of the screen you will see
2 that there is a ready cue. That means that we are now
3 ready to vote.

4 So insert your card into your
5 machine, select the option that you prefer, whether
6 it's 1, 2 or 3, corresponding to a yes, a no or an
7 abstention. Enter that number now onto your keypad
8 with the card already inserted.

9 You will see where it says "vote
10 open" that the green bar is growing. That green bar
11 corresponds to the number of votes received. In other
12 words, until that green bar is fully gone green, right
13 up to the red tip of it, we know that not everybody has
14 voted yet.

15 We currently know that there were
16 113 registered delegates in the room. We have
17 113 keypads available for your voting. So when that
18 number has filled, we will know that everyone has
19 voted.

20 We can introduce a timer if you like,
21 if that is something that you want to do later, just so
22 that we can keep moving along. But as a way of
23 recording an accurate number of votes, this works
24 quite well.

25 So is there anybody who is having any

1 difficulty at this point with this procedure?

2 MR. SHEPHERD: I'm sorry, you have a
3 machine? Can we get another keypad out? It looks like
4 we might be missing one.

5 Pierre, you will have to reboot.
6 Okay, sorry.

7 Just so that you know, this is not
8 unplanned. Pierre is sitting at the tech table over by
9 the wall. Pierre is operating the system for you. If
10 I'm not here, which will be in a very short amount of
11 time, if ever you are having any difficulty with the
12 machine just hold up your keypad and Pierre or one of
13 our staff will attend to you right away. Okay?

14 So there is a keypad on its way
15 to you.

16 Do you need to re-roster now? No?
17 You are okay? It's live. Okay.

18 So just insert your smart card again
19 with the gold facing you down, so that the gold just
20 goes into the machine.

21 Now, those of you who have already
22 voted, you will say on your machine that it says
23 "valid", meaning you have selected a valid entry.

24 Before we close out this vote, I just
25 want to touch on two more things.

1 The machine knows, the voting system
2 knows you have one of three options in this case, okay,
3 so it's a 1 a 2 or a 3.

4 If you press 4 on your machine now,
5 what does it say?

6 Invalid. Okay, so now you know your
7 machine is now talking to the receiver and saying,
8 "Okay, you have made an invalid choice".

9 Okay, so here is the last thing.
10 Whatever the last number you press is, valid or not, is
11 going to be your vote. So in this case if you want to
12 say "yes", if you want to say "no", or if you want to
13 abstain, before the voting closes visually look at your
14 keypad and make sure that it says what you want it to
15 say to preserve -- if you want to, you can just turn
16 the unit over once you have voted. Once you have
17 verified that it's there, turn the unit over and you
18 know that it has voted and you don't have to mess
19 around with it any more.

20 So we are going to go ahead. Has
21 anybody not voted yet? We are all good? Okay, let's
22 display the results. Okay. So there are 18 people
23 that I need to talk to after to find out what it is
24 about my city that you are not happy with. But
25 otherwise you can see here the results come up

1 immediately, so you will be able to know right away.
 2 So at this point in the meeting,
 3 if this was an actual motion, as the Chair, I would
 4 say "With a margin of 81 "yes", 7 "no", 11
 5 "abstentions", the motion is carried, if we were
 6 voting on a motion now.

7 Let's try another one. Here's one:
 8 Do you like your employer?

9 What day of the week? Okay. Well,
 10 we are going to ask this as if it was today. So we are
 11 going to go ahead and open up the voting again, please.
 12 If you could all please enter your selection. Now
 13 again, your access card has to be into the machine so
 14 your vote will be registered.

15 That's filling up awfully fast. I
 16 sense I know how this one's going to turn out, too.

17 There we go. Now, on the up side,
 18 more people like their employer than disliked Ottawa.
 19 I'm wondering if that means -- no, I don't to read into
 20 the results. That's interpretive.

21 This is the next question here. When
 22 we get to the actual voting on the resolutions, what we
 23 are going to have is, the text of the resolution is
 24 going to be displayed on the screen right up until the
 25 vote opens. Once the vote opens this is what the

1 screen's going to look like. You are going to have an
 2 indication of the resolution number, paragraph and
 3 section, and then you are going to have whether "yes",
 4 "no" or "abstain".

5 So as if we had finished, closed
 6 debate, and the motion carried and we are now moving
 7 the -- after the motion, it's motion second, and then
 8 you open the vote. Right?

9 Okay, so we have opened the vote on
 10 Resolution XX, paragraph 7, section 2.

11 Please enter your response, whether
 12 you are in favour or not of moving this forward.

13 We are going to do another vote now
 14 just so that you can see that this is what the actual
 15 resolution voting would be like. There are a number of
 16 different styles of question, but essentially this is
 17 the template that we are going to be working with.

18 Again making sure that the smart
 19 card -- by the way, for those of you who are like me
 20 and want to know what that red bar is at the end, we
 21 have more keypads. Obviously, we have some spare
 22 keypads here in case there are any difficulties with
 23 any of the existing keypads. The idea is that red bar
 24 represents the keypads that are part of the system,
 25 that it knows are there, but are not active. Okay?

1 So in this case we have 57 plus 30 is
 2 87, plus 23 -- 87 plus 23 is 110.

3 Did I do that right? 57 plus 23
 4 would be 80, 80 plus 30 would be 110.

5 So on that last vote we have
 6 110 vote registered.

7 So are there any questions? Go
 8 ahead.

9 UNIDENTIFIED DELEGATE: I have a
 10 message symbol on my keypad. Does that mean anything?

11 MR. SHEPHERD: A message symbol?

12 UNIDENTIFIED DELEGATE: (Off
 13 microphone).

14 MR. SHEPHERD: Oh, no, no, that
 15 doesn't. No, that doesn't mean anything. Sorry, no.

16 There's a way that you can use these
 17 to text message. You can use it as a text messaging
 18 tool, but in this case it wouldn't be applicable.

19 Are there any other questions? Yes.

20 UNIDENTIFIED DELEGATE: If you
 21 accidentally hit the wrong button, that still stays as
 22 what you vote?

23 MR. SHEPHERD: Which is why I said,
 24 before the voting closes, look at the display screen
 25 and make sure the number that you want is the number

1 that's showing, because the last number you press is
 2 the number that registers as your vote.

3 UNIDENTIFIED DELEGATE: If somebody
 4 asks for a recorded vote, like in our constitution,
 5 will they be recorded?

6 MR. SHEPHERD: Yes, it will, yea, and
 7 we will be turning that information over. That will be
 8 done as a stand-alone. We are not doing everything
 9 like that. That would just be done as a standalone.

10 UNIDENTIFIED DELEGATE: (Off mic...)
 11 I can ask for a recorded vote?

12 MR. SHEPHERD: We can accommodate
 13 that, for sure.

14 Is there anything else? Yes.

15 UNIDENTIFIED DELEGATE: Will the
 16 results be displayed like they were when we tested?

17 MR. SHEPHERD: In terms of the number
 18 of votes cast, yes, they will. Yea.

19 Go ahead.

20 DELEGATE SINGER, Division 563: I
 21 think it's more a question from the presiding officer.
 22 President Gilles, how will we know that everybody that
 23 wants to vote has voted on a question?

24 PRESIDENT HALLÉ: Can you get to the
 25 microphone, I can't...?

1 DELEGATE SINGER, Division 563: The
2 question was: how would we know that everybody that
3 wants to vote on a question has had an opportunity to
4 vote before the voting is closed?

5 PRESIDENT HALLÉ: Well, the person
6 will see on the keypad if the vote has been accepted,
7 my understanding. You see on your keypad if you vote
8 has been registered. If there is a call for a recorded
9 vote, we will have a printout that will be attached, if
10 there's a recorded vote asked for. In that vote by
11 50 delegates, we will have a printout at the back of
12 the proceedings with the recorded vote, by division.

13 MR. SHEPHERD: Is there anything
14 else? If not, thank you very much for your time. I
15 hope you enjoy your stay, all of you enjoy your stay in
16 Ottawa, and Pierre will be here to help you out with
17 anything you need as the convention proceeds.

18 Oh, yea, sorry, go right ahead.

19 UNIDENTIFIED DELEGATE: Still on the
20 election of officers, you were saying it is a recorded
21 vote, so how would we have a secret ballot?

22 MR. SHEPHERD: Sorry?

23 UNIDENTIFIED DELEGATE: We are voting
24 for the election of officers, so are we going to have
25 an election of officers on this, Jim?

1 PRESIDENT HALLÉ: Can you get to the
2 mike and give your name?

3 DELEGATE ABLE, Division 322: Dave
4 Able, 322, Engineers. Is this going to be for voting
5 for officers, as well?

6 MR. SHEPHERD: Yes, it is.

7 DELEGATE ABLE, Division 322: So how
8 would we have a secret ballot?

9 MR. SHEPHERD: Because we don't
10 record who's voting what. This just becomes a generic
11 access card. We are not recording your vote tied to
12 your card, we are just saying, "This is a person who's
13 allowed to vote", but we don't record who does what.

14 DELEGATE ABLE, Division 322: You say
15 that we have recorded votes. Right?

16 MR. SHEPHERD: When it's requested,
17 we turn that one, like, we access that and we make sure
18 that's recorded that way on the voting procedure.
19 Otherwise, it's just a "one card one vote" system.

20 DELEGATE ABLE, Division 322: Okay.

21 MR. SHEPHERD: Oh, yes, I will be
22 back before that anyway to go over all that, just so
23 that you can see. We will show you some of the actual
24 working screens of the machine so that you can see how
25 we are doing a recorded vote versus how we do just the

1 regular votes. Okay?

2 All right. Well, thank you all
3 very much.

4 --- Applause / Applaudissements

5 PRESIDENT HALLÉ: Brothers, Sisters,
6 please, they are going to prepare for the next step,
7 the first question.

8 Est-ce qu'il y a des questions des
9 membres francophones à propos des machines, de la
10 manière que la machine fonctionne? Tout le monde a
11 bien compris?

12 Okay. We are going to move to order
13 of business number three. It's to officially call this
14 convention to order. To do that, we need to have a
15 vote that will be used as a roll call. The vote, in my
16 understanding you will say you are present, c'est ici
17 or you are absent.

18 We will have the question, and some
19 things that we will explain later like you see there is
20 30 seconds to vote in a question. Sometimes we will
21 start with a longer period of time, but we will
22 probably reduce that period of time because this vote
23 can be done in 15 seconds. That's why we are using
24 this machine.

25 So if you can put the question?

1 --- Off record discussion / Discussion officieuse

2 MR. SHEPHERD: The idea here is to
3 not put a negative option on there because obviously if
4 you are not here you can't vote.

5 So the idea is we just -- the way the
6 system works, to do this question we have to have at
7 least two choices. So we have just named both choices
8 the same thing, one en français and one en anglais.

9 PRESIDENT HALLÉ: Okay. So vote --
10 question microphone two.

11 MR. FRASER: Ron Fraser, 821
12 Conductors, Kamloops.

13 I would suggest this one is a
14 recorded vote as then we know who is here.

15 PRESIDENT HALLÉ: There is a
16 question for a recorded vote so we can see who was
17 at the opening.

18 Is that what you mean, Brother?

19 MR. FRASER: (Nodding yes).

20 PRESIDENT HALLÉ: Okay.

21 Would you put the question for a
22 recorded vote?

23 --- Pause

24 PRESIDENT HALLÉ: Brother, we
25 are just taking attendance at the moment to have a

1 quorum to officially open the convention. So it will
2 show attendance and after that the convention is
3 called to order. The convention is not in order yet
4 because we have to do this, this official attendance,
5 the roll call to have the quorum to call the convention
6 to order.

7 We will proceed with that.

8 You have a mike one.

9 UNIDENTIFIED DELEGATE: Okay. So the
10 purpose of this vote now is to just do the attendance
11 vote -- is what we are on right now?

12 PRESIDENT HALLÉ: The attendance vote
13 because we are not in --

14 UNIDENTIFIED DELEGATE: Okay, sorry
15 for --

16 PRESIDENT HALLÉ: -- session yet and
17 you will see we have 113 delegates according to the
18 credentials. So I will ask will the 113 delegates --
19 please vote to see if we have a quorum.

20 Start the machine. Please vote.

21 --- Pause

22 PRESIDENT HALLÉ: Okay. There is
23 110 delegates that have voted. Brother Wheten told me
24 he doesn't have his machine yet so that makes two
25 delegates that doesn't vote. So we do have a quorum.

1 There is one missing there and there
2 is one missing there.

3 UNIDENTIFIED DELEGATE: If you
4 perhaps raise your hand we are going to (inaudible)
5 machine over to anyone.

6 PRESIDENT HALLÉ: Brother Wheten at
7 the front is on the Executive Board and he doesn't
8 have his machine yet, and there is two other Brothers
9 missing so we do have a quorum with 110 delegates
10 sitting.

11 So whenever you leave the room, make
12 sure that you either have your keypad with you or at
13 least that you have your chip because it's very
14 important, and at the end of the convention make sure
15 that you turn your voting machine back and the chip
16 because we will be charged for that. And we know by
17 the chip number the delegate that didn't turn it back,
18 so Richard said he will charge the division. This is
19 your responsibility to bring the chip and the voting
20 machine back.

21 Now, we are officially in session and
22 I would first like to introduce our first speaker, and
23 I will say a few words about this man.

24 It has been a great pleasure -- a
25 great, great pleasure for the last five years to work

1 with him and he is a so dedicated person and I call him
2 the 7/24 guy. I mean, he looks to me like a
3 railroader, a running trade where he is on duty seven
4 days a week, 24 hours a day. It's non-stop and,
5 especially over the last few months, we have done a lot
6 of work together. He went through good times and bad
7 times in his personal life and I saw him and -- like
8 the loss of a close, close friend; the birth of
9 grandchildren. It is non-stop for this man.

10 Even this weekend I talked to him
11 late Friday night, during Saturday, Sunday, and I can
12 give you a little background. A couple of weeks ago I
13 said, "Listen, I will be in Montreal tomorrow. We need
14 to talk. We have to talk about this UTU aspect" and he
15 said, "Okay. I'm flying early to Toronto. I'm
16 supposed to be back that evening", but he called me
17 during the day. I called him in the afternoon. He
18 says, "Okay. I will change my flight. We will get
19 together tonight in Montreal for dinner". And around
20 seven in my room, he called me. He says, "Okay. I'm
21 coming". I said, "Are you in town?" He said, "No, I
22 had to go to Laval" which is north of Montreal "because
23 I have a brand new grandson. I had to go to the
24 hospital and see how this grandson is going. I want to
25 see it myself because you know that's my grandson

1 number six or seven, whatever" and he rushed back.

2 So we sat downtown from eight till
3 eleven and we discussed strategic planning on that
4 issue together and he left. That was past eleven.
5 So that's the man. That's the man. And again, last
6 night we worked until late talking and this and that.

7 So it is a great pleasure to
8 introduce my 7/24 President of Teamsters Canada,
9 Robert Bouvier.

10 --- Applause / Applaudissements

11 TEAMSTERS CANADA PRESIDENT BOUVIER:
12 Thank you.

13 Well, I will make it loud and clear.
14 I'm not a martyr and if I leave my cell open it's also
15 for answering all my calls but also my wife calls me
16 once in a while or maybe a little more than that. And
17 it's true that I am very happy to be the grandfather of
18 seven grandkids and effectively I did lose my best
19 friend at the Union about three weeks ago. But life
20 goes on and it's an honour and a pleasure to be here.

21 A lot of times when I do these
22 presentations, sometimes I say I might write something
23 down but I'm no good at it. It got to come out from
24 the guts. Otherwise, I'm just no good at it. So we
25 will let you have it the way it is, have it the

1 Teamster way.

2 First, I guess I want to talk to you
3 about the structure of our organization. I know a lot
4 of youths who have been to our convention, either to
5 Teamster Canada Convention or who have been to our last
6 international convention where I had the honour with
7 myself and the two other Canadian vice-presidents to be
8 elected by acclamation without opposition.

9 So thank you to all of you. It was a
10 great honour to be able to represent you and, you know,
11 you have got to be very humble in those situations.

12 Having the privilege and the honour
13 to address a crowd like you, just shows that the only
14 reason you even do it, because you have decided that's
15 the way it was going to be, because the members and the
16 delegates decide. So you can't brag when you are here.
17 You should be almost as humble as you can because you
18 are only the reflection of the people that gave you
19 their confidence.

20 So it's an honour and a pleasure and
21 very humbling to address you.

22 Teamsters Canada is a body in Canada
23 with about 125,000 members, spread from Newfoundland to
24 Pictou, all the way out to the west coast, B.C. and
25 Victoria, and everywhere across Canada.

1 We have about 30 local unions, and
2 different crafts and trades.

3 We are a body of consultants.

4 Teamsters Canada is a service body.
5 Teamsters Canada is there to service the local unions,
6 the joint council, the membership, in any capacity that
7 it can, but based on issue, upon the demand that we get
8 from the local unions, the joint council, the divisions
9 and whatnot.

10 Our structure -- and I don't think
11 it is much different from what you had in your prior
12 structure -- local union autonomy or craft autonomy,
13 and all of that, is sacred cow, and nobody can touch
14 that.

15 I am from a local union. I had a
16 huge local union in Quebec, which had about 16,000
17 members at one time, and autonomy in the Teamsters
18 Union is the greatest thing we enjoy. It is one of the
19 things that you are not even allowed to talk about,
20 touching your local union or division autonomy.

21 Teamsters Canada, itself, is a body
22 of services. We provide services and education through
23 Brigitte Sottile, my Director of Education. She has
24 quite a bit of experience in workers' compensation.
25 She is also an attorney, and she provides education

1 seminars for whoever asks for them.

2 We cater to the demands and the needs
3 of the different divisions, local unions or crafts in
4 which you are involved.

5 We also do a lot of lobbying in
6 Ottawa. I have a full-time lobbyist, Phil Benson, who
7 will be here this week. He is already attending
8 something this morning. I had breakfast with him, and
9 he is attending some committee in Ottawa on air quality
10 in the airline industry, or something like that.

11 We have a full-time lobbyist who
12 lobbies every party in the House.

13 We have no political affiliation. I
14 have my own; you have your own. Teamsters Canada
15 doesn't get involved in that stuff. We don't support
16 the NDP, the Grits, the Conservatives or anybody else.
17 We think that parliamentarians are only here for a
18 while, and we have to deal with whoever is in power.

19 Personally, anybody can do whatever
20 they want. You will never see, in anything that I
21 write anyway, nor will you see in the magazine where we
22 express any preference for anybody.

23 We have to work with whoever is
24 there. We might not like the guy that is there, but
25 what else can we do. We have to deal with the people

1 that are in power.

2 We still have to deal with the
3 Minister of Transport, and the other different
4 ministries. We have to deal with those who are in
5 power. So Teamsters Canada's philosophy is that we
6 don't engage in partisan politics.

7 That is for the structure of the
8 organization. As far as every individual is concerned,
9 go ahead, that's the way you should do it, and you
10 should get involved personally, according to your own
11 feelings and what you want to do.

12 We also have a Communications
13 Department. You will see a young man taking pictures.
14 He is Stephan La Croix from my office. He is in charge
15 of the magazine or any type of communication that you
16 might see -- our website, or somebody that needs
17 assistance as far as the computer system is concerned.

18 We are there to assist -- again, upon
19 demand. You don't want; we don't supply.

20 I don't mind. It's less costly. I
21 don't have to send him all over the country, so I save
22 a little bit of money.

23 On the other hand, whatever is
24 needed, we are there to help. We are strictly there to
25 help.

1 We also are involved in national
2 negotiations; not in divisions like yours, but, for
3 example, the courier business, for UPS or Purolator.
4 They are certified under what we would call the Canada
5 Council of the Teamsters, which represents every local
6 union.

7 I have a full-time director who runs
8 the division, what we call the Small Parcel Division.
9 We have about 16,000 or 17,000 members involved, and we
10 do national negotiations. The Executive Board of the
11 Canada Council of the Teamsters is also the Executive
12 Board of Teamsters Canada.

13 We also have division meetings for
14 the different divisions, be it the dairy division, be
15 it trucking or freight. We have an airline division.
16 We have different meetings with different divisions.
17 At times I assign staff, whenever required by the
18 divisions, to help in their endeavours.

19 We also have a strike fund. The
20 strike fund is for those who participate. Again, it is
21 voluntary. You pay; you get the money. You don't pay;
22 you don't get the money. It's as simple as that.

23 It is a totally separate fund from
24 the operation of Teamsters Canada. For members it is
25 \$2 a month, and then, when they are on strike, they get

1 \$200 a week. The fund at the present time has
2 approximately \$26 million or \$27 million in the bank.

3 The money is not in the stock market.
4 Don't worry about it. The money is not in anything but
5 certificates and deposits. The money is in the bank,
6 it's cash, it's available, and we pay from the strike
7 fund \$200 a week through our office, for those who
8 participate.

9 I understand that some of the
10 divisions or some of the crafts, which are not allowed
11 to strike, are not participating in the strike fund.
12 That's okay. I have no problem with that.

13 It is available for those who want to
14 participate. Again, it is a decision of every
15 division.

16 I will go on a bit to talk about what
17 happened with the Rail Conference since we merged in
18 2004.

19 We had the great honour and the great
20 privilege as Teamsters to see the BLE merge with
21 Teamsters. I think it is a natural fit. Some of them
22 would have said, "These guys are on rubber. We are on
23 steel," and all that stuff. "Rail is in competition
24 with trucks, and trucks are in competition with rail."

25 That's a lot of baloney. There will

1 never be a train that will deliver to the backyard of
2 this hotel, and there will never be a truck that will
3 carry 150 cars down the road like you guys do with
4 rail.

5 I think it's a complement. Now, with
6 intermodal and all of this stuff, I don't think we are
7 hurting, and I don't think the rail industry is hurting
8 very much from what we have been reading in the paper.
9 They are always bragging about the money they are
10 making, so everybody seems to be very happy in the
11 situation.

12 What have we done since we merged?
13 What have we accomplished together?

14 First of all, after we merged we had
15 our friend from the UT unit give us a good kick
16 somewhere -- you know what -- by raiding us and taking
17 us to a vote at CP with the conductors. Straight raid.

18 Too bad they lost. We won. You won.

19 It increased your membership by a
20 lot. Originally you were about 4,000. I don't have
21 the exact number. It was basically the number of
22 engineers. Suddenly, you wound up being 7,000.

23 Following that, not too far down the
24 road, we had a merger with BMW. But we had to raid,
25 and we had to have a friendly raid and arrangement with

1 the BMW's Freddie Simpson, who is the President of the
2 Grand Lodge. At the end of all of this ordeal, we are
3 now representing the BMW at CP, with roughly 3,000
4 members.

5 We also had the chance of organizing
6 all of the short lines. I can tell you that your
7 brothers in BMW, as much as yourselves, have organized
8 a lot of short lines.

9 I always say to Gilles, or anybody
10 from TCRC: There is no such thing as small groups.
11 There are workers, and that is all there is to it, and
12 our job is to represent them.

13 So we were very successful -- you
14 were very successful in organizing a lot of these small
15 short lines, which do increase the membership, but
16 that's not the only thing. It increases union density,
17 and our density within the railway industry. It
18 increases our power toward the employer.

19 For those who think that these are
20 still the old days when we can say to the boss, "He's
21 good. We are good," and everybody is happy -- we have
22 been kicked around long enough, and it's time to fight
23 back.

24 Fighting back doesn't mean going out
25 on the street and saying that we are going to hold a

1 wild-cat strike tomorrow and shut down the country the
2 day after, but it is to fight for our rights.

3 Employers recognize your rights.
4 They recognize that they can fight with you on equal
5 ground. It is strictly not a matter of money, it's a
6 matter of numbers. If you have the numbers, you have
7 the power. If you haven't got the numbers, you haven't
8 got the power.

9 Does it make sense or not? That is
10 totally irrelevant. That's the way it is.

11 When we go to Parliament Hill, and I
12 want to talk to the Minister of Transport, if he
13 doesn't want to talk to me, I can tell him, "I will
14 shut down the god-damned airports if you don't want to.
15 I will shut down the rails. I will shut down the
16 trucks and the couriers."

17 I don't say that I will do it. He
18 will listen to me, and not because I am Bob Bouvier.
19 That has nothing to do with it. It's just that he
20 knows that we have those vital parts of the economy and
21 he will have to listen. Basically that's what it is.

22 We can't say, "We will throw \$1
23 billion in your coffers for your election." We can't
24 tell him that we will do this or that. That is not our
25 kettle of fish.

1 We are perceived as a party on what
2 we represent, and that is why we have to grow, and that
3 is why you have grown.

4 I am happy to report that, at the
5 present time, the TCRC has about 11,000 members --
6 probably 14,000 very shortly, because those who raided
7 us, we might want to do the same thing.

8 If I say anything in my speech, it is
9 that I don't mind a good fight. Let's have fun and do
10 it.

11 That's probably why I am still doing
12 this job, because I enjoy it. I don't get up in the
13 morning and say, "I don't want to go to work." I enjoy
14 getting up in the morning and being happy to go to
15 work, and being happy that, at the end of the day, we
16 have accomplished something for the people we
17 represent.

18 When we leave office after the many
19 years we spend in this job, the only thing we can
20 remember is not that we sold a company for 40 million
21 bucks and we have \$25 million in our own pocket, it is
22 what we have accomplished for the people we represent.
23 That is basically our job, nothing else. Do the best
24 we can for the people we represent.

25 Grant you, we will never be able to

1 please everybody. It doesn't matter who you are.

2 Union guys have a great tendency,
3 when we have a contract ratified by 90 percent, to go
4 to a bar and talk for four hours about the 10 guys who
5 voted against the contract.

6 I used to do that 15 or 20 years ago.
7 I can tell you that now I don't. If I ratify a
8 contract by 90 percent, I go home, I am very happy, and
9 I forget about the 10 percent.

10 There will always be a percentage who
11 will not be satisfied. That's okay, it's a democracy.
12 They are entitled. They don't have to like you or like
13 me. That's the name of the game.

14 But, at the end of the day, when you
15 go home and you say, "Ninety percent of the people
16 ratified the contract," you have to be very proud of
17 what you have accomplished with your brothers and
18 sisters in doing this job.

19 What are the challenges ahead? It's
20 very simple. A lot of times, talking about the union,
21 it looks complicated. We have bylaws and a
22 constitution. I call it constipation, personally.

23 Nobody wants to read the constitution
24 and the bylaws, but what are we all about? It's very
25 simple: organize the unorganized, maintaining union

1 density so we can fight with the employer.

2 If tomorrow morning 80 percent of the
3 rail workers were not unionized, do you think you would
4 get the same wages and condition you have now? No way.
5 There's no way you could get it. How can we maintain
6 this? By making sure that everybody's organized, by
7 making sure we fight for our contract and we get
8 respect from the employer at the negotiating table.
9 When you don't have that, you don't have nothing.

10 Yea, a suit. We call them suits.
11 You can do to them, do the nice talking, but you got to
12 walk the walk and talk the talk and be able to sit in
13 front of those employers. They will respect you for
14 what you have accomplished. Because they look at us,
15 the way we operate. They like what we are doing. They
16 like what you are doing. And we can together, cause
17 then nobody can stop us.

18 Sure, we have got our ups and downs.
19 We do have that, like everybody else. But tell me how
20 many companies have survived over a hundred years.
21 They don't survive one generation. We have seen some
22 of the major ones falling apart, going bankrupt. We
23 haven't. We are still around and we are still growing.

24 So it means that we are here today,
25 we are going to be there tomorrow, and we are going to

1 be there after the day after tomorrow. Our great
2 responsibility is to turn over in our organization,
3 whenever it's time to pack it in, each and every one of
4 us, to say to the other guy that's come or the other
5 that's come in behind us, "Here is it, now you move it
6 a little further down the road to make sure that our
7 family, our kids, our grandkids, have a working
8 environment with dignity, security of the workplace and
9 be able to feed and send their kids and have the
10 Canadian dream of having a good family, having good
11 housing and be able to enjoy it". So this is basically
12 what we have to do.

13 In conclusion, what is the strength
14 of our organization. We are a lot stronger since you
15 joined us. There's not doubt about it. We don't put
16 our head in the sand. We were strong, but not that
17 strong. We are a lot stronger now, and we will be
18 tomorrow, for the simple reason we control a vital part
19 of the economy.

20 You are a member of the strongest
21 union in Canada, and that's not to brag. Who else has
22 the power of stopping the economy: stop the rail, stop
23 the trucks, shut down the airports, because we
24 represent the majority of the screeners at every
25 airport.

1 For example, when you go through
2 Toronto, all the people that are screening you, they
3 are all teamsters. You go to Calgary airport,
4 Edmonton, some others, Winnipeg, I think, we are
5 involved in all those. We are strong. We don't have
6 to flex our muscle every day. The people in front of
7 us know that we are strong because we are together.

8 So, again, it's a great pleasure and
9 great honour to be here, and let me just address my
10 friend from Quebec, because, as you can understand, I'm
11 a Frenchman, from Montreal.

12 A tous les gars du Québec -- je ne
13 sais pas s'il y en a parmi vous autres qui avez un
14 petit peu de problème avec la langue anglaise -- juste
15 pour vous dire un petit peu, en résumé, que ça toujours
16 été un honneur de pouvoir s'adresser aux gens dans une
17 assemblée comme celle-là, surtout quand t'as eu
18 l'avantage d'être élu par tes confrères, puis d'être
19 capable de t'adresser à tout le monde et de le faire
20 avec humilité. C'est la seule raison que tu peux faire
21 une adresse ou de parler aux gens, faire un discours.
22 C'est parce qu'ils t'ont donné l'avantage ou le
23 privilège de les représenter.

24 Comme j'ai mentionné, on a différents
25 services aux Teamsters qu'on donne, autant à

1 l'éducation que la communication, les journaux, la
2 formation, l'aide en cas de grève et différents sujets
3 qu'on peut faire.

4 Puis on est beaucoup plus fort depuis
5 qu'on s'est fusionné ensemble, et vous nous avez aidés
6 beaucoup, en vous fusionnant avec nous autres, à
7 augmenter le nombre de membres qu'on représente dans le
8 rail -- c'est-à-dire on n'en avait pas, ce n'était pas
9 bien dure, on avait trois-quatre personnes dans le
10 nord, mais c'est tout - et ensemble, je pense qu'on a
11 fait des grandes choses.

12 Puis on a encore de grandes choses à
13 faire, malgré que les grandes choses qu'on a à faire
14 sont strictement très simples : c'est de représenter
15 les gens qui ont bien voulu nous élire dans les
16 différents postes qu'on détient et de s'assurer qu'on
17 négocie des meilleures conditions de travail pour ces
18 gens-là, et que politiquement, en tant qu'organisation,
19 on n'est pas affilié à aucun parti politique.

20 On est là pour faire affaire avec les
21 gens qui sont élus. On n'a pas de commentaires sur
22 ceux qui sont élus, en autant qu'ils veulent respecter
23 notre agenda, c'est-à-dire de garantir les meilleures
24 conditions pour les familles canadiennes, que ça rentre
25 à l'intérieur de nos idées, et s'ils ne sont pas

1 d'accord, bien, on se battra contre, nonobstant ceux
2 qui seront au pouvoir.

3 Encore une fois, je vous remercie de
4 m'avoir invité, et c'est toujours un honneur.

5 Just in closing, I want to thank you
6 all. It's a great honour and a privilege to be here.
7 I will not be able to attend the rest of your
8 convention because I have to be in Calgary tonight, so
9 I will have to go back to the airport and hit the west
10 coast. And my friends in Calgary are telling that they
11 got snow in Calgary, so I don't think it's -- it's not
12 better than what it is in Ottawa or anywhere else.

13 So, again, thank you. Just a last
14 thing, in closing, you might have some elections, and
15 that's your guys to decide. Teamster Canada doesn't
16 get involved in any election. We won't get involved in
17 this thing. This is your autonomy, your stuff, you do
18 what you have to do. Anybody that calls me, I will
19 definitely call them back. I don't care if there's 5
20 slates, 10, 1. I don't care, I talk to everybody, but,
21 again, make sure -- and none of my staff is authorized
22 to get involved in any politics. They get involved in
23 politics, I get rid of them. It's loud and clear. You
24 are staff, you don't get involved in God damn politics
25 in my organization, the one that I run.

1 There's one that tried that in B.C.
2 I fire him. That's it. This is not our thing. This
3 is your thing. It's just like the local union, the
4 joint council or any body that has their election, it's
5 yours to run. Whatever comes out, we will do what we
6 have to do, but this is clearly -- and I want to make
7 it loud and clear, we don't get involved in those
8 things. That's your town, your kettle of fish.

9 So, again, thank you very much for
10 having me and have a great convention.

11 --- Applause / Applaudissements

12 PRESIDENT HALLÉ: Thank you. I told
13 you my 724 is quite a speaker.

14 Our next guest speaker -- we are
15 right on time and we are doing perfect this morning.
16 Our next speaker is a good friend of mine. I have been
17 working with this Brother for years, when we both sat
18 on the advisory and as vice-president, and when he
19 became president, we worked together. We always
20 maintained an excellent relationship, even after the
21 merger and when we became part of Teamsters Canada.
22 You will see in my report later on, I had to negotiate
23 with him the split of our assets, and I will report
24 that later on.

25 He's a great, great guy, and he's

1 here with Brother Walpert and Rodzwick. I want to
2 introduce the president of the Brotherhood of
3 Locomotive Engineers and Trainmen, Brother Don Hahs.

4 --- Applause / Applaudissements

5 NAT'L PRESIDENT (BLET) HAHS: Thank
6 you, Gilles. We missed you guys in Las Vegas, probably
7 saved you some money, though. I don't think there were
8 very many winners that left out of there, but I felt
9 like I left a winner. Even though I didn't win any
10 thing in the slot machines, to get the honour to serve
11 the Brotherhood for another four years was a great
12 victory for me, personally, and for other members of
13 the advisory board.

14 Everybody on our advisory that wanted
15 to be re-elected, was re-elected. We had two
16 retirements, Raymond Holmes and Paul Wingo, and those
17 guys left of their volition. It was time for them to
18 retire and in their place we got John Tolman elected
19 national legislative representative and Marcus Reuf was
20 elected vice-president. So the rest of the advisory
21 board stayed the same. We had a very good meeting.

22 Mr. Ditzel and Mr. Anderson is
23 helping you here today, and, like Gilles say, if you
24 stay with the running script, the convention runs on
25 time and everything comes off just like it's supposed

1 to do. Mr. Ditzel and Mr. Anderson, I call them the
2 wedding planners, they have got to a point where
3 everybody in the country, all the general committees
4 and all the regional chairmen, want them to come in and
5 help them set their meetings up and run them so that
6 they run like clockwork.

7 Our convention in Vegas, actually, we
8 gave them about a -- about damn near a day quit, I
9 think. We got through in the afternoon and everybody
10 got a nice quit. I felt like a benevolent yardmaster.
11 But, anyway, it worked out real well.

12 So after the merger, you know, we
13 have the TCRC and the BLET, but we are still under an
14 international umbrella of the IBT, so we are still
15 working together, and then whatever happens on one side
16 of the border affects what goes on on the other side of
17 the border.

18 I said, "Well, Gilles, what do you
19 want me to talk about today?". He said, "Well, hell,
20 just bring everybody up to date of what's happened in
21 the last five years, and do it in 20 minutes". Well,
22 when you start looking back at what all has happened,
23 there is a lot of water under the bridge, but I'm going
24 to touch on some highlights, touch on some negotiation
25 situations that we are into in the United States and

1 some stuff that's going on with the UTU, insofar as we
2 are concerned, and give you some ideas about a little
3 bit of where we have been and where we may be going in
4 the future.

5 As Gilles said, subsequent to the
6 merger, we had to sit down with the TCRC and divide up
7 the assets of the BLE. The organizations had been
8 together, the countries had been together for a long,
9 long time, well over a hundred years. So we had to sit
10 down and try to unscramble the egg, so to speak.

11 we sat down at the table like
12 gentlemen and we worked out an equitable distribution
13 of the assets. That has all been done and that is
14 behind us. We continue to communicate on various
15 aspects of things that affect rail operate employees on
16 both sides of the border, and we still have a great
17 working relationship.

18 When you can sit down and divide
19 assets -- and you are talking about money -- and you
20 can do it and leave the room shaking hands and as
21 friends, I think that is a pretty good accomplishment
22 for all of us involved.

23 We had some great things happen since
24 we have divided into the different segments under the
25 IBT umbrella. In the United States we have organized a

1 number of short-line railroads, and many times we have
2 been in competition on those short-line railroads with
3 UTU, and we have won every one that we wanted to win.
4 Every one that we went up against the UTU we were able
5 to win the short-line railroad.

6 I know in Canada you guys were able
7 to win the representation election on the CP Rail. I
8 understand that maybe things are moving in that
9 direction on the CN. I guess nature will take its
10 course and we will see how that comes out. It is up to
11 the members to decide.

12 I am a firm believer that sooner or
13 later there has to be one operating organization
14 representing operating employees on both sides of the
15 border. We are in national negotiations in the U.S. at
16 the present time, and we found ourselves in a
17 situation -- not only ourselves but the UTU both were
18 in a situation that we were both under such attack from
19 the Carriers, such a hostile position that the Carriers
20 took in this round of negotiations that they actually
21 forced the BLE and the UTU to get along, if you can
22 believe that. But they did.

23 We began our negotiations in the U.S.
24 and the Carriers' notices, their National Section 6
25 Notice, had two very major items in it. One was that

1 they wanted to eliminate the Federal Employers
2 Liability Act. That is the act that protects our
3 members and gives them proper compensation if they are
4 injured on the job. The other was that they wanted the
5 right to operate trains at their discretion with one
6 person on the crew.

7 The reason for asking for the
8 one-person operation was that they are trying to
9 develop a train control technology, a positive train
10 control system that would supposedly control the speed
11 of a train. If an engineer exceeded the speed limit by
12 5 miles an hour, it would give a number of warnings.
13 It would slow the train up and actually bring the train
14 to a stop.

15 What we are talking about is an
16 experimental technology that has been developed. It
17 has been tested on the BNSF Railroad and I think now
18 most of the other railroads are working on it too. CSX
19 has had a project. There are two or three different
20 vendors that are trying to develop this technology. It
21 is something that is in the works. It is not a totally
22 developed product at this time.

23 But Carrier obviously wanted to get
24 way ahead of the curve. They said we have a lot of
25 senior employees in the rail industry, and if we can

1 figure out a way to phase these people out through
2 attrition, where nobody will lose their job, we just
3 want the right to phase them out through attrition.
4 Then of course in the next breath they talked about
5 having reserve boards and everything else. Well, you
6 could see what was going to happen in territories where
7 they thought they could, as, for instance, the Transcon
8 from Los Angeles to Chicago on the BNSF. They run
9 stack trains like streetcars through there, one right
10 after the other, and a lot of times no work en route.
11 You get on, you get off, running 70-plus miles an hour.
12 They envisioned pulling the conductors off those trains
13 just about off the bat and running. We have enough
14 protection now. You have CTC and whatever else.

15 So anyway, we found ourselves in a
16 serious situation and we negotiated separate from the
17 UTU for about a year on the one-man operation. In
18 addition to that, they wanted engineers to be in a
19 position to use a remote control in road territory. In
20 other words, you would have an engineer and a conductor
21 on road switchers and locals, et cetera, and both of
22 them would be remotely qualified. The engineer would
23 run the train in the conventional mode out to the job
24 site and from there, if need be, he could get off on
25 the ground and use his remote, or the conductor could

1 use the remote and make his couplings and the engineer
2 could pull it out on the throttle, whatever worked on a
3 given day.

4 So all these things were on the table
5 to be negotiated.

6 Well, as we progressed through -- and
7 we could never really get a written proposal out of
8 Carrier. They just told us what they wanted to do. We
9 found ourselves over a period of time pretty much
10 negotiating against ourselves. They were never giving
11 us any proposals. They were just telling us what they
12 wanted us to do. They would give us a list of all
13 these items that they would like for us to perform in
14 the event that we didn't have a conductor on the job,
15 and they were just so erroneous, some of them, that you
16 couldn't do them, like make rear-end air test. How do
17 you make a rear-end air test when you are on the
18 head-end of the train? You can't be both places. Some
19 of them were just ridiculous.

20 Anyway, as things progressed on, we
21 could never ever get a written proposal out of them.

22 So at the same time they were
23 negotiating with the UTU and the UTU was being led to
24 believe that they were going to be the surviving
25 union -- in other words, they were going to make a deal

1 with the UTU and some way or other they would phase the
2 BLE out over a period of time, something similar as
3 they did with the RCO in the U.S. They would give the
4 work to one organization and the other over a period of
5 time would just die on the vine.

6 Anyway, as things progressed on, it
7 got to a point that they gave the UTU an opportunity to
8 redo their Dues Maintenance Agreement. They had a Dues
9 Maintenance Agreement which required trainmen to pay to
10 the UTU and that thing was about to run out. The time
11 was about to run out. So they said if you will just
12 come down and talk to us on single person operations,
13 we will give you an extension of time on this Dues
14 Maintenance Agreement. So Mr. Thompson said okay, I
15 will go talk to you. So he goes and talks to them.

16 Well, at the end of that meeting he
17 got up and walked out, but he had his extension. He
18 had already got the extension signed beforehand. So
19 that is in place. It is still in place and it has
20 caused us a lot of problems in the U.S., a lot of hard
21 feelings about requiring people to pay dues that may
22 like to belong to another organization. But that is
23 another matter.

24 Anyway, when Paul saw what they had
25 in mind and they told Paul that they wanted engineers

1 to be the guy on the locomotive, be the man that was
2 running the train in a single person operation -- they
3 wanted engineers to be the guy that is running the
4 remote control in road service -- well, all of a sudden
5 he got real nervous. He found out that he wasn't
6 holding all the aces.

7 So at the end of their meeting when
8 the UTU left -- at the meeting before they met with the
9 UTU, they told the BLE we don't need to talk to you any
10 more. We don't need to talk to you any more. We think
11 we have got something going somewhere else. So he was
12 all down in the dumps.

13 So they had the meeting with the UTU.
14 That didn't work out too good and they came back to the
15 BLE at the next meeting and gave us a handwritten
16 proposal that said that the engineers, the BLET, would
17 be the surviving organization. And it had a whole
18 bunch of stuff in there. We would get all this
19 different work, but we would have to go before
20 government agencies, or PEBs, or whatever else, and
21 tell how safe this technology was, and all these
22 different things. It was just ridiculous, something
23 that we just couldn't do. There were some good things
24 but there were some things that we couldn't comply
25 with.

1 So in the interim our BLE wage team,
2 we spent half our negotiating time wondering what the
3 UTU was doing in their negotiations, and I'm sure they
4 were doing the same in ours. So they asked that I
5 write a letter to the UTU and see if we could figure
6 out a way to work together.

7 So I wrote the letter to the UTU and
8 Mr. Thompson wrote me back and told me every bad thing
9 that the BLE had ever done to the UTU going back to 282
10 and whatever else.

11 Anyway, that didn't go very far. So
12 I just buried the letter up. I didn't send it out. I
13 didn't want to do any more polarization of the
14 organizations than we already had in the membership.

15 So I get this at the next meeting
16 that we had in D.C. at the IBT Building, the Carriers
17 finally gave me a handwritten proposal, and it had all
18 these items on there about the BLE being the surviving
19 organization and getting the work on RCO and
20 everything. That was in December and we had another
21 meeting coming up in February and they said I had to
22 give them an answer by that time.

23 Shortly before February I just didn't
24 know what to do. I knew I couldn't do what they asked
25 me to do, so I picked up the phone and called

1 Mr. Thompson and told Mr. Thompson that I had a
2 document that I thought he ought to look at. So I had
3 it faxed over to his office, and after he read it he
4 really knew he wasn't holding all the aces then. And
5 he decided that maybe it was time to try to bury the
6 hatchet and let's see if we could work together.

7 We put out a press release that we
8 were going to start working together for the benefit of
9 all operating employees, all operating employees -- not
10 engineers, not trainmen, all operating employees.

11 NAT'L PRESIDENT (BLET) HAHS: We put
12 out a press release that we were going to start working
13 together for the benefit of all operating employees,
14 all operating employees -- not engineers, not trainman,
15 all operating employees.

16 Well, at the next meeting with the
17 Carriers Conference they were a little upset with me,
18 to say the least. They were real upset. And they
19 said, you know, I broke their, defied their confidence,
20 I shouldn't have said anything to you.

21 And I said, hell, all I ever hear
22 from you guys is you want us to work together. Now we
23 are trying to work together and you are upset, so...

24 --- Laughter / Rires

25 NAT'L PRESIDENT (BLET) HAHS: Anyway,

1 they were really, really angry for quite a while and we
2 didn't have any other meetings for a period of time, a
3 long period of time.

4 Well, as things went along, it became
5 pretty obvious that the carriers, the politics in the
6 U.S. were turning to a point that it looks like in this
7 mid-term election that is coming up in November, that
8 there could be some substantial gains for the Democrats
9 over the Republicans.

10 So, the carriers, you know, had,
11 their first plan was to force all of us, or if they
12 could get one of the operating organizations to make an
13 agreement, to force us into a presidential emergency
14 board and impose it on the other.

15 Well, that wasn't working for them.
16 And the election was fastly approaching. And all the
17 polls showed that things were not going to be the same
18 as they were before and it may not be quite so
19 pro-business as it was before.

20 So, they, all of a sudden, now they
21 have changed their tune and they have decided to meet
22 with us. And we met last, let's see here, we met last
23 week, or was it the week before, in Kansas City. The
24 week of September 4th we met and we had a joint meeting
25 with the UTU.

1 The first meeting we had jointly with
2 the UTU and that was a little big strange for us to sit
3 in the same room with the UTU in negotiations. It's
4 something I have been thinking needs to be done
5 forever.

6 But getting everybody at the table
7 and getting everybody to agree, we almost had to have a
8 gun at our head before we could agree to do that. And
9 we did have a gun at our head.

10 There was going to be no winners.
11 And there was going to be no winners regardless of the
12 BLET was able to get to work or the UTU was going to
13 get to work, both organizations was going to suffer and
14 it would have resulted in one operating organization
15 sometime in the future, no question about it because
16 there are going to be less people in the industry.

17 So we sat down together. Before the
18 meeting I told our guys, I said we need to, let's don't
19 have a UTU on one side and BLET on the other, let's sit
20 together. You know, let's divide up, sit together,
21 show the carriers that we are together on this.

22 And some of our general chairman who
23 had some hard feelings for a lot of years, said, man,
24 you are asking a hell of a lot of us, but we will do
25 it. So they did, they integrated in amongst the UTU

1 guys and we had a real productive meeting.

2 And at that meeting the carriers,
3 when they saw that we were together on this issue and
4 they weren't going to be able to divide us, they
5 withdrew the single man operation for this round of
6 negotiations.

7 And they had previously, they had
8 backed off of the FILA. All the labour, all rail
9 labour stuck together on FILA. I mean it was
10 unanimous. Everybody was absolutely opposed to giving
11 an inch on FILA.

12 I mean we can't even imagine a
13 workplace where we don't have some kind of economic
14 incentive for the railroads to provide a safe
15 workplace. So, we all stood together on that.

16 But, anyway, the carriers pulled off
17 the single person operation, they pulled down their
18 request that engineers use remote and road service and
19 all those kind of things. We are back now to talking
20 about wages and health and welfare.

21 They put a wage proposal on the table
22 that is, it's somewhere in the ballpark. It's maybe in
23 the euchre seats, but it's in the ballpark. We would
24 like to get some more money on the wage side.

25 But the health and welfare is a major

1 obstacle for us and I know I talked to some guys and
2 you have got the same problems in Canada. Our health
3 care is going up. It is somewhere between 10 to
4 15 percent per year and the numbers are just getting
5 astronomical.

6 In the last national agreement, we
7 started making a contribution for the first time.
8 And now we, every time we get a COLA increase, we take
9 a portion of the COLA as our contribution for health
10 and welfare.

11 And the numbers over a period of
12 time, I think there was the CAIRON(ph) Group that we
13 have hired to, outside consultants, said by 2016 if it
14 continued on like it is now, we could be paying four
15 hundred and something a month and we are just not going
16 to do that. We have got to figure out some way to get
17 a cap on that, our contributions.

18 But it is not a railroad problem, it
19 is a national problem. The cost of health and welfare
20 is escalating through the roof. Drugs are very
21 expensive and we don't know exactly yet how we are
22 going to deal with that.

23 But I get the feeling that the
24 carriers are anxious to get on with their business, you
25 know, and that they would like to get an agreement

1 behind them. When you see them bring in all their top
2 players, all their vice-presidents of labour relations
3 and all the folks that are their top people, you know
4 that they are getting ready to do a deal.

5 And so, you know, how are things on
6 the railroad? Hell, they are great. They are great.
7 As great, as great -- I have worked on a railroad over
8 40 years, I have never seen them as good as they are
9 right now insofar as the money they are making.

10 Most of the problems that we have,
11 that we hear, the complaints we hear from the field,
12 they are not about I am not getting to work. They are
13 prosperity problems. I am sitting in the damn
14 sidetrack 15, 16, 17 hours waiting on a ride.
15 You know, there is just so much business out there that
16 our people are being, I think, in a lot of cases,
17 abused, you know, by being left online.

18 And I also think that the railroads
19 are not getting the proper utilization out of their
20 employees. They, you know, they have set up these
21 bureaus to get turnaround time on locomotives, but they
22 have never done anything to have somebody getting
23 turnaround on employees. And then there is a lot of
24 money falling out the bottom.

25 Now, a few years ago when the

1 electrical industries to, generating plants, to get
2 off of natural gas because they raised the damn price
3 so much and go to coal. So, that all bodes well for
4 the railroad.

5 Intermodal is off the scale, they are
6 running so many trains it is just unbelievable.

7 The KCS is trying to open a deep
8 water port. There is a port is already there in the
9 southern part of Mexico on the Pacific side. If
10 they can get that going, they can cut off 400 miles of
11 Chicago.

12 Got a lot to work to do, they have
13 got a lot of track work to do, but they own the
14 railroad all the way down from Laredo all the way to
15 the port. It is a natural deep water port.

16 I think they said there was something
17 like 50,000 containers coming in there now. And they
18 can, and they say that it has the potential to be
19 bigger than Longbeach, in Longbeach, California, which
20 is probably the biggest in the world.

21 So, you know, whether or not that
22 will get off the ground depends on whether or not they
23 can get the money to develop it. If one of the other
24 big railroads, like UP or somebody gets behind them, it
25 will happen and it will happen, I think, in a pretty

1 Southern Pacific and UP merged, I was at a meeting in
2 St. Louis and this bean counter got up and said, you
3 know, the UP Railroad is going to be the first railroad
4 to put a billion dollars on the bottom line. That was
5 in like about '96 or something like that.

6 Well, he missed it; they lost
7 \$300 million that year. So he missed it about a
8 billion-3, but anyway, now they are putting a billion
9 dollars on the bottom line. Not only the UP, all the
10 major railroads are.

11 You are down to four major railroads
12 in the U.S., you know. You have got the CSX and the UP
13 and the BNSF and the Norfolk Southern.

14 And you have got the, KCS is
15 trying to be a player. They have got, they have
16 positioned themselves to be a player but they just
17 don't have much money. But they have put themselves in
18 a real good position.

19 Then you have got the Canadian
20 National, it's doing their best to do a NAFTA route to
21 get back into, from Mexico to Canada. And so there's,
22 things are just great.

23 And as far as the business is
24 concerned the higher fuel prices get, the more traffic
25 is forced to railroads. They have forced the

1 short period of time.

2 There are a lot of good things going
3 on in the railroad, and as Mr. Bouvier said, you know,
4 I don't see us in competition with the trucks. There
5 is no competition between a container on a flat car on
6 a train with stacks on it, you know, 10, 15 high,
7 running across this country. It is much more
8 economical to run it over the road with a freight
9 train.

10 And, as you know, the railroads in a
11 lot of places have pulled up all the infrastructure in
12 the city. So, you are going to take it to a mixing
13 centre, they are going to put it on the rubber and take
14 it to the dockside.

15 And they are having trouble getting
16 long haul truck drivers anyway. Hell, nobody wants to
17 get in a truck and drive from California to Chicago any
18 more, you know. So, people want to go to work and they
19 want to get back home and then sleep in their own bed
20 at night when they can.

21 I know a lot of railroad guys and we
22 would like to do that too, but it don't happen for us
23 either very often. But, you know, there is really no
24 competition between trucks and rail, in my mind. The
25 rails win every time if they can move the freight.

1 I kind of want to come back a little
2 bit to that Positive Train Control. One of the
3 fallacies of this Positive Train Control that the
4 carriers are pushing, is that you have to have more
5 separation between trains.

6 Instead of being able to push more
7 traffic through the pipeline, you can push less
8 because the trains have to be spread out more in order
9 to take care of the event. In case that the engineer
10 becomes immobilized or something and the train has to
11 be stopped by the computer, you have to spread the
12 trains out.

13 So, when you have got more business
14 than you can handle on the physical plant, it doesn't
15 look like to me it makes sense to set up a situation
16 where you run less trains. I mean you ought to, the
17 key right now for the railroads ought to be trying to
18 figure out how they can push more traffic through the
19 existing pipeline, you know, which is the physical
20 plant that they have now because there's not going to
21 be a lot more physical plant.

22 The way that they are going to
23 increase capacity is figure out ways to get
24 through these major metropolitan centres like
25 Chicago and Houston. And they have a pretty good setup

1 in Kansas City. They did a flyover in Kansas City
2 where they can run trains right through that city
3 without all the congestion, and they are going to have
4 to do that in a lot of other places; Chicago and
5 Houston to name two very big ones. They also -- in the
6 L.A. area, you know, they have got that Alameda Corridor
7 where they concentrated all the traffic on one corridor
8 or to come out of the ports which really helped out in
9 that area too.

10 There is a lot going on in the
11 industry. I think the UP's capital budget this coming
12 year is \$3.2 billion and the other railroads are
13 spending billions on their infrastructure and their
14 physical plants. But even with all that, it's not
15 enough money. Money is going to have to be provided by
16 the federal government if we are ever going to get to a
17 point where we can move the freight that the country
18 needs to have moved.

19 And so we have been lobbying for the
20 railroads to get some federal money to do some of this
21 infrastructure work. You know, it's kind of a
22 double-edged sword for us and it is the same with a
23 positive train control.

24 A positive train control concept is
25 good insofar as if it could prevent collisions in dark

1 territory or wherever else so trains could not run
2 together. It saves lives and, yet, on the other hand,
3 it has the potential to reduce our jobs over a period
4 of time. So I mean, we find ourselves in a situation
5 there where it's hard to know which way to go and if it
6 saves lives we have got to be for it. We have got to
7 be for it. We have just got to make sure it is safe
8 and it does what it is billed to do.

9 I don't know how or what is going to
10 come out of this round of negotiations but I have an
11 idea before it's over with that we will try to be part
12 of a group that studies this, the development of this
13 positive train control along with the FRA and other
14 government agencies and see if we can come up with
15 something that will make it better and safer for people
16 in the workplace.

17 Other things that happened at our
18 convention: Now, there are a couple of other things
19 that I wanted to talk about, was that you know, we have
20 the rail conference at the BLET as a part of, along
21 with the Maintenance of Way in the U.S. and Ed Rodzwick
22 was elected President of the Rail Conference and Bill
23 Walpert was elected Vice-President and Perry Geller as
24 the Secretary-Treasurer from the BMWED. Freddie
25 Simpson is a candidate for VP in the U.S. on the Hoffa

1 slate and I will just leave it at that because I got in
2 trouble in Little Rock because I said too much and had
3 an election protest filed against me. And I'll just
4 say that they are on the slate.

5 So I'm not endorsing anybody. I'm
6 like Mr. Bouvier. I'm hands off. I guess I'm not -- I
7 asked him to help me if I run again. He said he
8 wouldn't do it.

9 --- Laughter / Rires

10 MR. HAHS: But you can't say too much
11 the way the election rules are setup in the U.S. with
12 this one man-one vote without giving equal time.

13 I will just say that we are happy
14 with our candidates and, like I said, Ed's got a lot
15 more time to devote to the Rail Conference than I had.
16 I started in that capacity when we first started it but
17 I wasn't able to make all the meetings because our
18 primary purpose is taking care of the Brotherhood's
19 business, so whatever.

20 You know, we appreciate the
21 opportunity to be here today.

22 There are -- the two votes are coming
23 up. Like was said earlier by Mr. Bouvier, you have got
24 to vote for the ID president and you are going to have
25 your vote on the property. Everybody wants to vote.

1 My God, if you want to vote, exercise
2 your right. I mean, these returns of 15-20 percent of
3 the people in a whole organization dictating what the
4 rest of us do, I don't like it, you know, and I think
5 people could at least -- if we send you a damn ballot
6 and a self-addressed envelope and you can -- somebody
7 ought to be able to make your X and carry it down to
8 the mailbox.

9 So I would encourage you guys or
10 delegates when you go back home to encourage your
11 membership. When you get that thing don't lay it over
12 there with the telephone bill or something else and
13 forget about it. Make your X and vote and exercise
14 your rights. If you want your rights you are obligated
15 to exercise them.

16 So with that I guess it's getting
17 close to lunchtime, and I appreciate the opportunity to
18 visit with you here today. We miss you in the BLE and
19 sometimes I wish things were like they were before but
20 things move ahead and we are part of a bigger, stronger
21 organization and we believe that, as Mr. Bouvier said,
22 that we are part of the strongest transportation
23 industry in the country, in both countries as far as
24 that is concerned.

25 And we looked at a lot of options

1 when we decided to select the IBT. The IBT was the
2 best fit for us. They give us the autonomy we wanted
3 and it's worked real well for us in the U.S. and I know
4 it works for Gilles up here. We get the help. They
5 are there if we need them. We call on them. Every
6 time we have asked them for help we have got it and
7 it's a nice, warm, fuzzy feeling to know that you have
8 got a big brother there that can help you out.

9 Some of the guys said, when we first
10 started talking about that, "Why in heck do you want to
11 merge?" I said, "Well, hell, every time we walk
12 through the schoolyard" -- if you a kid and you are
13 walking to the schoolyard and every time you turn
14 around somebody is thumping you on the head you better
15 get a hell of a lot bigger yourself or get a bigger
16 friend. So we had to get a bigger friend.

17 --- Laughter / Rires

18 NAT'L PRESIDENT (BLET) HAHS: You
19 know the rail industry was limited insofar as how much
20 growth we could have. Our membership is up and it is
21 good but the physical plant limits how many people we
22 can have in the rail industry. It really does. I
23 mean, you have seen the plants shrink down to what they
24 are now, just super highways in certain parts of the
25 country. So there is no room for that much growth.

1 So we had to get a bigger friend. I
2 think we made the right choice and I am happy to be a
3 Teamster.

4 Glad to visit with you guys here
5 today and we will be around. I think we have to leave
6 tomorrow, tomorrow afternoon. Bill and Ed are going to
7 the Illinois State Legislative Board and I think I'm
8 going to run down and see Mr. Tommy Main(ph) in
9 Kentucky. Then, next week, we have got a fundraiser
10 for a fellow running for Senate, Sherrod Brown in Ohio,
11 that we hope has a real good chance of winning.

12 We are a little bit more political
13 than Mr. Bouvier. We would like to see the Democrats
14 win for a change. So we are doing everything we can to
15 make that happen. I think Jim Hoffa, he tried to do
16 what Bob has said, stay in the middle of the road, but
17 after a while he finally found out that he didn't have
18 too many friends over at the White House and labour
19 don't have any friends in the White House. So we are
20 trying to do the best we can to change that. Whether
21 or not we will get it accomplished or not remains to be
22 seen, but I'm hopeful.

23 So anyway, thanks for the time, guys.

24 Good to see you.

25 --- Applause / Applaudissements

1 PRESIDENT HALLÉ: Now, would you
2 check if Mark Robb is available?

3 We are really in now -- we are about
4 five minutes late and Brother Robb, if he is in the
5 room -- I'm just going to check right now. Oh, is he?
6 Okay.

7 We have Mark Robb who is a good
8 friend of mine, Mark. He is from Division 945
9 Vancouver and CN and Mark has been working for years as
10 the Secretary-Treasurer for the Brotherhood's Relief
11 and Compensation Fund in Harrisburg and just recently
12 with retirement of the president, Mark became President
13 of BRCF and sits on the board of NARF. That is really
14 helping us a lot.

15 So we are really proud of Mark Robb
16 and I will ask him to say a few words here.

17 --- Applause / Applaudissements

18 DELEGATE ROBB, Division 945: Well,
19 thank you, Gilles. Good morning, Brothers and Sisters.

20 It is certainly my pleasure to be
21 here amongst so many dear old friends and I'm looking
22 forward to making some new friends.

23 It is indeed a privilege too to be
24 here representing the BRCF members seated in the room
25 here today and the 27,000 BRCF members from across

1 Canada and the United States.

2 I know that you have got lots on your
3 agenda so I will keep my remarks brief. But for those
4 of you who are unfamiliar with the BRCF, just let me
5 highlight a few things.

6 Contrary to popular belief, we are
7 not an insurance company. We are a not-for-profit
8 organization comprised of railroaders from across
9 Canada and the U.S. who pay dues into the BRCF and we
10 redistribute those dues to railway workers who are
11 members who have run afoul of their carrier and the
12 carrier has decided to discipline them. We are able to
13 help them and their families through difficult times.
14 We provide job income protection when they are
15 suspended or fired.

16 The other things that we do is we
17 have a \$50,000 accidental death and dismemberment
18 benefit that is applicable when there is a tragedy that
19 befalls a member and/or the family. We have a
20 retirement benefit. We have scholarships for the sons
21 and daughters of our members.

22 We also, as Gilles has mentioned
23 earlier today, created a foundation called the North
24 American Railway Foundation. That's an opportunity for
25 us to return to the railroad community; specifically

1 our members and non-members. What we do there is we
2 contribute to museums and to universities that are
3 interested in preserving rail history the work that you
4 as a rail labourers have done over the years.

5 We are also involved in the present
6 time, by involving ourselves in the education and
7 training of local chairmen, secretary-treasurers. We
8 even are involved with the training of union
9 specialists in hazardous commodities at the George Mini
10 Centre in Washington, D.C.

11 We have embarked on a number of areas
12 to increase job opportunities for people, as well.
13 Over the years we have been heavily involved in
14 promoting high-speed rail corridors throughout the U.S.
15 and Canada, with the thought in mind that we would be
16 helping to create jobs.

17 Again, in conclusion, I will keep my
18 comments short. I will be here to answer any questions
19 you may have over the course of your convention. I
20 appreciate the support that those of you here, who are
21 members, have given to the organization through the
22 years.

23 For those of you who are not yet
24 members, I cordially invite you to join.

25 Thank you again, and God bless.

1 --- Applause / Applaudissements

2 PRESIDENT HALLÉ: We are one minute
3 late. We were scheduled to finish at twelve.

4 The last two speakers were really
5 great.

6 If you want to know about the
7 railroad in the U.S., ask Don Hahs. It's like his own
8 little railroad in his basement. He knows all of the
9 little towns and the hubs, and this and that.

10 It was very interesting. You got a
11 real picture of what is happening in the U.S.

12 Having said that, we will adjourn
13 now, and we will reconvene at 1:15 p.m. We have been
14 doing so well that we can take an hour and 15 minutes.

15 Lunch today is sponsored by BRCF,
16 which is really good.

17 Jim, are there any announcements to
18 be made?

19 No announcements.

20 We will see you all at 1315.

21 Thank you.

22 --- Upon recessing at 1202 / Suspension à 1202

23 --- Upon resuming at 1314 / Reprise à 1314

24 PRESIDENT HALLÉ: Could I ask the
25 Arrangement Committee to bring people in, please.

1 --- Pause

2 Brothers, can you please take your
3 seats.

4 We will play a Teamsters Canada video
5 for a couple of minutes.

6 --- Video presentation / Présentation vidéo

7 PRESIDENT HALLÉ: Thank you very
8 much. I hope you all appreciate the lunch and we want
9 to again thank Mark Robb and BRCF for their sponsoring
10 of this.

11 --- Applause / Applaudissements

12 PRESIDENT HALLÉ: Now, we will have
13 an attendance vote. If you can, get your voting
14 machine and put the question on the screen, please.
15 Ready to vote?

16 We have 111 delegates present.

17 Now we will move to Brother Ruddick.
18 Do you have any announcements to make?

19 TRUSTEE RUDDICK: Just one
20 announcement, CN central delegates, Paul Vickers'
21 group, they would like you to meet immediately
22 following this afternoon's session in room 1832, that's
23 1-8-3-2, for CN central delegates meet right after the
24 meeting.

25 PRESIDENT HALLÉ: Thank you, Brother

1 Ruddick.

2 Now, we move to the next Order of
3 Business, No. 4, which is a Report of the Bylaws
4 Committee. And I will ask Brother Chris Smith and Doug
5 Finnsen to come with the Bylaws Committee, please.

6 Now, I will ask before the
7 introduction of the Bylaws Committee members by the two
8 Co-chairs, that Parliamentarian, Mr. Shields come to
9 the mike and give some explanation of the procedures to
10 vote on resolutions.

11 HON. JIM SHIELDS: Good afternoon,
12 everyone. I hope I am not about to confuse you all.

13 If you take a look at the bylaws for
14 TCRC, you will see that Section 31A, which is at page
15 15, talks about the resolutions at the convention and
16 the role of the Bylaws Committee. So, I will try to be
17 as short as possible.

18 Under that provision, the Bylaws
19 Committee reviews, considers all the resolutions they
20 have received from the divisions. The committee then
21 will make any recommendations to change the bylaws and
22 if you have your big book, entitled Resolutions, you
23 will see in there at the end of each resolution that
24 the divisions have sent in a statement by the
25 Committee.

1 Now, in some cases the committee will
2 recommend a change. Sometimes they recommend the
3 resolution be adopted with an amendment and in other
4 cases they recommend no change at all and they ask that
5 it be rejected.

6 So, you have those three scenarios.

7 You will also find some
8 recommendations by the committee itself on certain
9 resolutions. Now, the Chairman or Co-chair of the
10 committee will present the committee's recommendations
11 to you, one by one. The recommendations will be read.
12 You will be given the reasons for the recommendation.

13 The resolutions won't be read. You
14 have had the book and you have, theoretically anyway,
15 read them, but they will also be on the screen so you
16 will be able to read them at that time.

17 The representative or Co-chair of the
18 Bylaws Committee will then recommend that the
19 Committee's recommendation be accepted. He makes a
20 motion on behalf of the committee. Because it is being
21 made by the committee, no second is required.

22 Once the representative makes that
23 recommendation, the floor is now open. Now, any
24 delegate can rise and go to any of the 4 mikes to speak
25 on the recommendation. You can make an amendment to

1 the recommendation.

2 Now, the amendments can either be
3 additions, deletions or substitution for the
4 committee's recommendation. If you are going to make
5 any type of an amendment, you have to hand it in in
6 writing and it has to be seconded.

7 Now, if there are any amendments,
8 they are voted on before there is a vote on the
9 committee's recommendation.

10 After the amendment has been allowed
11 or defeated you then discuss the vote on the
12 committee's recommendation. Once you vote on the
13 committee's recommendation that will end the
14 consideration of that resolution.

15 Now, if the committee recommends that
16 the resolution be rejected and you as delegates vote to
17 reject that recommendation, it's almost like a double
18 negative. If you reject the committee's recommendation
19 to reject the amendment then the resolution is still
20 before the floor. However, it cannot be considered for
21 an adoption unless one of the delegates moves that the
22 resolution be adopted. If there is no move after the
23 committee's recommendation to reject is itself
24 rejected, then the matter will simply die.

25 So you always have to be aware that

1 where you have a committee recommendation to reject --
2 the delegates reject that recommendation, then there
3 has to be a motion by the floor, someone on the floor,
4 to continue on with that resolution to adopt it.

5 I suppose I should ask is that clear?
6 --- Laughter / Rires

7 HON. JIM SHIELDS: So unlike division
8 meetings or local meetings, what you are about to do
9 over the next two and a half days is to go through this
10 book and deal with each resolution, the committee's
11 recommendation on that resolution and then any
12 amendments that come from the floor and each one will
13 follow accordingly.

14 DELEGATE RANSON, Division 320: You
15 stated any amendments -- Division 320, Gerry Ranson,
16 Locomotive Engineers -- that any amendments to these
17 bylaws would have to be in writing?

18 HON. JIM SHIELDS: Right.

19 DELEGATE RANSON, Division 320: So
20 I don't see that in the rules but I recall when we
21 did this last time under the BLE with the thing on the
22 screen that the person operating the screen could write
23 it out as the person making the motion was making an
24 amendment. I'm wondering why that cannot be provided
25 again.

1 HON. JIM SHIELDS: I can check that
2 out but what we are asking right now is that if you
3 want to make an amendment write it down so that it can
4 be handed in and so that we get it correct. It's not a
5 question of not having amendments. It's just making
6 certain that it's absolutely correct.

7 DELEGATE RANSON, Division 320: I
8 understand that, but as we are going through debate
9 that is usually when an amendment comes up, out of
10 somebody's ideas.

11 HON. JIM SHIELDS: Right. That's the
12 only time it is going to come up.

13 DELEGATE RANSON, Division 320: So
14 will we be allowed the time -- time to write it out and
15 present it in the middle of debate?

16 HON. JIM SHIELDS: It shouldn't be.
17 I mean, the reason that I say that is
18 there is nothing worse than getting halfway through a
19 debate on a resolution and you have got four amendments
20 and then all of a sudden nobody can remember the exact
21 wording of a given amendment. This way if it's written
22 out there is no debate over the words, at least. You
23 can debate all the issues.

24 Anything else?

25 DELEGATE GALLOP, Division 295: Ray

1 HON. JIM SHIELDS: Correct.
2 DELEGATE GALLOP, Division 295:
3 Okay, thank you.

4 HON. JIM SHIELDS: Anything else?
5 PRESIDENT HALLÉ: Thank you.
6 I will now let Brother Smith
7 introduce the committee, and I think they will have one
8 recommendation now and after that we will carry on.
9 They are going to come back later, but due to the size
10 of the committee -- that was quite a huge committee --
11 I think the two co-chair will be at the front
12 presenting the committee recommendations, but for the
13 purpose of this one we would like to have all the
14 committee members. I'm telling you that was quite a
15 work. They did really, really a wonderful job. They
16 worked hard, you know, late in the evening including
17 weekends and even outside the two weeks they spent in
18 Ottawa.

19 So I will let Brother Chris to
20 introduce the members.

21 DELEGATE SMITH, Division 162:
22 Brothers, Sisters, my name is Chris Smith, Moncton,
23 New Brunswick, Division 162.

24 Brother President, members of the
25 Executive Board, visitors and guests, it is my pleasure

1 Gallup, Division 295 Toronto.

2 Just to clarify, you are saying that
3 you are not going to allow time to have a person write
4 out an amendment. Is that what I am understanding?

5 HON. JIM SHIELDS: No, just the
6 opposite.

7 DELEGATE GALLOP, Division 295: So if
8 a person says he wants to amend it you will give him
9 five minutes or whatever to take the time to write it?

10 HON. JIM SHIELDS: Sure.

11 DELEGATE GALLOP, Division 295: Okay.
12 Just so I have that clear.

13 The second thing on the amendments,
14 you may have three different locals that puts
15 submissions. I'm just saying there may be three, there
16 may be two. Then you have, I guess, the committee's
17 recommendation and then sometimes you will see the TCRC
18 president, I guess, put a recommendation. You are only
19 going by what the committee put in. Is that correct?

20 HON. JIM SHIELDS: Right.

21 DELEGATE GALLOP, Division 295:
22 Nothing else is valid unless you get up and say, "I
23 would like to make an amendment to the committee's
24 recommendation".

25 Is that right?

1 to introduce the Bylaws Committee for the 2006
2 Quadrennial TCRC Convention.

3 I will start down at the far left, is
4 Shelley Brownlee, Vice-General Chairman, Rail Traffic
5 Controllers, CN Rail; Terry Markewich, Vice-General
6 Chairman, Locomotive Engineers, CN Rail; Al Singer,
7 Vice-General Chairman, Locomotive Engineers, CP Rail;
8 Butch Bailey, Vice-General Chairman, Conductors
9 Trainmen, CP Rail and Bill Cormier -- I know I'm going
10 to get these mixed up but Bill Cormier is Vice-General
11 Chairman, Locomotive Engineers, CP Rail. Randy
12 Caldwell, Vice-General Chairman, Locomotive Engineers
13 CN Rail East; and Doug Finnson, General Chairman,
14 Conductors Trainmen, CP Rail West.

15 That's your committee. I will just
16 say one thing. Everybody on this committee worked
17 really hard. They possess the two main qualities that
18 you need to work in committee work and that is a good
19 strong voice and a real thick skin.

20 Everybody made their contributions
21 and Doug and I thanked them personally the other day
22 when we broke off on Friday, but on behalf of Doug and
23 myself I would like to thank them again publicly in
24 front of you, the delegates, for the work that they
25 did.

1 Thank you.
 2 --- Applause / Applaudissements
 3 PRESIDENT HALLÉ: I see the Bylaws
 4 Committee has one recommendation to make right now.
 5 DELEGATE SMITH, Division 162:
 6 Brothers and Sisters, if you turn to page 51, please,
 7 in your Bylaws Report it is Bylaw section 35. There is
 8 a resolution submitted by the TCRC President which
 9 would strike the report of the Bylaws Committee from
 10 being item number four and then it would be included in
 11 item number six which would, in effect, put the report
 12 of the Bylaws Committee after the report of Rail
 13 Conference Officers.
 14 Your Bylaws Committee recommends to
 15 accept this resolution submitted by the TCRC President
 16 and I guess I am going to have to find a pen because we
 17 would also move that -- I also move that you accept
 18 that recommendation and, in addition, I would like to
 19 amend it to the extent that it be adopted immediately.
 20 PRESIDENT HALLÉ: Is there any
 21 discussion?
 22 --- Pause
 23 PRESIDENT HALLÉ: Hearing none, I
 24 will call for the question on the Bylaws Committee
 25 recommendation.

1 If you are ready to vote, we will
 2 start the clock.
 3 --- Pause
 4 PRESIDENT HALLÉ: Carried: 105 to 3,
 5 with 1 abstention.
 6 Thank you.
 7 We will reconvene the Bylaws
 8 Committee later.
 9 Now we will move to the next item on
 10 the agenda, which is a report from the Rail Conference
 11 Officers.
 12 I will report first, followed by
 13 Brother Hucker. After that we will hear from
 14 Secretary-Treasurer Dyon.
 15 Brothers and Sisters, guests, the
 16 last time I reported to Canadian delegates as the
 17 Canadian Director was five years ago, at the last BLE
 18 Convention in Miami.
 19 We all remember that convention, the
 20 ones who were there, and even if you were not there --
 21 it was right after 9/11. In the following weeks we
 22 gathered in Miami. It was two weeks after that
 23 disaster. It was really hard for us -- the feelings --
 24 especially crossing the border to get down south for
 25 the convention.

1 We had an excellent convention there.
 2 Regardless of the turmoil that followed the convention,
 3 we tried to take a break, but, no, for us, right after
 4 that, we went right back to the tools. We went right
 5 back to a negotiation that was already happening
 6 before, to vote on a unification agreement with the
 7 United Transportation Union.
 8 You all remember that in 2001.
 9 There was some delay with the vote,
 10 but right after the convention we got in a hurdle, and
 11 we, in Canada, consulted the Vice President and the
 12 General Chairmen and the Provincial Chairmen.
 13 We had a long consultation process.
 14 First, we requested a standalone vote for Canadians,
 15 because we believed that we should control our own
 16 destiny. So, at the time, we requested that, and
 17 people agreed to have a standalone vote for us, so that
 18 we were able to decide.
 19 Unfortunately, what we saw -- the
 20 leadership in Canada in that agreement -- was not
 21 protecting our autonomy. It was removing some of our
 22 own autonomy which we had at the time with the BLE.
 23 At the end of the day, the agreement
 24 failed on both sides of the border. It was totally
 25 rejected.

1 I am not standing here today to say
 2 that the agreement was bad. At the time, what we had
 3 in front of us, with respect to Canadian autonomy, was
 4 not enough for us on the Locomotive Engineers side.
 5 They had no vote in the UTU, but on our side that was
 6 not satisfactory to the leadership at the time.
 7 The whole intent from the BLE at the
 8 time was to stop what we called the race to the bottom.
 9 We had two organizations representing running trades,
 10 people who worked side-by-side in locomotives,
 11 engineers and conductors.
 12 I noticed that. I was a witness to
 13 that. We spent millions of dollars, us and the UTU, in
 14 a race to the bottom. Both organizations. It was a
 15 nonsense battle.
 16 After the rejection of the merger
 17 agreement we saw the Advisory Board. You heard
 18 President Hahs this morning when he said, "We had to do
 19 something."
 20 In February 2002 we gathered all the
 21 other unions, and we sat together, and I think there
 22 were six or seven unions that made presentations to us.
 23 After the different presentations, we
 24 picked -- and I am happy to say today that we picked
 25 the best one. We picked the International Brotherhood

1 of Teamsters. It was a natural fit for us, and time
2 has told us that it was a natural fit.

3 It was a strong and powerful labour
4 organization, mainly involved in transportation, but
5 also representing a lot of members in industries that
6 we service. We service a lot of industries in which
7 Teamsters members are working.

8 When we picked that union we created
9 different committees -- on bylaws and the constitution,
10 and finance, and this and that.

11 Here, in Canada, I had the
12 opportunity and the privilege to work with Brother
13 Bouvier and Francois La Porte to put the merger side of
14 it together.

15 I also had the opportunity to work --
16 and I did call all of the officers in Canada. All of
17 the General Chairmen and all of the Provincial Board
18 Chairmen were involved when we put these bylaws
19 together.

20 Upfront, we sat and we looked at what
21 was good for us, and what the expectations were of the
22 membership.

23 This agreement was finalized in the
24 fall of 2003, and ratified by a huge majority on both
25 sides of the border, because at that time we also had a

1 standalone agreement, and it was really clear in the
2 merger agreement that we had the option to decide on
3 both sides of the border. There was full autonomy for
4 both.

5 At the same time we did that -- and
6 you heard President Hahs this morning -- we also had
7 the task of discussing the splitting of the assets.
8 Although the assets had been depleted quite a bit
9 through the battle, we had to do that, and, like I
10 said, we fought about the building. We had the
11 building in Cleveland, and the different assets, and we
12 had the good and the bad in the whole thing. But we
13 were also able to reach an agreement following the
14 merger.

15 I think that agreement protected
16 interests on both sides of the border, and I would like
17 to take this opportunity to thank Brothers Don Hahs, Ed
18 Rodzicz and Bill Walpert for their help and their
19 understanding in the whole situation.

20 At the end of the day, like we said,
21 we shook hands, and both sides got a fair deal.

22 We got a merger. We got the big
23 brother. But, above that, we got a fair deal in the
24 splitting of the assets.

25 I will leave this for a minute. I

1 want to go back, because this thing was won, but, like
2 it was mentioned this morning, on July 4, 2003, out of
3 the blue, we ended up with a raid at CP Rail from the
4 UTU. Right in the middle of our merger talks with IBT
5 and Teamsters Canada, some of the officers -- some of
6 our own officers -- were preparing a raid.

7 We went to the CLC. It was called a
8 raid. It looks like a raid. It was a raid.

9 This was a very difficult one to
10 swallow. It was tough, because of all the things we
11 had tried to work on through the years, the CCRU, and
12 this and that. Out of the blue. And when we had
13 secured for our own members in Canada the right to
14 choose their own destiny, to have their full autonomy,
15 their own rights. Out of the blue we were raided.

16 It was something. How can I say it?
17 We took it seriously, but it was hard for us, because
18 there were people that we had been working on for
19 years, and a lot of people, not only our own people,
20 other labour organizations, even companies, that put
21 their nose in our business. We were targeted as a
22 loser. Even some people that I had worked with said
23 to me, "There's not hope we are going to win this. No
24 hope, Gilles". The company says -- even Canadian
25 Pacific said we were losers. They were prepared to

1 deal with the winners, which were not us at the time.

2 We won. Contrary to what these
3 people believed, we won the battle. We won it. Let me
4 explain to you why.

5 Only one reason we won that battle.
6 I think a group of people had the belief. The belief
7 was in the membership. The people that we represent,
8 the people that produce every month out of their pay
9 cheque, they look at this, they look at us, and they
10 say, "No, no, we have been telling you for years..." --
11 and they were telling us for years -- "...stop the
12 bleeding, stop the race to the bottom, get serious".
13 The challenge is not between the two of us, the
14 challenge is with the companies, with the employers,
15 the government. That's where the challenge.

16 These members were right. The result
17 of that CP rate reflects exactly the surveys that were
18 done. There were surveys done. BLWE spent \$50,000,
19 \$60,000 around 1991 under -- that was Ray McFadder(ph)
20 who was president. We had a huge survey across the
21 country. The membership of both, because we surveyed
22 the engineers' agreement, made it clear to us, "You do
23 that. We want one big Canadian union for all of us.
24 That's what we want".

25 The UTU had a survey in the

1 late-nineties with the CCROU. The survey was never
2 published. Brother Hucker and I had copies in the
3 Ottawa office. We never published it. The result of
4 the UTU was better than ours. It was loud and clear to
5 the UTU membership, "Make one union. Stop the
6 bleeding. Stop the battle".

7 So I think nobody listened. And I
8 can say this, and my former members of the executive
9 board at the BLWE, we didn't start the battle, but we
10 were protecting ourself. At the same time we protect
11 ourself, we spend the membership money. We spent a lot
12 of money, millions of dollars, that we were not able to
13 spend in education, in training and servicing the
14 membership. So I think the battle at CP Rail, it was a
15 membership victory.

16 So finally, the labour board said,
17 "Okay, guys, you are going to have a vote. Vote". Who
18 won that vote? The membership. The membership, "We
19 have been telling you guys not to do that". We didn't
20 win the vote, the membership won. We were the tools.
21 We were the tools provided to them. They made it loud
22 and clear, "We want one big, strong union". They
23 choose us. Fine. I think we were really up front with
24 them.

25 So, to me, the message we got, and

1 where we went after that, so that we were right, but
2 above us they were right, too. I don't want to say
3 names here, but to all of you that made that
4 happen --there's a lot of people in this room that made
5 that happen, that walked with the membership, talked to
6 them, explained to them -- you know who you are, you
7 made that happen. Don't say names. Let me applaud
8 you. Let me applaud you, the people in this room that
9 made this happen, "Let the membership decide it", let
10 me applaud you.

11 --- Applause / Applaudissements

12 For that ones that were against the
13 merger or fighting us at CP, I think 99.9 percent
14 rallied. If you are not, please do it. I think it's
15 about time that we go to the quiet.

16 I will say this to you, I talked with
17 a lot of people in a lot of other unions, and I look in
18 the history, look at the post office workers, when you
19 put two groups together that were not able to cope
20 before, there's always fights. Everybody told me there
21 will be fights. I was expecting -- I don't how many
22 times I said that, I was expecting a fight, a battle,
23 and so we made some decisions to reduce that fight, and
24 then I tried to reduce the fight.

25 I said, "If there's going to be

1 fights, I should be careful with this, careful with
2 that, I was, like, monitoring every hour, but let me
3 tell you this, it was so good victory for the
4 membership. There was no fight. Absolutely nothing.
5 A little thing here and there and even that was mainly
6 conflict of personality. There has been no fight. It
7 has been working good.

8 The general committee maintains they
9 have full autonomy, the conductors have full autonomy
10 in their GCV, the division have full autonomy, the
11 local committee of adjustment for conductors, the
12 yardmen trainer have the full autonomy, the financial
13 autonomy. We took the measures that are going to be
14 enshrined into a measure that you will enshrine, you
15 know, bylaws today that protect them, that give them
16 that full autonomy. The two GCVs, right after the
17 election, will get full autonomy like the other one on
18 their finances. They have about 90 percent of their
19 autonomy. It has been working good. It has been
20 working excellent.

21 And today I said, "Well, I can't
22 believe it, that all the people told me after a thing
23 like this, you are going to have fights for years".
24 There's been no fight. No fight. A couple of fires,
25 they were extinguished over a couple of days. I'm

1 proud of that, you know. I'm proud of the membership,
2 the people. And I realize that if we would have
3 listened years and years and years ago, we would have
4 saved a lot of money and a lot of our dough.

5 The merger with the IBT gave us
6 Canadians our full autonomy in the rail conference, but
7 we enjoy -- our autonomy like the local union in
8 teamsters, but we also enjoy the autonomy given to
9 Teamsters Canada in the IBT constitution, the
10 sovereignty agreement that they have. All focus has
11 been on the membership protection.

12 I said it, guys. I said it many,
13 many times. I remember -- those who were there, I
14 don't know, in 1986, at my convention in Cleveland,
15 Ohio, I said it. I said, "There's one thing that I
16 believe". I said in my broken language, I will never
17 forget that, I was shy, "There's one thing I believe. I
18 believe this organization belongs to its membership".
19 That's the way you grow an organization, when you
20 listen to membership.

21 We have grown. We have grown since
22 the merger. We have grown since the battle at CP. We
23 have an open-arms' policy, and let me give you some
24 examples here. For those who remember, right after,
25 and almost at the same time as the rate at CP, they

1 also rate us in New Brunswick, east coast. For flip
2 flop, they got people to sign cards saying that was the
3 database for membership. We ended up in front of the
4 labour board in New Brunswick rating us, I mean, we --
5 on New Brunswick, east coast.

6 At the end of the day, the labour
7 board in New Brunswick says, "You are wrong. They
8 cannot do that to you". So it is rate and it's not an
9 open period, you cannot do that. The membership there
10 got so mad at the attitude, a few months later they
11 decertified themselves from the UTU and came with us. So
12 today we represent conductors on New Brunswick east
13 coast.

14 The same situation, but no rate, on
15 the Ottawa Valley Railroad, northern Ontario, in North
16 Bay. The conductors decided, that was their choice,
17 their call, the conductors decided on the OVR to come
18 with us. We didn't rate them. They just went there,
19 put their things down, they joined us.

20 Not too long after that the Essex
21 Terminal, they approach us. I said, "No, we don't do
22 that". They sent cards to us. They signed I will get
23 a no. I said, "Do it the other way because these
24 people said we won't let that happen." So they turned
25 around and they certified.

1 We had the Campbellton shops,
2 which is the eastern railway shops in Campbellton
3 and a couple of places down east. They have their
4 internal unions. They looked at how good we were doing
5 with the conductors and engineers. They came and
6 merged with us.

7 I think that was about the quickest
8 merger I ever did in my life. Brother Smith and
9 Brother LeClerc and myself organized the meeting in
10 Campbellton. They had all the members of that union
11 in one place. We sat and we talked to them and we
12 say guys, that is your choice. This is your choice.
13 You do what you want. This is what we can provide to
14 you. We walked out. We went outside the room. Ten
15 minutes later they came and they said let's get back
16 in, and we finalized the merger right there, in the
17 two-hour meeting. And we are proud members today,
18 proud Teamsters.

19 Recently we had the clerks and the
20 rail traffic controllers. Again, they decertified and
21 came with us.

22 To me it is an indication of their
23 wishes, and you have to respect their wishes.

24 As recently as a couple of weeks ago,
25 we have been working hard on this one, Brother Arnold.

1 We had some indication on the Athabaska Northern
2 Railway, which is a very important link for us. It
3 serves the tar sands in Fort McMurray. We already have
4 the other link there in northern Alberta. So we spent
5 a lot of time. Brother Arnold did a wonderful job and
6 I want to congratulate him for that.

7 We ended up in a legal battle, but
8 we just got the certification a few weeks ago. So
9 now this committee has been assigned to CN western
10 lines, which is a crucial one because with the blooming
11 of the oil industry in northern Alberta, now we control
12 almost all of it. There is a small line, but it has to
13 come. That is the next order of business, to finalize
14 this one.

15 There is a lot more to come and I
16 will explain that to you later. There is a lot more on
17 the plate. I said it many times, and I have had the
18 opportunity over the last few weeks to talk to a lot of
19 people across the country and did a survey through
20 e-mail. Once in a while I send these e-mails and ask
21 for a survey. It doesn't take long.

22 There is not a day that I don't get a
23 phone call or an e-mail from members saying we want to
24 do that too. We want to get on board with the
25 Teamsters. We want to see this big picture. I will

1 come back to that on my last report.

2 Through this, it is nice to talk
3 about the merger and the people that came with us, but
4 we had in that period of time two big battles. We had
5 a contract that went forever at VIA, non-stop, and we
6 had this major contract at CN.

7 So we got two good contracts there
8 ratified, ratified by a high percentage. That shows
9 satisfaction for the membership.

10 You look at the rate of satisfaction,
11 that CN had about 78 percent and VIA Rail at 93 percent
12 when you get a national contract ratified. It shows
13 satisfaction for the membership.

14 If I can use Brother Bouvier's
15 example, what he said this morning, what power is all
16 about, when we were facing with the CN team -- I was in
17 charge of negotiations at the General term and
18 Vice-General; we had a team there. When we came to the
19 eleventh hour with no strike, mandated, they forced us
20 to a legal battle. I am telling you what, on the last
21 day when Hunter Harrison was digging his feet, there
22 was no way. And when we had the strike, the court says
23 you are okay to go on strike. When we had the pickets
24 ready to go and it was spread in the newspaper, now he
25 knew what the pressure was. When you get the ports

1 that will be shut down, Halifax, Vancouver, the
2 terminal that was going to be shut down, when you put
3 the release in Toronto and Montreal that the GO service
4 and the commuter service will be shut down tomorrow,
5 you should have seen the panic.

6 He was laughing during the day
7 because he thought that we were going to get a deal his
8 way, but at 10 o'clock that night when the Premier of
9 Ontario was calling, you aren't going to do that to
10 Toronto, the Mayor of Toronto, and Gonthier at the time
11 was offering to be a mediator, and the ports and the
12 Wheat Board calling, he gave a call. So at 10 o'clock
13 when we were going to put the barrel on fire in
14 Halifax, he bend over and we got that nice contract.

15 So that's what power is: power to
16 shut down ports, commuter services. And you don't want
17 to do it, but when you need to do it, you stick
18 together and that's how you get the best contract.
19 That's when you get respect.

20 We learned a lot from the Teamsters
21 how to get that respect. We fought hard. We did the
22 same thing. You should have seen the panic. I was
23 called names and all kind of stuff when we decided to
24 shut down VIA at 1600 on December 24th; the moms and
25 the kids on the platform. They called me names on

1 radio, TV and newspapers. We won the battle. We got
2 the contract. And we will go back with VIA this fall.

3 So that's how you do it. You don't
4 want to do it, but when you have to exercise your power
5 and you get the Teamsters behind you, you get their
6 Communication Department, their access to newspaper,
7 get their access to government with lobbyists like Phil
8 Benson. That opened the door. When the Minister of
9 Transport calls you, the Minister of Labour calls you
10 personally, you know you have their support. Sometimes
11 it is nice to have their support.

12 Since the merger, this Executive
13 Board, we outside the bargaining, we have run a tight
14 budget since we started TCRC. We had no choice.
15 Regardless of whether we had a good financial
16 agreement, we had to run a tight budget.

17 And I want to apologize because we
18 didn't spend that much money. We had to rebuild. We
19 wanted autonomy. Autonomy, it is not only a word.
20 Autonomy is always starting with the dollar sign. If
21 you want your autonomy, you get the financial autonomy
22 first because as long as you depend on somebody else to
23 get the money, you are not autonomous. We got there.

24 We ran a tight budget and I was
25 watching closely with Brother Dyon that through these

1 couple of years got the nickname of Scrooge because we
2 ran that tight budget. And I'm happy.

3 But today I have to say there are
4 maybe two lapses. The first one is information to the
5 membership, to the officers and membership. Officers,
6 that is easy. We have an excellent system, electronic,
7 the website, e-mail. You can communicate within half
8 an hour across the country to either a railroad
9 division officer or all the division officers across
10 the country. It works really hard. I can thank Mrs.
11 Robillard for doing this. A lot of time you get an
12 e-mail from me through her. She has the database and
13 this is good.

14 But something that is missing -- and
15 you will see that in the proceeding -- is a magazine or
16 a newsletter that the member can get. You saw the last
17 thing of Teamsters Canada. We had a little thing for
18 the TCRC and for the Maintenance Division, but I think
19 it is not enough. You have my commitment on this.

20 We will get this magazine back,
21 the newsletter back, to the extent that we can afford
22 it, that we don't spend too much money. But you will
23 get it.

24 The other aspect, we are going to
25 pull out more money and Brother Bouvier, we have been

1 working with Brigitte Sottile, who is the head of the
2 Education Department in the Teamsters, and we will work
3 together more through our offices. That will be
4 something that will be the two priorities really soon:
5 the information to the membership and the officers and
6 the education.

7 Today the TCRC is certainly the
8 leading edge in railway unions. We are moving forward.
9 We still have to finalize our operations and relations
10 with our Brothers and Sisters from the Maintenance
11 Division. We have had just too many things on our
12 plates since the merger. I don't want to go back with
13 all the things that happened. We never took the time
14 and Brother Bill Brhel will be in this week to sit down
15 and finalize a relationship like they have in the U.S.

16 But now the dust has settled and it
17 is one area that we will focus on. I had a lengthy
18 discussion with Brother Bouvier and we will do that.
19 We were just too busy to discuss our future. But now
20 it is certainly time to do it.

21 Our relationship with other unions is
22 good. Like I mentioned earlier, one of the big issues
23 now, for all the unions together is the pension issue.
24 Not only in regards to the 2 bad years we had in the
25 market and the pension suffered, the pension fund

1 suffered.

2 But today, the crisis, especially at
3 CN and VIA with the shortage coming and their recent
4 position on the people cashing out their money, they
5 haven't picked a position and concept, but that is a
6 big battle.

7 The 6 unions at CN are working
8 together. Us, the Steelworkers, the IBEW, CAW, Police
9 Association, we form a common front. We all signed a
10 letter.

11 And again, we are scheduled to meet
12 next week altogether and probably move with the
13 company. And I am very confident, very, very confident
14 that we are going to get this resolved.

15 I know it is a tough time, but
16 this one, it has to be resolved. It is one that is
17 close, not only to my chest, to these officers' chests,
18 but to any other union. So, I am committed to this and
19 as a Co-chair of the CN pension plan, I am pushing
20 really hard.

21 So we are scheduled to meet
22 next week.

23 In regards to our executive, we have
24 been working really hard, really hard. We had tough
25 decisions to make and we made them. But now I think we

1 see the future, there will be another challenge coming
2 soon and we will go through. We have been extremely
3 busy with this.

4 I would like to say a couple of
5 things and I started earlier. This is our first
6 meeting in Canada, our own union, the TCRC and you all
7 know that. The biggest challenge for a convention is a
8 bylaws committee. Before there was a constitution
9 committee, but today, because of the IBT, it is a
10 bylaws committee.

11 To prepare this convention, I have
12 appointed a committee and I am proud of these people.
13 You heard Brother Smith introducing them. That
14 committee was composed of people from across the
15 country, from different railroads and different crafts.

16 And not only that, there was
17 different political views in that committee. I said,
18 let's put them altogether and give them a real taste.

19 So what they are going to bring is a
20 real taste because they had debates. You will
21 certainly see that soon. All the debates, they worked
22 really hard, days and nights and there were a lot of
23 debates in all these different factions. But I am
24 proud of the job they did and hopefully we are going to
25 make this happen, all these resolutions, in a quick

1 fashion.

2 We went through some turmoil about
3 the one man, one vote petition; I should say one
4 person, one vote petition. We all know the result.
5 The membership cast their ballot. It cannot be, I
6 don't know if it is the right word, clearer than
7 that -- 88 percent.

8 There was some appeals, they were
9 denied. And above all nobody can deny the right to a
10 member to exercise his vote. We said it, we got all
11 the resolves. I think they have been published
12 already to the officers. There was a couple more in
13 the recent days.

14 So that's it. That's a fact of life.
15 It is a done deal and it is how we are going to
16 proceed.

17 Now, I will go to a touchy subject
18 which is our UTU CN brothers and sisters. I will
19 give you a little update. You heard some blurbs
20 from Brother Bouvier and I said we had some strategic
21 planning. But I just want to be careful with the
22 choice of words here and what I am going to say
23 about this.

24 But you all know what happened when
25 they had the so-called release, the alliance, strategic

1 alliances with the Steelworkers a couple of months ago.
2 I have to say this to you. Following that, I put an
3 e-mail across our division officers at CN.

4 It was about 12 noon, a little bit
5 after 12 noon, advising people this is what we found
6 out, this is what is going on. Please, would you
7 check, in your own division what is going on, what is
8 the position.

9 It was right after 12 noon that
10 Mrs. Robillard broadcast this message. It was not even
11 3 o'clock in the afternoon that Bob Bouvier called me.
12 He said, what the hell did you do?

13 I said, what do you mean? He said, I
14 just an e-mail with an attachment which is an e-mail
15 that you broadcast across the country and I got it from
16 the Director of the Steelworkers, Ken Neumann, saying
17 that you are trying to raid us.

18 I said, Bob. What he told me I will
19 not repeat. He is worried what he was going to say to
20 him, but Bob, when you call that a raid, I am just
21 asking our officers at CN to find out what is going on
22 and what is the membership's feeling about this.

23 Well, the announcement was made by
24 Brother Secord, who is the Legislative Director of the
25 UTU. But we found out, after the survey, the position

1 of the UTU General Chairman which is not a rumour,
2 which was clearly spelled out that the UTU General
3 Chairman were not consulted, were not in the loop in
4 any way, shape or form with that announcement.

5 And there was a lot of campaigns.
6 And I will not go into all the details and how I got
7 the information. But fact of life, it was on the UTU
8 General Chairman website and they signed the letter.
9 The 3 top players, UTU, General Chairperson at CN
10 signed that letter saying that they were not on board
11 with this.

12 So, there was more campaigning from
13 Second, more stuff on their web page. There was all
14 kinds of threats that I was made aware of from their
15 international.

16 But at the same time, following
17 my e-mail across the country, I had the opportunity
18 to talk with a lot of their officers at different
19 levels, different regions, across the country and
20 with officers at CN, different regions across the
21 country, both.

22 Either the conductor's side or the
23 teamster's side, the engineer's side, I got the same
24 message. They all want to come; they want to have at
25 least the option.

1 And what I see in what is coming over
2 the next couple of days because there is a couple of
3 big meetings that will happen Thursday and Friday this
4 week, between Steelworkers and UTU in Canada, we know a
5 discussion how to do that.

6 You either do a Section 43 Transfer
7 Jurisdiction that Thompson can sign and transfer his
8 membership in Canada to the Steelworkers, pending a
9 vote of the membership. And at the same time, they are
10 going to start a campaign in the UTU because the best
11 way the way did it we saw Steelworkers in action who
12 had dealt with this a couple of years ago at CN.

13 We had to deal with Freddy Simpson,
14 who brought the maintenance and way the steel came
15 in and raided. So we are on the lookout, like we saw
16 on the railroad term for this.

17 But our position and my position is
18 that this organization, not to name it, needs to
19 respect the wishes of their membership and let them
20 have, or we will offer them the Teamster option. It is
21 loud and clear.

22 When you have got 80 to 85 percent of
23 that membership that want to be part of us and their
24 labour organization don't even want to let them
25 exercise that option, it is quite a shame.

1 We will offer them in that option the
2 same craft autonomy that we gave our conductors and our
3 trainmen at CP, the same craft autonomy that we will
4 enshrine over the next couple of days in all bylaws,
5 the same craft autonomy under Article 70 of the
6 Unification Agreement -- I think it's 70 -- that was
7 approved and sanctioned by the UTU leadership in both
8 countries -- and their membership, because they never
9 asked them to vote on it, it was sanctioned.

10 What you see there, that is what we
11 prepared. It is the exact same thing.

12 They can have their own Local
13 Committee of Adjustments in their division. They can
14 have their own General Committee of Adjustments, to
15 function like Brother Finsson in General, and to
16 function like all of the Local Chairpersons
17 representing conductors and trainmen.

18 Let me tell you this, Brothers and
19 Sisters, it is not a long-term project. I am not here
20 today to tell you that this thing will happen in a year
21 or so. I am not saying that it will happen in six
22 months. It is going to happen pretty quick.

23 I think we have had enough discussion
24 with them that it might come out. You know what? If
25 it comes out, it will be beautiful.

1 You heard Brother Bouvier saying this
2 morning that when we pound on the tables in Ottawa,
3 when we go to the newspapers, when you represent 14,000
4 or 15,000 members in the rail industry in Canada, when
5 you knock on their heads, they will listen. That's
6 what we need to do -- talk about the ports, talk about
7 grain, bulk, coal, intermodal. You think about the
8 commuters -- the very sensitive ones in Toronto.
9 That's when they will listen.

10 So if we can make that happen, that
11 will be one voice.

12 I want you to understand -- I heard
13 some rumours -- that this is not a political move, it
14 is just a question of timing. I didn't start that
15 timing, they started it. I didn't book the meeting
16 with the steelworkers this week during our convention,
17 they did, and they did that on purpose.

18 We are ready. Every officer in this
19 room at CN knows we are ready.

20 I am telling you, there is a lot more
21 than you think who support what the UTU offers. You
22 will be surprised.

23 This thing, I think, we need for
24 our membership. They said that to us in 1991. They
25 said that to UTU in 1998. They said it through the

1 CP Rail raid. They said it with all of these little
2 short lines after that. They want to have one, big,
3 strong Canadian union, and we will give it to them.
4 It's coming.

5 I hope that transcript will not
6 fly across the country tomorrow, but that's where we
7 are going.

8 Brothers and Sisters, it has been my
9 pleasure over the last five years to serve you. We
10 have had some good times, some bad times, but it was a
11 pleasure to work with my Board Members.

12 Thank you all.

13 --- Applause / Applaudissements

14 PRESIDENT HALLÉ: We have some
15 technical things to be done.

16 Where is Brother Smith from the
17 Bylaws Committee?

18 Just a little technicality. We have
19 to understand that this is our first convention, and
20 maybe we have missed a little technicality with Brother
21 Smith's resolution.

22 DELEGATE SMITH, Division 162: With
23 respect to the resolution that we presented earlier, as
24 I said, there was an amendment to be attached to it,
25 and what we ended up doing in our exuberance was that

1 we voted on the resolution, and then we went back to
2 our seats to listen to the rest of the day.

3 So we have to take care of the
4 amendment now.

5 I talked to Chuck, and I think it is
6 to vote on the resolution as amended.

7 Is that right, Chuck?

8 DELEGATE ANDERSON, Division 896:
9 Yes.

10 DELEGATE SMITH, Division 162: The
11 question will be on Section 35, the amendment that it
12 be effective immediately.

13 DELEGATE WELTER, Division 132: Do we
14 have to have a motion to reconsider first?

15 PRESIDENT HALLÉ: No, I don't
16 think so.

17 So, we are voting?

18 UNIDENTIFIED DELEGATE: Are we voting
19 on the amendment, or --

20 UNIDENTIFIED DELEGATE: Yes, what is
21 the amendment?

22 PRESIDENT HALLÉ: We are voting on
23 the amendment to make it effective immediately. That
24 is my understanding.

25 --- Pause

1 PRESIDENT HALLÉ: The results are:
2 101 in favour; 1 against; 1 abstention.

3 Motion carried.

4 The next item on the agenda is the
5 report of our Vice President and National Legislative
6 Representative, Brother George Hucker.

7 VICE PRESIDENT (TCRC) HUCKER: Good
8 afternoon, Brothers and Sisters. Welcome to Ottawa and
9 our first convention.

10 I last reported to the delegates
11 assembled in Florida in 2001, and I am here before you
12 to report again on our efforts in the Legislative
13 Department over the last five years since we have been
14 at this.

15 I must start off my remarks by saying
16 that this will be my last report. It is my intention
17 to retire from my position after 40 years in the
18 railway industry, and 26 years working for the BLE and
19 this union. I think I have had enough, and I will go
20 out and enjoy.

21 I don't have grandchildren, like Bob,
22 yet. I haven't convinced my two daughters to have
23 children.

24 Anyway, this will be my last report
25 to you, and my association with all of you in the room

1 has been rewarding. We have not always agreed with
2 each other, but, at the end of the day, we understood
3 that our arguments and our efforts were to protect the
4 membership that gave us the ability to go out and act
5 on their behalf.

6 Anytime that the membership wished to
7 change that, they had the opportunity to do so. We
8 have all been in that position.

9 As I said, it has been a real
10 pleasure.

11 My father told me a long time ago
12 that if I was going to bitch about my union, I should
13 get involved. So 26 years ago, in 1980, I got involved
14 in the BLE and went forward. I was lucky enough to
15 have the delegates at a number of conventions and GCA
16 meetings elect me and continue to elect me in the
17 positions I now hold.

18 One of the major issues that we still
19 have out on the property that has not changed is the
20 work rest issue. That is still outstanding.

21 While we got the hours of service put
22 together, we still have a great deal of
23 misunderstanding, mostly by managers, and some of our
24 membership, on exactly what those regulations say and
25 what they can do. In fact, every once in a while we

1 get reports of individual managers who believe that the
2 regulations do not necessarily apply to them and that
3 they can continue to work the way we used to work.

4 That is an issue, and we must be
5 vigilant with those managers. We need reports back
6 from the membership on the properties to make sure that
7 we can get not only Transport Canada, which is the
8 regulator on this issue, but the senior managers to be
9 able to effect a sea change in some of what the local
10 managers believe.

11 One of the issues that has always
12 been in our forefront -- and when I hired on the
13 railway in 1966, if you remember the old, little red
14 rule book, the first order of business was safety.
15 That was a joke back then. You did production, you got
16 it done as fast as possible, and, on average, we killed
17 over a hundred of our members every year.

18 I can say, through all of our
19 efforts, that the death rate in the very serious and
20 dangerous industry that we all work in has gone down
21 substantially. We have very few deaths, but we
22 continue to lose people.

23 All of us, when we go to work, our
24 families expect us to go to work, especially on the
25 operating side, and come home in the same manner that

1 they let us go out to run locomotives and play games
2 with boxcars in.

3 When I look at our efforts overall,
4 since I assumed this position in 1991, on a score card,
5 CP Rail has not done a bad job. They have good Health
6 and Safety Committees. They handle health and safety
7 at the local level in a reasonably good manner.

8 VIA Rail is not bad, albeit it is
9 not in the same kind of context as the other two
10 Class Is are.

11 But when you look at CN, it is
12 absolutely abysmal. It is terrible.

13 Health and safety to our American
14 managers at CN is "Obey now, jump as high as you can,
15 and don't worry about health and safety," and yet they
16 give you all of the platitudes. They speak of the
17 great efforts that they are making, and yet, in
18 reality, they don't believe in safety the way that the
19 other two railways -- the big Class Is and VIA Rail do.

20 There is a need for us to continue to
21 try to force the railways to update their training of
22 our Health and Safety members on the committees, to
23 make sure that everybody has an understanding of what
24 health and safety is all about.

25 The problem is, we have a continual

1 turnover. It's not a problem, because a lot of people
2 get pissed off with having no action from their local
3 managers, so there is a turnover. So we need to
4 continue to be vigilant in regards to how we train our
5 health and safety representatives to get out there and
6 make sure that the workplace that we are all a part of
7 is as safe as possible.

8 Transport Canada has been a friend,
9 and it has been an enemy. It depends a lot on how the
10 Director of Rail Safety views his job within the
11 industry.

12 Under Terry Bertsch's leadership at
13 Transport Canada, we had a committee called the Rail
14 Safety Consultative Committee, which came out of the
15 change in the Railway Safety Act. The original concept
16 was that we would get out on a regular basis and talk
17 about the safety aspects of the railway industry.

18 We went to meetings, and we banged
19 heads with the carriers, but, unfortunately, as the
20 leadership in Transport Canada changed, both at the
21 national level and at the regional level, they saw less
22 reason to have the Railway Consultative Committee, and
23 we haven't had a meeting in some time.

24 That is unfortunate, because we and
25 the other unions have tried desperately to have a

1 meeting, and it just doesn't seem to want to come
2 together.

3 As I said earlier in regards to hours
4 of service, there is still a need to be very vigilant
5 in regards to what goes on at the regional level.
6 While we talk to the national level here in Ottawa,
7 part of the problem with the hours of service and the
8 other regulations is the fact that the Pacific region,
9 the Prairie region, the Northern region, the Central
10 region and the Eastern region all are autonomous bodies
11 within Transport Canada. You can have a ruling in
12 Prince George on an issue, and have the exact opposite
13 ruling in Moncton.

14 We try to make sure that the
15 headquarters group here understands that that is not
16 how the railway industry works, and that rail safety
17 can't work that way.

18 We need to be vigilant in how we deal
19 with that, and make sure that where we do get rulings
20 at the regional level -- when we have an LR or an LC
21 get a final ruling, we need to have that in Ottawa,
22 because we don't necessarily get all of that
23 information, and sometimes we are surprised when we get
24 out to the regions and start talking to individuals.

25 We had a case in Winnipeg a couple of

1 years ago with Bruce's group and Tommy Porter's group
2 in 583. We were shocked, sitting there, to have one of
3 Transport Canada's regional people say something that
4 was directly opposite to what we were being told in
5 Ottawa.

6 So that kind of stuff we need to have
7 brought forward.

8 We continue to deal with Operation
9 Lifesaver and Direction 2006, along with the RAC, to
10 ensure that the crossing accidents -- which, hopefully,
11 not all of us have been involved in, but some of us
12 have been involved in -- that we continue to reduce the
13 death toll that we have on the public that uses us as
14 an instrument of suicide.

15 The people who live and work in
16 Toronto for VIA Rail, CN and CP can speak volumes to
17 what I am talking about and what goes on.

18 Through our continuing efforts with
19 Direction 2006 and Operation Lifesaver, we can hope
20 that we can reduce the incidents where somebody uses us
21 to take their lives.

22 Unfortunately, the people who
23 absolutely suffer are us, the conductors and trainmen
24 and locomotive engineers who have to deal with that on
25 a regular basis.

1 We have some programs with VIA and CN
2 and CP in regards to how to deal with that.

3 Our right to refuse under the Canada
4 Labour Code is another area of concern.

5 CP and VIA Rail, for the most part,
6 understand how the process works and deal with the
7 process properly. We end up with safety officers out
8 there to speak to section 127 of the Code.

9 But when you get to CN, it is
10 absolutely terrible. You guys at CN know what I am
11 talking about. Your use of the right to refuse is a
12 disciplinary matter, first and last. There is no other
13 way around it.

14 But when we have dealt with them --
15 and, again, in Tommy Porter's division, 583, it took us
16 some time -- we actually got some very good rulings out
17 of that Board case, where CN absolutely disregarded
18 what section 127 of the Code actually said.

19 That is another area that we need to
20 be very vigilant in.

21 We have had a change in government,
22 and Phil Benson will tell you ad nauseam in regards to
23 what that has now meant, but one of the issues that we
24 really got off of them and put on the back burner is
25 open or forced access. And for you that don't know,

1 that means that the ability of a shortline railway to
2 come over into a Class 1 and pick up our work and move
3 it, and both the railway and our membership have no
4 recourse, is an area we have to be very vigilant in.

5 I forget Tom Payne's last railway
6 that he tried to put together, anyways, we had hearings
7 in Winnipeg and we were very lucky to convince the
8 national transportation agency, the Canadian
9 Transportation Agency, that it shouldn't go forward.
10 We spoke before that and gave witness as to what it
11 meant, and if you want to think about this, the people
12 who work, say, into Vancouver or into Thunder Bay, even
13 into Montreal and Toronto, for the most part, when the
14 grain trains are coming in, you could have a non-union,
15 shortline, such as Tom Payne's railway that he was
16 going to put together, actually come over, pick up a
17 train of grain, move it from wherever it is on the
18 prairies to the west coast, and we would have to sit
19 there and watch that train go by while a non-union
20 locomotive engineer and conductor, or whatever, or a
21 single-person operation was there, and that's what
22 forced access or open access means.

23 The Liberal government, while it was
24 in there, tended to stay away from it. I'm not sure
25 where this minority government, the Conservatives,

1 might go. If they ever get a majority government, you
2 can guarantee that they would be extremely
3 pro-business. Remember -- if you don't know, they are
4 made up of farmers from western Canada, and the first
5 words when they grew up, when they woke up, is "Screw
6 the CPR", and so what's going to happen is both CN and
7 CP will be there fighting to keep the traffic.

8 I mean, the guys in Saskatchewan,
9 both on CN and CP, the amount of potash that comes out
10 of Saskatchewan, going to the west coast or Thunder
11 Bay, is an immense amount of business. If that was put
12 in jeopardy, we would all be in trouble. So we need to
13 be able to be very vigilant that this process of open
14 or forced access does not come in.

15 We have dealt with it both by dealing
16 with the Class 1s, who we fight with every day, but
17 sometimes we have issues that are both in our benefit,
18 and that was one of the issues that we needed to deal
19 with, and we have done that.

20 One of the other issues that is
21 always in front of the membership is with regards to
22 rest houses and bunkhouses. If you remember in the
23 CANALERT Report, there was a standard put together as
24 to what a bunkhouse should look like. Some efforts at
25 CN, not so much at CP originally, but some efforts at

1 CN had put together a proper standard of what a
2 bunkhouse should be like. Unfortunately, that's gone
3 the way of the dodo bird, and I think that the general
4 chairman from CN can speak to that.

5 But, again, if you get an opportunity
6 to watch the Discovery Channel, you will see the thing
7 called "Mayday", and for the guys out of Jasper and
8 Edmonton, and the Hinton, who were there every day at
9 that accident, it's back on the burner and, for
10 whatever reason, they are pushing this thing forward.

11 The last bit of evidence that's put
12 out on this program was about the state of the art, the
13 fatigue management plan that CN has, and for all you
14 guys that work at CN you know that's not true. What
15 they did when Hunter came along and started to gut the
16 fatigue management -- albeit some of it's coming back,
17 but, still, we have a real problem there.

18 And so we need to be vigilant again
19 and have built into our collectible bargaining
20 agreements resthouse standards, because we always are
21 fighting with the companies in regards to what a proper
22 resthouse should look like, and we have some real
23 standards that Moe Reid(ph) had put together in his
24 report to be able to work from and to have that.

25 I know that in my efforts, as a

1 general chairman, end of a lifetime ago, we were not
2 successful. We did get some success in changing some
3 of the stuff, but not to the degree necessary.

4 We need to have a real involvement of
5 the membership to tell us what they have got in the
6 way. CP has done some work with Brother Mike in the
7 last couple of years and have done some real good stuff
8 in regards to their resthouse facilities.

9 If anybody had the TV on or you have
10 been paying attention to what's going on the Hill right
11 now, there's a bill coming through called Bill C-11,
12 and that's for changes in the National Transportation
13 Act and the Transportation Act and the Railway Safety
14 Act. It's before the government now and there is a
15 need to be vigilant in what happens there.

16 One of the things that's coming out
17 is the fact that the government has finally realized
18 that their rail passenger service, both at the VIA Rail
19 level and at the commuter rail level, is where things
20 have to go. For people who live in Toronto or live in
21 Vancouver or live in Calgary, you know what we are
22 speaking about when you have gridlock and there's a
23 train going by you with little or no people on it.

24 So there's going to be a huge amount
25 of money that's going to be involved in upgrading both

1 passenger service and the commuter rail services in the
2 major communities in this country. We are not sure how
3 much money's there, but this is what -- what's going to
4 be there, but there is going to be cash, lots of cash,
5 to come forward in regards to this.

6 This is where my dealings, and
7 Teamsters Canada Rail Conference dealings, with Phil
8 Benson, the lobbyist up on the Hill here, is very
9 important, to be able to get our message out to the MPs
10 of what we want to do in regards to rail safety and the
11 Canada Transportation Act.

12 You have to understand that when the
13 Railway Safety Act was rewritten, it was a tri-party
14 type of a process, where the Class 1s and the other
15 railways, the Railway Association of Canada and the
16 operating unions, for the most part, were part of the
17 rewriting of the Railway Safety Act.

18 Because the government has looked at
19 it, the Liberal government -- I'm not speaking as
20 Bouvier said this morning, in regards to which one's
21 any better, but I'm not sure that the Conservative
22 government, being a pro-business one and being farmers
23 from western Canada, for the most part, are going to
24 give us the same kind of access to that writing process
25 that we once enjoyed underneath Transport Canada.

1 We have a couple of areas where we
2 are very much involved in the international rail safety
3 community -- I was a chairman of that group a couple of
4 years ago, and we are still part of it -- and a group
5 called WESTAC, and this was the Western Transportation
6 Advisory Council. It gives us the ability, because we
7 all sit on this thing, most of the railway unions are
8 there, the other transportation unions are all there,
9 and it gives us an insight and access to what exactly
10 governments, at the provincial level and the federal
11 level, are looking at.

12 Because, normally, the ministers of
13 transport from all jurisdictions are there and they
14 speak as to where they think they are going, and so
15 those kind of programs that we are part of have to
16 continue because that gives us an insight into the
17 industry that we need to be able to do our job.

18 That leads me to the end of my
19 report, where the Railway Association of Canada does
20 the grunt work for all of the new operating rules. We
21 continue to meet and develop a relationship with those
22 people. They have been very good to us and very useful
23 to us when it comes to the writing of new regulations
24 and operating rules.

25 So after 26 years of standing in

1 front of both the membership and the delegates, the
2 general committees, and to this body, I thank you for
3 the opportunity to give you my report, and I look
4 forward to any questions you may have in the next three
5 days at this thing so we can enjoy each others'
6 company.

7 Thank you.

8 --- Applause / Applaudissements

9 PRESIDENT HALLÉ: Okay, the next,
10 under Order of Business No. 5.

11 Le prochain ro 5, le rapport du
12 Secrsorier, M. Richard Dyon.

13 The Secretary Treasurer, Richard
14 Dyon, will give his report.

15 SEC. TREASURER DYON: Thank you,
16 Gilles.

17 Again, I would like to take this
18 opportunity to welcome all the delegates and
19 distinguished guests to the first convention of
20 Teamsters Canada Rail Conference.

21 In reality, we are writing history.
22 There have been a lot of changes since Miami in 2001.
23 For starters, we became Teamsters Canada Rail
24 Conference. Back in 2001, in sunny Miami, I was
25 elected to the position of first alternate

1 vice-president. That I was prepared for.

2 With the change in January of 2004 to
3 our organization, President Hallé appointed me as the
4 Secretary-Treasurer of the TCRC. Let me tell you this.
5 It was a bit of a shock to me, which I was not prepared
6 for. Don't get me wrong. I was very proud to accept
7 this position for Teamsters Canada Rail Conference, but
8 my union background, however, did not prepare me for
9 such a role since my background included Vice Local
10 Chairman, Local Chairman and General Chairman. I had
11 nothing to do with the money aspect, budget and all of
12 that fun financial stuff that we all know about.

13 My role as Secretary-Treasurer is not
14 an easy one. I am the guard dog of our members' money,
15 not my money but our membership's money. And that's
16 what I do.

17 In fact, I take pride in
18 looking after the Teamsters' money. It has become for
19 me an honour.

20 Mon rôle comme Secrétaire-Trésorier
21 est loin d'être facile. Je suis le chien de garde de
22 l'argent de nos membres, pas mon argent personnel, mais
23 l'argent de nos membres. C'est ce que je fais. En
24 fait, j'en fais une question d'honneur.

25 Quite a challenge for me, but I am

1 happy to have served in this role. It has been a great
2 learning experience for me. As a result, I can even
3 balance my wife's cheque book now.

4 In 2004 President Hallé and I flew to
5 Cleveland and entered into negotiations with our proud
6 Brothers on the other side of the border. We returned
7 to Canada with close to \$1.1 million, U.S. funds, and
8 the liability that we shared was 14.4 percent for us
9 and 85.6 percent for our American Brothers.

10 I think it was very fair for us,
11 and I certainly thank our American brothers for a
12 smooth transition.

13 For the first year our books were
14 grandfathered by the BLET. All the accounts continued
15 to be done through the Cleveland office. In January
16 of 2005 my role significantly changed, both in the
17 time that was required, as well as the job got a little
18 bit tougher as we took over full responsibility of our
19 books.

20 Back to the numbers.

21 In 2005 our net income was close to
22 \$1 million. For the year 2006 the net income will be
23 less on account of the raise in the per capita tax,
24 because it went up from five fifty per member to nine
25 seventy-five per member, and also the cost of this

1 convention which we estimate around \$700,000.

2 I will be going into further detail
3 on our financial position later in this convention.

4 It should also be noted that this
5 convention has been paid for from our general fund, and
6 we didn't need to borrow any money to do it.

7 Retournons à nos chiffres. En 2005,
8 nous avons enregistré un revenu net de près d'un
9 million de dollars. Pour l'année 2006, les revenus
10 nets seront inférieurs à ceux de 2005 à cause d'une
11 augmentation des per capita, qui sont passés de 550 à
12 975 par membre, ainsi que le coût de la convention, que
13 nous avons assumé, à 700 000 \$.

14 Je vous donnerai plus de détails sur
15 nos finances un peu plus tard durant la convention.
16 Notez que cette convention a été payée entièrement à
17 partir du fonds général. Nous n'avons pas eu à
18 emprunter aucune somme d'argent.

19 Brothers, Sisters, what this really
20 means is that we are in good financial shape for an
21 organization that has been in existence for only two
22 years and nine months.

23 People have started calling me names.
24 The best one yet is: If you want to get in touch with
25 RST, you just have to send him a message at

1 www.scrooge.cot.
2 Brothers and Sisters, so be it.
3 Sure, we still have some growing
4 pains and there are some adjustments that still have to
5 be made.

6 In January of 2004 we started with
7 3,500 members and today we are now over 7,000. That in
8 itself is why our vision that we promised you is
9 becoming a reality: moving forward together.

10 At this time I would like to thank
11 our comptroller Shelly Moore. She has done an
12 outstanding job as the keeper of our records.

13 Shelly, you do a wonderful job.
14 Thanks very much.

15 --- Applause / Applaudissements

16 It has really made this transition
17 for me and the organization much, much more easier.

18 Line Robillard also deserves a great
19 deal of credit when it comes to our finance and record
20 keeping.

21 Thank you, Line. Every time I need
22 information, you can be assured that Line or Shelly
23 have it waiting for me.

24 Thank you, Elaine, the office
25 secretary and Teamsters Rail Conference notary public;

1 as well, our trustees and other members of the
2 Executive Board for their support.

3 Certainly the support of all GSTs and
4 Division Secretary-Treasurers is also greatly
5 appreciated.

6 A special thanks to Brother Broda,
7 who was the only member of the Finance Committee.

8 Thank you, George. You have been a
9 great asset to this convention.

10 --- Applause / Applaudissements

11 Thank you, Brothers and Sisters, for
12 giving me your attention and your confidence. Let's
13 not forget the theme of this convention: moving
14 forward together. This was part of our vision and I
15 certainly hope it was what we as a Brotherhood will be
16 doing in the future.

17 Merci, confrères, consoeurs, pour
18 m'avoir écouté et m'avoir donné votre confiance.

19 N'oublions pas le thème de la
20 convention : Allons de l'avant ensemble. C'était une
21 partie de notre vision, et j'espère sincèrement que
22 c'est ce que nous, en tant que fraternité, continuerons
23 à faire dans le futur.

24 Merci. Thank you.

25 --- Applause / Applaudissements

1 PRESIDENT HALLÉ: Brothers and
2 Sisters, we are doing really good. I am really amazed.
3 We are right on target even though we started 20
4 minutes late.

5 Having said that, I will use Brother
6 Hahs' words. I'll be like the good yard master. I
7 don't know if they exist any more, the good ones. It's
8 eight-hour shifts and ten-hour shifts. If you promise
9 me we will have a recess of ten minutes, we all get
10 back here at 15:10 to start at 15:15 and we will go
11 right back to the Order of Business No. 6, which is the
12 Report of Convention Committee.

13 I will ask Brothers Smith and Vincent
14 to get to the podium and get ready with their paper.
15 We will start right at 15:15.

16 --- Upon recessing at 1500 / Suspension à 1500

17 --- Upon resuming at 1519 / Reprise à 1519

18 PRESIDENT HALLÉ: Brothers, let's get
19 back to business.

20 We will do an attendance vote right
21 away. Can you put the question on the screen, please.

22 Can you please take your voting
23 machines.

24 --- Pause

25 Brothers, will you proceed to vote.

1 PRESIDENT HALLÉ: We have 109
2 delegates seated.

3 Now we will proceed with Order of
4 Business No. 6 which is Report of Convention
5 Committee and we will move with the Bylaws Committee
6 and we have the two Co-chairs, Broth Chris Smith and
7 Brother Doug Finnson.

8 Brothers.

9 DELEGATE SMITH, Division 162:

10 Brothers and Sisters, if you would please turn to page
11 5 in your Resolution and Bylaw Report book. It's
12 Bylaws, Section 1, Paragraph A, which is found on
13 page 4 of your TCRC Bylaws.

14 What I will do is I will read the
15 entire recommendation from the committee and then make
16 a move to adopt.

17 The Bylaws Committee recommendation,
18 the last sentence of the resolution submitted by
19 Division 320, would suggest that each individually
20 chartered group of members, each division would have
21 full and therefore independent jurisdiction over wages
22 and working conditions.

23 Jurisdiction over wages and working
24 conditions is currently and properly vested in the
25 hands of the respective general committee. The

1 interests of all affected members are democratically
2 protected through the ratification process.

3 Your Bylaws Committee recommends to
4 reject the resolution submitted by Division 320 and the
5 retain present law.

6 And I so move.

7 PRESIDENT HALLÉ: Discussion,
8 microphone 2.

9 DELEGATE RANSON, Division 320:
10 Division 320, Gerry Ranson, Locomotive Engineers. I
11 believe the Bylaws Committee has misconceived the
12 intent of this motion from my members.

13 It was never the intent to try to
14 take away any right to the general committees as
15 conveyed by the bylaws. That is all provided for under
16 GC rules.

17 This is kind of a housekeeping deal
18 to affect the next resolution there to put some
19 terminology back into our bylaws which has always been
20 there which is currently in the merger agreement. And
21 that is the terminology as a local division.

22 As you heard Brother Bouvier's speech
23 today, he mentioned many times about divisions. He
24 wasn't referring to our divisions, he was referring to
25 divisions under the Teamster's Canada.

1 And by us using the term "division"
2 without "local", it causes confusion at times. We
3 actually have divisions even within the TCRC, the
4 Maintenance and Way Division. The purpose of this
5 resolution was to clarify that.

6 So reviewing what was written there,
7 I can understand the Committee's concern about working
8 jurisdictions and it wasn't our intent.

9 So I would make a motion to amend the
10 Bylaws Committee's recommendation and accept a revised
11 resolution to the affect -- who do you want this to go
12 to? Do you want me to read it out and pass it to the
13 computer guy so you can put it on the screen?

14 PRESIDENT HALLÉ: Do you want it
15 first before you read it or to read it?

16 DELEGATE RANSON, Division 320:
17 Essentially it will be the original language and just
18 with an additional sentence that it shall be composed
19 of individually chartered groups of members.

20 So the new bylaw will read this
21 organization will be known as Teamster's Canada Rail
22 Conference, TCRC and encompass rail divisions and
23 general committees representing railway workers.
24 It shall be composed of individually chartered groups
25 of members.

1 If I can get a seconder, I will...

2 PRESIDENT HALLÉ: Mic 4.

3 DELEGATE FLAGEL, Division 793:
4 Brother President, just a point of information here.
5 If we want to amend what Division 3 -- Jim Flagel,
6 Division 793, Engineers.

7 If we want to amend what Division 320
8 had put in, if I remember what the Parliamentarian had
9 said, that we have to reject what the Executive
10 Committee had put forward as a motion and then someone
11 would put a motion in to have Division 320's submission
12 put back on the floor.

13 So I would think that it would be out
14 of order to amend what Division 320's submission is.
15 We are talking about the recommendation of the Bylaws
16 Committee.

17 PRESIDENT HALLÉ: I think there is a
18 motion to amend, but also there was, like, a deletion.
19 So, Jim, what...

20 HON. JIM SHIELDS: What I had said
21 earlier was in the event that you reject the
22 committee's recommendation to reject, the motion then
23 has to be dealt with.

24 In this case what we are dealing with
25 is a motion to amend the resolution before we get to

1 vote on the committee's recommendation.

2 So you have to deal with the
3 amendment first and in this case it is an amendment to
4 delete basically a phrase.

5 DELEGATE FLAGEL, Division 793: A
6 point of information. The memo was not in reference to
7 the original resolution. It was in reference to the
8 motion made by the Committee to reject with an
9 addition, an additional amendment to that
10 recommendation for that new clause.

11 HON. JIM SHIELDS: All right.
12 Well, then Mr. Flagel is right. You have to vote on
13 the Committee's recommendation first and then move
14 after that.

15 Mr. Ranson, I just want to understand
16 what your motion was. Are you proposing to amend your
17 resolution?

18 DELEGATE RANSON, Division 320: As I
19 understood the way you explained it Jim, was that the
20 recommendation from the Committee is a motion, it
21 doesn't need to be seconded. So it is a motion on
22 the floor.

23 HON. JIM SHIELDS: Right.

24 DELEGATE RANSON, Division 320: So
25 any motion on this floor, we should have the ability

1 to amend.
 2 HON. JIM SHIELDS: Right. And I --
 3 UNIDENTIFIED DELEGATE: The motion
 4 was to reject.
 5 DELEGATE RANSON, Division 320:
 6 That's right. And so it is a motion to reject. And I
 7 accept the rejection with the following amendment.
 8 HON. JIM SHIELDS: Well, first of all
 9 you would have to vote on the Committee's
 10 recommendation first and then you can -- but you can't
 11 assume that there has been a vote on the Committee's
 12 recommendation.
 13 It is a motion, but it has to be
 14 dealt with. That is why I asked you a second time.
 15 You want to amend your original
 16 motion: yes or no?
 17 DELEGATE RANSON, Division 320: No.
 18 Not at this time. At this time I was offering an
 19 amendment to the Committee's motion.
 20 HON. JIM SHIELDS: But the
 21 Committee's motion is simply a recommendation to reject
 22 the resolution. They are not proposing any amendment
 23 to the resolution.
 24 And my question to you was, did you
 25 want to amend your resolution first, before any vote?

1 DELEGATE RANSON, Division 320: I was
 2 trying to do it all in one vote.
 3 HON. JIM SHIELDS: I appreciate that.
 4 DELEGATE RANSON, Division 320: Deal
 5 with the Committee's recommendation as well as the
 6 amendment.
 7 HON. JIM SHIELDS: Well, then we
 8 should simply, at this moment we should then vote on
 9 the Committee's recommendation to reject.
 10 PRESIDENT HALLÉ: Is that okay,
 11 Brother Ranson? Does that clarify it?
 12 Any other discussion on the
 13 recommendation by the Bylaws Committee?
 14 Seeing none, okay, we will vote on
 15 the Bylaws Committee recommendation to reject the
 16 resolution submitted by Division 320 and to retain
 17 present law.
 18 --- VOTING
 19 PRESIDENT HALLÉ: 93 yes and 19 no.
 20 --- CARRIED
 21 PRESIDENT HALLÉ: If you notice, we
 22 removed the provision to abstain because you cannot
 23 vote to be not in the room to abstain. So there's yes
 24 and no.
 25 Brother Smith.

1 DELEGATE SMITH, Division 162: Bylaw
 2 section 1.(d), page 4:
 3 "Bylaws Committee Recommendation
 4 Your Bylaws Committee recommends
 5 to reject the resolution
 6 submitted by Division 320 and to
 7 retain present law."
 8 PRESIDENT HALLÉ: Is there any
 9 discussion? Seeing none...
 10 DELEGATE FRASER, Division 821: Ron
 11 Fraser, 821, helm conductors.
 12 Coming from the conductors' side, the
 13 way it was worded was clearly distinct between higher
 14 divisions and local divisions, and I think this just
 15 clarifies the fact that this would be a local division.
 16 I found, myself, quite a bit of discrepancy and not
 17 understanding which division was being talked about at
 18 certain times, and this would clarify that, I think.
 19 I support the amendment, so I would
 20 be voting no.
 21 PRESIDENT HALLÉ: Any other? So we
 22 will vote on the question, recommendation of the Bylaws
 23 Committee. It recommends to reject the resolution
 24 submitted by Division 320 and to retain present law.
 25 --- VOTING

1 PRESIDENT HALLÉ: 86 in favour, 23
 2 against, so the recommendation is adopted.
 3 --- CARRIED
 4 Brother Smith.
 5 DELEGATE SMITH, Division 162: Bylaw
 6 Section 1.(e), page 4, and you will notice that there
 7 is no recommendation from the Bylaws Committee. In
 8 addition, on the next page, page 8, the same the thing.
 9 The explanation, we have put a small
 10 explanation there at the top:
 11 "This resolution has been ruled
 12 out of order as a result of the
 13 TCRC Bylaw Section 4 initiative
 14 adopted "ONE PERSON ONE VOTE"
 15 which prevents any alteration to
 16 Bylaws Section 1.(e) by the
 17 delegates."
 18 Maybe, Jim, you could explain in a
 19 little more detail why that is.
 20 HON. JIM SHIELDS: Well, the vote
 21 that was taken in the last initiative basically
 22 supersedes both of these resolutions and they cannot be
 23 then overturned at the convention at this time.
 24 DELEGATE SMITH, Division 162: The
 25 two sections that are affected by that membership

1 initiative is paragraph (e) of Section 1, and the
2 entire Section 6, once we get to that.

3 So we will move to page 9, "BYLAWS",
4 it's a new section, paragraph (f):

5 "Your Bylaws Committee
6 recommends to accept the
7 resolution of the Bylaws
8 Committee."

9 PRESIDENT HALLÉ: Discussion? I see
10 mic No. 2.

11 DELEGATE ABLE, Division 322: Dave
12 Able, 322, Engineers.

13 This here, I mean, not that I have
14 any --

15 PRESIDENT HALLÉ: It's 322, Medicine
16 Hat?

17 DELEGATE ABLE, Division 322: Yes.
18 Engineers, yes.

19 Anyway, not that I have anything
20 against the RTCs or anybody, but we have conductors on
21 here that don't have a guaranteed spot on the executive
22 and we have the New Brunswick people that don't have a
23 guaranteed spot on the executive. So I will be voting
24 against the Bylaws Committee's resolution because I
25 think that this is creating -- everybody's going to

1 want a spot, a guaranteed spot now.

2 And no disrespect, I don't want to
3 isolate the RTCs, but it's just I don't feel that this
4 is conducive to unity and whatever, it's isolating.
5 The trainmen aren't guaranteed a spot right now,
6 so...anyway, thanks.

7 PRESIDENT HALLÉ: Microphone 2.

8 DELEGATE ESSERY, Division 954: Local
9 954, Kari Essery, RTCs.

10 Could you please give information
11 based on why this was recommended by the Bylaws
12 Committee, the background of this, please?

13 DELEGATE SMITH: The background, if
14 you want just some information on the discussion that
15 took place within the committee, was the fact that we
16 have -- we talked about major groups as they apply in
17 the TCRC today.

18 The conductors and the locomotive
19 engineers, without question, make out the larger
20 groups. There are some smaller groups, too, that we
21 are starting to bring on board, but if left to its own
22 devices it's unlikely that we can have anybody elected
23 in one of the trustee positions, even though they
24 represent approximately 500 members, which is what we
25 feel is an integral and important part of the TCRC.

1 We bantered around a couple of
2 different ways, including something along the lines
3 that Brother Able had alluded to. The problem is, with
4 the restrictions that were placed on us on Section
5 1.(e), we simply would have went ahead and created
6 additional trustee positions and allocated one to
7 everybody.

8 Unfortunately, our hands were tied in
9 doing that. So this is why we ended up where we did
10 with this resolution, and that is to ensure that the
11 RTCs, at least going forward from this point, are
12 guaranteed a spot on the executive board.

13 By the time the next convention rolls
14 around, and some of these other groups have maybe grown
15 to the point where it's advisable to give them
16 representation, the restrictions on 1.(e) will have
17 gone by then, because there's a two-year moratorium,
18 and it would be possible to go in and create additional
19 trustee positions.

20 Because 1.(e), it restricts us to
21 three trustees, period, and we cannot change that. Our
22 first choice would have been to say, "Okay, how many
23 trustee positions do we need to say one for conductors
24 and one for engineers, one for RTCs, one for shop
25 craft, whatever?". We just didn't have that ability

1 because of the membership initiative.

2 PRESIDENT HALLÉ: Mic No. 3.

3 DELEGATE EDWARDS, Division 657: Greg
4 Edwards, Division 657, locomotive engineers,
5 Revelstoke.

6 I want to speak against the
7 recommendation simply because the way it's written,
8 this thing would allow -- like, if you are going to
9 designate a rail traffic controller trustee, we will
10 designate a rail traffic controller trustee, but the
11 way it is now, we would have an election, somebody
12 would be elected by the numbers and become the third
13 one, and then they would be bumped out by somebody who
14 possibly came in sixth. You have people who are
15 running for it and you say well, okay, it's all good as
16 long as an RTC gets elected; but if an RTC doesn't get
17 elected, we bump off the third person on the bottom.

18 That doesn't make any sense to me.

19 If you are going to designate it as a rail traffic
20 controller position, make it a rail traffic controller
21 position. Therefore, the rest of the delegates or the
22 trustees that we would be voting on, we would only have
23 two that we would vote on, and only rail traffic
24 controllers could run for the other one.

25 If you are going to leave it open

1 like that, then somebody is going to win, but they are
2 going to lose possibly.

3 DELEGATE SMITH, Division 162: The
4 committee could not designate one of the trustee's
5 positions as rail traffic control trustee because we
6 were locked by the current language of 1.(e), which did
7 not allow us to designate one of the three trustees as
8 rail traffic control only.

9 PRESIDENT HALLÉ: Mic No. 2.

10 DELEGATE GALLOP, Division 295: Ray
11 Gallop, 295 Toronto.

12 I just want to speak. Again, I will
13 reiterate. I believe it was Dave Able who said he has
14 a lot of respect for the RTC and it is nothing to take
15 against them, but I would like to speak against this.

16 We have a democratic process here,
17 and I think everybody has the right to vote. We have a
18 process in place. Let's keep going with what we are
19 doing and not just reduce our number of trustees by
20 starting to give them away until such time as maybe in
21 two years or three years when you say you can add.
22 Then maybe you look at it.

23 Right now there is a process in
24 place, so I speak against it.

25 PRESIDENT HALLÉ: Thank you.

1 Mic No. 2.

2 DELEGATE GALLAHER, Division 821: Bob
3 Gallaher, Division 821, Locomotive Engineers.

4 Just to expand on what Brother Able
5 had mentioned, a locomotive engineer is not guaranteed
6 a spot as a trustee. It could be a conductor. It
7 could be an RTC.

8 So just expanding on that, locomotive
9 engineers are not guaranteed a spot as a trustee.

10 PRESIDENT HALLÉ: Thank you.

11 Mic No. 4.

12 DELEGATE O'DONNELL, Division 723:
13 Shawn O'Donnell, Division 723, North Bay, Engineers.

14 I would like to speak in favour of
15 the committee's recommendation.

16 I feel that because we are growing as
17 a union, we are bringing in a lot of new groups. If
18 they see an executive set up that there is no possible
19 way that they could run their craft and get onto the
20 committee, I think it is going to make it very
21 difficult for this group to grow. Thanks.

22 PRESIDENT HALLÉ: Thank you.

23 Mic No. 4.

24 DELEGATE MCGUNIGAL, Division 355:
25 Engineer A. McGunigal, Division 355, Locomotive

1 Engineer.

2 I would like to speak in favour of
3 the recommendations by the committee. I feel that with
4 the onset of other crafts joining the organization, I
5 think we need to have representation on the Executive
6 Committee.

7 I think with the RTCs and looking at
8 approximately 500 members as compared to the running
9 trades, I think their odds of being actually elected
10 are quite a bit slimmer. I think it is important that
11 we have representation from all crafts. Thank you.

12 PRESIDENT HALLÉ: Thanks.
13 Mic No. 2.

14 DELEGATE ABLE, Division 322: Hi,
15 Dave Able again, 322, Medicine Hat Engineers.

16 Just a question. This out of order
17 stuff, why could we not add a trustee to the board? I
18 don't think that was made clear to the members here.

19 DELEGATE SMITH, Division 162: We
20 cannot change the language in 1.(e) to anything other
21 than three trustees. We can't say three trustees: one
22 will be Locomotive Engineers, one will be Conductor,
23 one will be RTC.

24 Had we not been restricted by the
25 actual language of 1.(e) -- if you remember, under the

1 membership initiative, the exact language of 1.(e) was
2 proposed to the members. So when they adopted that
3 language and it came back approved, nobody can touch
4 that paragraph.

5 We would have loved to have had the
6 option to go in and do something different in 1.(e),
7 and I'm sure none of this debate would be taking place.
8 We simply didn't have that option.

9 DELEGATE ABLE, Division 322: Well,
10 1.(e) dealt with "one person one vote". It was for the
11 President, the Vice-President and the GST.

12 Was there any mention of the
13 trustees?

14 DELEGATE SMITH, Division 162: No.

15 DELEGATE ABLE, Division 322: I don't
16 have the resolution that was put in on 1.(e) to the
17 members.

18 we are at a convention here and I'm
19 wondering, it has no effect on the "one person one
20 vote" per se, and that could be a housekeeping item. I
21 don't have a problem adding a trustee myself, but I
22 don't like restricting to two.

23 Do you know what I'm getting at here?

24 I just think we are at a convention.

25 DELEGATE SMITH, Division 162: But to

1 answer the other portion of your question, Brother
 2 Able, and to make it clear to the rest --
 3 DELEGATE ABLE, Division 322: Yes, go
 4 ahead.
 5 DELEGATE SMITH, Division 162: The
 6 question asked of the members was not: Are you in
 7 favour of "one person one vote"? The question to the
 8 membership initiative was: Are you in favour of
 9 paragraph (e) now looking like this?
 10 So once they said yes, we cannot
 11 tamper with a single word in that paragraph (e).
 12 Paragraph (e) says "three (3)
 13 Trustees (auditing committee)", period.
 14 DELEGATE ABLE, Division 322: Okay,
 15 thanks.
 16 DELEGATE SMITH, Division 162: We
 17 just didn't have the option to change that.
 18 DELEGATE ABLE, Division 322: I
 19 understand; thank you.
 20 PRESIDENT HALLÉ: Mic No. 4?
 21 DELEGATE O'DONNELL, Division 723:
 22 Shawn O'Donnell, 723. Call for question.
 23 DELEGATE SMITH, Division 162: We
 24 will also need an amendment on this as to the
 25 timeliness. It will have to be made effective

1 immediately. I will move that as an amendment now so
 2 we can deal with it before the question.
 3 PRESIDENT HALLÉ: That is an
 4 amendment that we should vote first.
 5 VICE-PRESIDENT (TCRC) HUCKER: No,
 6 you can't. He called a question. There was nobody
 7 else at the mic. Debate on the issue is over.
 8 DELEGATE O'DONNELL, Division 723: A
 9 point of order. Can I withdraw my call for the
 10 question? Is that allowed under the rules?
 11 PRESIDENT HALLÉ: Since you called
 12 for the question...
 13 VICE-PRESIDENT (TCRC) HUCKER: That's
 14 it.
 15 PRESIDENT HALLÉ: Okay. we will vote
 16 on the Bylaws Committee recommendation to accept the
 17 resolution of the Bylaws Committee.
 18 DELEGATE SMITH, Division 162: Is
 19 this the amendment?
 20 PRESIDENT HALLÉ: No. That's on the
 21 main question.
 22 --- VOTING
 23 PRESIDENT HALLÉ: 62 against, 46 for.
 24 So it is defeated.
 25 --- DEFEATED

1 PRESIDENT HALLÉ: Microphone 4.
 2 DELEGATE FLEGEL, Division 793: Jim
 3 Flegel, Division 793, Engineers. Just a point of
 4 information.
 5 If someone calls for the question,
 6 don't we vote whether we want to end debate and have
 7 the question? In this situation, a Brother made a
 8 motion that he wanted to call for the question, but
 9 maybe other members wanted to have further debate on
 10 the issue. In that case, then they would have voted
 11 that down.
 12 PRESIDENT HALLÉ: There was nobody at
 13 the mic and we went with the vote, because when Brother
 14 O'Donnell was invited there was nobody else at the mic
 15 for a period of time. So we proceeded with the vote
 16 right away.
 17 DELEGATE FLEGEL, Division 793: Okay.
 18 So if no one is at the mics, we don't have to vote on
 19 the question, but if there are other people at the
 20 mics, we will vote on the question.
 21 Am I clear?
 22 PRESIDENT HALLÉ: That is correct.
 23 UNIDENTIFIED DELEGATE: Thank you.
 24 PRESIDENT HALLÉ: That is why we
 25 proceeded with the vote, there was nobody there.

1 DELEGATE SMITH, Division 162: Bylaw
 2 Section 1(f) on page 10. Your Bylaws Committee
 3 recommends to reject the resolution submitted by the
 4 TCRC President and to accept the resolution submitted
 5 by Division 631. And I would amend that to the extent
 6 that it be made effective immediately.
 7 I so move.
 8 Do I have a seconder for the
 9 amendment?
 10 PRESIDENT HALLÉ: Dave Able, 322
 11 second.
 12 Any discussion on the amendment?
 13 Seeing none, first we are going to
 14 vote on the amendment motion made by the Bylaws
 15 Committee.
 16 --- VOTING
 17 PRESIDENT HALLÉ: 104 in favour, 6
 18 against. The amendment has passed.
 19 --- CARRIED
 20 PRESIDENT HALLÉ: Now, any discussion
 21 on the main motion which is the recommendation of the
 22 Bylaws Committee to accept resolution submitted by
 23 Division 631?
 24 Seeing nobody at the mike, let us go
 25 for the vote.

1 --- VOTING
 2 PRESIDENT HALLÉ: 104 in favour,
 3 5 against. The main motion passed.
 4 --- CARRIED
 5 DELEGATE SMITH, Division 162: Maybe
 6 if I could just give a brief explanation as to why some
 7 of these that we will be requesting an amendment to
 8 make the effectiveness immediately. In the IBT
 9 Constitution, approval of bylaws of local unions:
 10 "bylaws of local unions and
 11 other subordinate bodies and the
 12 members thereto shall be
 13 effective upon the approval of
 14 the General President. The
 15 General President shall have the
 16 authority to approve amendments
 17 retroactive to the date on which
 18 the amendments were initially
 19 adopted by the local union's
 20 membership. However, such
 21 retroactive approval shall not
 22 be granted where the effect of
 23 such action would be to excuse
 24 an action taken without adequate
 25 authorization as required by the

1 bylaws approved by the
 2 membership." (As read)
 3 So in the normal course of things,
 4 what we do will be subject to approval. And when the
 5 approval comes that would be the effective time.
 6 Some of the things we will deal with
 7 today and tomorrow, we need immediate application
 8 because there is impacts for the most part on the
 9 elections that we will have on Thursday, the positions.
 10 There are also some other ones, but
 11 any time I am asking for an amendment for immediate
 12 application, this is the reason. And then what we will
 13 do is we will write President Hoffa(ph) and say that
 14 these are the ones that we are requesting retroactive
 15 application for. So just a point of interest there.
 16 The next is Bylaw Section 2(b) on
 17 page 12. Your Bylaws Committee recommends to reject
 18 the resolution submitted by Division 320 and to retain
 19 present law.
 20 PRESIDENT HALLÉ: Microphone 2.
 21 DELEGATE RANSON, Division 320:
 22 Division 320, Gerry Ranson, Locomotive Engineers. I
 23 have to ask the Committee why they would go to a
 24 housekeeping rule first before dealing with the main
 25 issue.

1 DELEGATE SMITH, Division 162: Sorry.
 2 DELEGATE RANSON, Division 320: Would
 3 it make more sense if you dealt with the main motion
 4 and then deal with the housekeeping?
 5 DELEGATE SMITH, Division 162: I am
 6 sorry. Let us proceed to page 53. It will be under
 7 Bylaws, a new section proposed.
 8 Bylaws Committee recommendation, the
 9 creation of this new appeals board would be in
 10 violation of the IBT Constitution as the appeals
 11 process is already provided therein. The Bylaws
 12 Committee recommends to reject the resolution of
 13 Division 320 and to retain present law.
 14 I so move.
 15 DELEGATE RANSON, Division 320:
 16 Division 320, Gerry Ranson, Locomotive Engineers. I
 17 thought this was fairly straightforward and simple.
 18 But I can see now by the learned
 19 recommendations of Committee that it is probably out of
 20 order. So, I also recommend that it be rejected.
 21 --- Laughter / Rires
 22 PRESIDENT HALLÉ: Seeing nobody at
 23 the mikes at this time, I say we will go for the vote
 24 on the Bylaws Committee recommendation to reject the
 25 resolution submitted by Division 320 and to retain

1 present laws.
 2 --- VOTING
 3 PRESIDENT HALLÉ: 107 in favour, 5
 4 against. So, the Bylaw Committee recommendation
 5 adopted.
 6 --- CARRIED
 7 PRESIDENT HALLÉ: Brother Smith.
 8 DELEGATE SMITH, Division 162: Bylaw
 9 Section 2(b), we are back now to page 12. The Bylaws
 10 Committee recommends to reject the resolution submitted
 11 by Division 320 and retain present law.
 12 I so move.
 13 DELEGATE RANSON, Division 320:
 14 Division 320, Gerry Ranson, Locomotive Engineers.
 15 Based on the recommendation of the main motions as the
 16 duly elected delegate from Division 320, I drop this
 17 resolution as well as page 22.
 18 PRESIDENT HALLÉ: Go ahead, Brother.
 19 DELEGATE RANSON, Division 320:
 20 Page 22, Bylaw Section 7(c)(i), page 6 is also a
 21 housekeeping rule. So, I drop that as a duly elected
 22 delegate.
 23 PRESIDENT HALLÉ: Okay, can we
 24 again -- you are withdrawing the submission on page 12?
 25 UNIDENTIFIED DELEGATE: Page 12 and

1 page 22.
 2 PRESIDENT HALLÉ: And page 22?
 3 UNIDENTIFIED DELEGATE: Yes.
 4 DELEGATE SINGER, Division 563: A
 5 point of information. Al Singer, Division 563 local of
 6 engineers, Cranbrook, B.C.
 7 Can resolutions now be withdrawn from
 8 the Bylaws Committee report where there's
 9 recommendations pending on those resolutions?
 10 PRESIDENT HALLÉ: Your question, if
 11 they are going to be withdrawn from the book?
 12 DELEGATE SINGER, Division 563: Well,
 13 from the proceedings.
 14 PRESIDENT HALLÉ: I don't think so.
 15 They will remain in the proceedings because they were
 16 discussed and we need in the proceedings that they were
 17 withdrawn by Brother Ranson. Somebody has to come and
 18 the proceedings are what we say in this room, so I
 19 think the withdrawal of the two submissions by Division
 20 320 has to stay in the proceedings, if that's your
 21 question.
 22 UNIDENTIFIED DELEGATE: Al, it's not
 23 necessary to have a vote as long as the person who
 24 withdraws the resolution is the person from that
 25 division that presented the resolution.

1 DELEGATE SINGER, Division 563: Okay,
 2 thank you. That answers the question.
 3 PRESIDENT HALLÉ: Okay, we have page
 4 12 and 22 again.
 5 Brother Smith.
 6 DELEGATE SMITH, Division 162: Bylaws
 7 Section 3, paragraph (b), page 13:
 8 "Your Bylaws Committee
 9 recommends acceptance of the
 10 resolution submitted by the TCRC
 11 President."
 12 I so move.
 13 PRESIDENT HALLÉ: Seeing nobody at
 14 the mic, no debate, we will vote on the recommendation
 15 by the Bylaws Committee to accept resolution submitted
 16 by the President TCRC.
 17 --- VOTING
 18 PRESIDENT HALLÉ: 111 in favour, 1
 19 against, the recommendation by the Bylaws Committee is
 20 adopted.
 21 --- CARRIED
 22 DELEGATE SMITH, Division 162: Bylaws
 23 Section 5, paragraph (a):
 24 "Your Bylaws Committee agrees
 25 with the concept advanced by

1 both Division 728 and the TCRC
 2 President but prefers the
 3 resolution of the TCRC President
 4 as it retains the language
 5 outlining the time frame for the
 6 convening of the Convention.
 7 Your Bylaws Committee recommends
 8 to reject the resolution
 9 submitted by Division 728 and to
 10 accept the resolution submitted
 11 by the TCRC President".
 12 I so move.
 13 PRESIDENT HALLÉ: Microphone 2.
 14 DELEGATE BEAVER, Division 288: I'm
 15 Tim Beaver. I'm from Division 288, MacTier, Ontario.
 16 Could you tell me what the dividing
 17 line, the geographical, between western and eastern
 18 Canada? Is it the current Ontario/Manitoba border? Or
 19 since Alberta has become more powerful now, would it be
 20 perhaps Saskatchewan east? Or are we going to redefine
 21 this for us? Thanks.
 22 DELEGATE SMITH, Division 162: It
 23 says here, Tim, Alberta's not quite as powerful as they
 24 think yet --
 25 --- Laughter / Rires

1 DELEGATE SMITH, Division 162: --
 2 because we defined it as being the Manitoba/Ontario
 3 border, so...
 4 PRESIDENT HALLÉ: Seeing no other
 5 delegate at the mics, we will vote on the
 6 recommendation by the Bylaws Committee to reject
 7 resolution by 728 and accept the resolution submitted
 8 by the TCRC President.
 9 --- VOTING
 10 PRESIDENT HALLÉ: The result is 105
 11 in favour, 2 against, so recommendation of Bylaws
 12 Committee is adopted.
 13 --- CARRIED
 14 PRESIDENT HALLÉ: Brother Smith.
 15 DELEGATE SMITH, Division 162: Now we
 16 are back in the area where we were being affected by
 17 the language of the membership initiative, and under
 18 the membership initiative there was one paragraph
 19 produced in Section 1, that being paragraph (e).
 20 Under the initiative, the entire
 21 Section 6 was reproduced and adopted by a membership
 22 vote, so there's no wording that we can change in the
 23 entire Section 6, so there are no resolutions on behalf
 24 of anything in Section 6 from this committee because it
 25 would be improper for those items to come to the floor.

<p style="text-align: right;">Page 181</p> <p>1 So if we can immediately go to 2 page 23, Bylaws Section 7, paragraph (i): 3 "The resolution submitted by 4 Division 510 and Division 728 5 actually encompass two (2) 6 changes. The original language 7 contained in paragraph (i) would 8 disappear completely. The 9 replacement language would 10 mandate the TCRC President to 11 visit at least 8 (eight) 12 terminals annually. 13 Additionally at least 9 (nine) 14 specific terminals must be 15 visited once every two years. 16 Your Bylaws Committee feels this 17 resolution seriously 18 underestimates the demand of the 19 office of the TCRC President. 20 There is nothing to prevent a 21 Division from requesting the 22 attendance of the TCRC President 23 at a Division meeting but that 24 request should be considered in 25 light of the nature of the issue</p>	<p style="text-align: right;">Page 183</p> <p>1 portion is in the legislative section, Section 2, 2 paragraph (a). I will give you a page in a second. 3 UNIDENTIFIED DELEGATE: 11. 4 DELEGATE SMITH, Division 162: 112? 5 Thank you. 6 Page 112, you will see a number of 7 resolutions there. This is the main focus of the 8 initiative. There are a fair number of related issues 9 as we go through the book, but this is the main one 10 that kicks it off. 11 It is Legislative Rule section 2, 12 paragraph (a). Your Bylaws Committee recommends to 13 reject the resolution submitted by Division 320, 14 Division 563, and the Legislative Committee, and to 15 accept the resolution submitted by the Bylaws 16 Committee. 17 I so move. 18 --- Pause 19 PRESIDENT HALLÉ: Seeing no delegates 20 at the microphones, we will vote on the recommendation 21 of the Bylaws Committee. 22 --- VOTING 23 PRESIDENT HALLÉ: Microphone No. 2. 24 DELEGATE BEAVER, Division. 288: 25 Gilles, could we have a little more time on this?</p>
<p style="text-align: right;">Page 182</p> <p>1 and the current 2 schedule/workload of the TCRC 3 President. 4 Your Bylaws Committee recommends 5 to reject the resolutions 6 submitted by Division 510 and 7 Division 728 and to retain 8 present law. 9 I so move. 10 PRESIDENT HALLÉ: Seeing no delegates 11 at the microphone, we will vote on the recommendation 12 for the Bylaws Committee to reject resolutions 13 submitted by Division 510 and 728 and to retain present 14 law. 15 --- VOTING 16 PRESIDENT HALLÉ: 99 in favour, 12 17 against, the recommendation by the Bylaws Committee is 18 adopted. 19 --- CARRIED 20 UNIDENTIFIED DELEGATE: (Off mic...), 21 PRESIDENT HALLÉ: 13. I will check 22 the right line. 23 DELEGATE SMITH, Division 162: The 24 next item in order is Bylaws, Section 7, paragraph (j), 25 but that is part of a bigger initiative, which the main</p>	<p style="text-align: right;">Page 184</p> <p>1 I know that we were supposed to have 2 read all of this stuff and whatnot, but I think that 3 other people were trying to comprehend this, because it 4 has more effect than a first reading. 5 Could we have a little more time 6 before the question is called? 7 PRESIDENT HALLÉ: All right. 8 --- Pause 9 PRESIDENT HALLÉ: Seeing no one at 10 the microphones, we will vote on the question. 11 --- VOTING 12 DELEGATE RANSON, Division 320: Point 13 of order. 14 PRESIDENT HALLÉ: Hold on, the vote 15 is running now. 16 DELEGATE RANSON, Division 320: That 17 was the question I had. 18 Somebody got up and spoke during the 19 voting procedure, so the issue is section 22 of your 20 rules. 21 DELEGATE SMITH, Division 162: Gerry, 22 could you repeat that? 23 What was your point of order? 24 DELEGATE RANSON, Division 320: 25 Section 22 of the rules.</p>

1 PRESIDENT HALLÉ: Yes, the vote was
 2 called.
 3 DELEGATE ANDERSON, Division 896:
 4 Point of order.
 5 --- Pause
 6 PRESIDENT HALLÉ: All right. We will
 7 cancel this vote.
 8 Brother Beaver came to the microphone
 9 and asked for a little more time, and I nodded and I
 10 looked and nobody was calling. At the same time the
 11 vote started, and I didn't know the vote had already
 12 started until I turned around.
 13 I called for the vote after I looked,
 14 and he said, "We need more time," and I nodded, I said
 15 yes. Then, all of a sudden the vote started.
 16 So we will cancel this vote, and we
 17 will recognize people who want to speak at the
 18 microphones.
 19 This is our first convention. These
 20 are our rules. We are going to work with them. We
 21 have to learn.
 22 There was a suggestion made by
 23 Brother Beaver, so I will let the Bylaws Committee
 24 again talk about their recommendation.
 25 Brother Smith.

1 DELEGATE SMITH, Division 162: Again,
 2 this is another one of those ones that requires it to
 3 be retroactive if it goes forward, so I would amend the
 4 resolution to the extent that it would be effective
 5 immediately.
 6 I so move.
 7 I need a seconder.
 8 PRESIDENT HALLÉ: Brother Ron
 9 Theriault is the seconder, from Division 469, Ottawa.
 10 First we will deal with the
 11 amendment.
 12 Microphone No. 4.
 13 DELEGATE ANDERSON, Division 362:
 14 Just quickly scanning through this thing, are we
 15 talking about some things that haven't been brought in?
 16 They are talking about regional
 17 legislative boards and --
 18 Are we voting on something that -- we
 19 don't even have some of this stuff already?
 20 We are saying yes to something we
 21 don't have?
 22 PRESIDENT HALLÉ: We are talking
 23 about the amendment, Brother.
 24 Brother Smith made an amendment that
 25 makes this retroactive, like the previous one.

1 When we are finished with the
 2 amendment, we will talk on the main motion.
 3 DELEGATE ANDERSON, Division 362:
 4 Okay.
 5 PRESIDENT HALLÉ: I'm sorry about
 6 that.
 7 Microphone No. 3.
 8 DELEGATE WHETEN, Division 728: I
 9 have the same question as my Brother. We are dealing
 10 with regional boards which haven't been passed yet --
 11 PRESIDENT HALLÉ: The same thing --
 12 DELEGATE WHETEN, Division 728: We
 13 are also dealing with the National Legislative
 14 Director, and that issue hasn't been settled either.
 15 I think there is another resolution
 16 on that, also.
 17 PRESIDENT HALLÉ: The same thing,
 18 Brother Mike. We are dealing with the amendment to
 19 make it retroactive.
 20 Let's deal with the amendment, and we
 21 will deal with the main motion after that, which is the
 22 recommendation of the Bylaws Committee.
 23 DELEGATE WHETEN, Division 728: Again
 24 I would point out to you, Gilles, how can we deal with
 25 two issues that we haven't dealt with yet?

1 First of all, you have to set the
 2 structure up before we can discuss this issue.
 3 I don't know how you can make it
 4 retroactive.
 5 Why don't we just go and deal with
 6 the other two issues and come back to this one like we
 7 did before?
 8 DELEGATE SMITH, Division 162: As I
 9 understand it, Brother Mike, that portion should not be
 10 in there. That was not our intent to try and work one
 11 option and the other option at the same time.
 12 If I am understanding it correctly,
 13 if we can deal with this amendment and then put the
 14 main question back on the floor, I would be more than
 15 happy to make an amendment which removes the reference
 16 to recent aborts. It was not our intent to try and
 17 kill two birds with one stone, if you will.
 18 DELEGATE WHETEN, Division 728: Okay,
 19 thanks.
 20 PRESIDENT HALLÉ: Mic No. 1.
 21 DELEGATE SMITH, Division 667: Tim
 22 Smith, Division 667, Brandon, Conductors, Trainmen.
 23 Under the Rules of Order, Section 15,
 24 I would like to propose that we postpone this to
 25 tomorrow morning to deal with. There is a lot of stuff

1 to deal with here.
 2 PRESIDENT HALLÉ: We have a motion by
 3 Brother Tim Smith to postpone until tomorrow morning.
 4 There is a second?
 5 DELEGATE HANDKAMER, Division 076:
 6 Tom Handkamer, Division 076, Locomotive Engineers.
 7 I will second that motion.
 8 PRESIDENT HALLÉ: There is a motion
 9 to postpone. I think we will have to vote on this
 10 motion right away.
 11 Brother Smith, you said to postpone
 12 until tomorrow morning.
 13 DELEGATE SMITH, Division 667:
 14 Correct.
 15 PRESIDENT HALLÉ: So we will vote.
 16 Brother Welter, we have to vote on
 17 this motion now to postpone.
 18 DELEGATE WELTER, Division 132: I was
 19 already at the mic.
 20 PRESIDENT HALLÉ: Okay, go ahead.
 21 Sorry.
 22 DELEGATE WELTER, Division 132: I
 23 have a question from the Bylaws Committee. You are
 24 confusing me, and maybe I'm just a little dense here.
 25 You have the motions there and you

1 keep making an adjustment to it. If you just read it
 2 with the adjustment, wouldn't that be your motion and
 3 we wouldn't have to go for the amendment?
 4 PRESIDENT HALLÉ: Brother Welter, you
 5 are out of order. We were dealing with the amendment.
 6 There was a motion to postpone.
 7 DELEGATE WELTER, Division 132: I was
 8 just trying to get a clarification here, sir.
 9 PRESIDENT HALLÉ: We will get back
 10 tomorrow morning on this, Brother.
 11 So we have a vote to postpone until
 12 tomorrow morning. Please vote.
 13 --- VOTING
 14 PRESIDENT HALLÉ: 78 in favour and 32
 15 against.
 16 --- CARRIED
 17 PRESIDENT HALLÉ: The motion is
 18 postponed until tomorrow morning.
 19 Brother Smith, you made a motion to
 20 postpone until tomorrow morning. I want people to
 21 understand that.
 22 We were dealing with the amendment
 23 proposed by Brother Smith. So I don't want to see any
 24 confusion.
 25 Your motion to postpone was when we

1 were speaking on the amendment. We still have the main
 2 motion.
 3 I recognize Brother Smith, microphone
 4 No. 1.
 5 DELEGATE SMITH, Division 667: Tim
 6 Smith, Division 667, Brandon.
 7 I also make a motion to postpone
 8 until tomorrow morning for the main motion that is on
 9 the table.
 10 PRESIDENT HALLÉ: There is a motion
 11 to postpone until tomorrow morning the main amendment.
 12 Is there a second?
 13 DELEGATE HANDKAMER, Division 076:
 14 Don Handkamer, Division 076, Locomotive Engineers.
 15 I second that motion.
 16 PRESIDENT HALLÉ: Thank you.
 17 Seeing no delegates at the
 18 microphone, let's vote on the motion to postpone the
 19 main amendment until tomorrow morning.
 20 --- VOTING
 21 PRESIDENT HALLÉ: 89 in favour, 21
 22 against.
 23 It is postponed until tomorrow
 24 morning.
 25 --- CARRIED

1 DELEGATE SMITH, Division 162: In
 2 consideration of the motion to postpone the main motion
 3 until the morning, we will skip by 7.(j) for now -- it
 4 is a housekeeping item related to that same issue --
 5 and proceed to Bylaw Section 7.(p).
 6 It is on page 25 of your book.
 7 "The National Office and
 8 formerly the International
 9 Office under the BLE would, upon
 10 request, appoint a
 11 representative to assist in
 12 national negotiations along with
 13 paying for expenses of General
 14 Chairman negotiating national
 15 contracts. The resolution of
 16 the TCRC President would ensure
 17 that measure is formalized
 18 within the TCRC Bylaws.
 19 Your Bylaws Committee agrees in
 20 principle but has developed
 21 language to ensure a request for
 22 assistance can only be made by
 23 the General Chairman affected by
 24 such national negotiations.
 25 Your Bylaws Committee recommends

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1 to reject the resolution
 2 submitted by the TCRC President
 3 and to accept the resolution
 4 submitted by the Bylaws
 5 Committee."
 6 I so move.
 7 PRESIDENT HALLÉ: Just a minute,
 8 Brother Smith.
 9 I didn't see Brother Welter was at
 10 the microphone before you started.
 11 DELEGATE SMITH, Division 162: Okay.
 12 PRESIDENT HALLÉ: And we will leave
 13 it there.
 14 Brother Welter?
 15 DELEGATE WELTER, Division 132: The
 16 same question.
 17 I believe this is a draft until he
 18 reads it and it is put into the minutes. So my
 19 question is: Does he need to make an amendment every
 20 time or can he just read what he wants to say and that
 21 shall be the resolution and then that's all we vote on?
 22 Mr. Parliamentarian?
 23 HON. JIM SHIELDS: Obviously my
 24 talk in the afternoon wasn't as clear as I should have
 25 made it.

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1 What you are dealing with -- I will
 2 use this one as an example.
 3 You have two paragraph (p)s with
 4 exact wording in it. You then have the Bylaws
 5 Committee recommendation one way or the other.
 6 What is not there, there is no time
 7 limit. There is no nothing.
 8 DELEGATE WELTER, Division 132: When
 9 he reads it, can't he put that in?
 10 HON. JIM SHIELDS: No. He has to
 11 make a specific motion to amend the wording that you
 12 have in your book each time it comes up. Some may or
 13 may not require it, but it is up to the discretion of
 14 the Bylaws Committee to determine that. If they
 15 haven't put it in when they sent it to you weeks ago,
 16 then there has to be a formal motion made by the
 17 committee each time that occurs.
 18 DELEGATE WELTER, Division 132:
 19 Thank you.
 20 PRESIDENT HALLÉ: Does that
 21 clarify it?
 22 Microphone 2.
 23 Is there something, David?
 24 DELEGATE ABLE, Division 322: Are we
 25 dealing with this section 7?

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1 PRESIDENT HALLÉ: Yes.
 2 DELEGATE ABLE, Division 322: Yes.
 3 Okay, you made the motion, right Chris?
 4 DELEGATE SMITH, Division 162: Yes.
 5 DELEGATE ABLE, Division 322: In
 6 section 14 of the GC of A Bylaws, it says that we can
 7 request a vice-president. "Under the of A may call on
 8 the rail conference president for assistance" et
 9 cetera.
 10 "If such assistance is
 11 requested, it shall be given
 12 precedent over all other
 13 business and the rail conference
 14 president shall respond in
 15 person at once or send a rail
 16 conference vice-president who
 17 will use all honourable means to
 18 satisfy the disposition."
 19 (As read)
 20 And then in the next one, it says:
 21 "...except as provided in
 22 Section 30-31, the rail
 23 conference president shall not
 24 be empowered to assign a rail
 25 conference vice-president to

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1 assist the GCA unless requested
 2 to do so." (As read)
 3 And now what we have done is we have
 4 added a representative of the national office. And I
 5 have a bit of a problem with that.
 6 When we have a vice-president we
 7 have authority there -- or a president. You know, we
 8 have the authority of the thing, but if we send a, if
 9 a special rep shows up, no disrespect, you know you
 10 have got to watch what you say -- or if he picks a
 11 local chairman to go or something, I think that we may
 12 end up in problems with that on a request of, you know,
 13 who it is.
 14 I mean I would be happy if the
 15 General Chairs got to pick who it was or I would be
 16 happy with vice-president or president but not just a
 17 person out of the blue.
 18 Anyway, that is kind of where it is.
 19 I mean we have the provision there already for a
 20 vice-president.
 21 When can offer amendment, I guess
 22 would be the question.
 23 PRESIDENT HALLÉ: Yes. That is what
 24 you want to make, an amendment.
 25 DELEGATE ABLE, Division 322: Yes.

1 When could I -- can I do it now?
 2 Okay, could we change the wording?
 3 If you want it in writing it is pretty simple. On the
 4 Bylaws Committee, the rail conference president will
 5 provide a vice-president to assist, if I may offer
 6 that.

7 PRESIDENT HALLÉ: Would you put that
 8 in writing too for the people?

9 DELEGATE ABLE, Division 322: The
 10 whole thing or just "a vice-president"?

11 PRESIDENT HALLÉ: Just the words and
 12 where you want them inserted.

13 DELEGATE ABLE, Division 322: Okay.
 14 I will do that. If you can give me a few minutes. If
 15 you want to carry on.

16 PRESIDENT HALLÉ: Is there a seconder
 17 to that motion?

18 DELEGATE CALDWELL, Division 189: I
 19 would like to just talk a little bit about what Dave
 20 just said. Caldwell, Division 189, Belleville. Would
 21 that preclude --

22 PRESIDENT HALLÉ: Is there a seconder
 23 to the motion, first?

24 Brother Tim Smith at the back. Are
 25 you seconding the motion?

1 DELEGATE SMITH, Division 667: I am
 2 seconding the motion.

3 PRESIDENT HALLÉ: You have to come to
 4 the mike, I cannot go with that.

5 DELEGATE SMITH, Division 667: Tim
 6 Smith, Division 667, Brandon, second the motion.

7 PRESIDENT HALLÉ: Thank you.

8 Brother Caldwell.

9 DELEGATE CALDWELL, Division 189: I
 10 just want to speak about what Dave said.

11 PRESIDENT HALLÉ: Now is the time to
 12 speak because you understand nobody has seconded the
 13 motion made by Brother Able yet.

14 So, he made the motion, we have a
 15 seconder. Now you can speak on the motion.

16 DELEGATE CALDWELL, Division 189: My
 17 own problem with it is that it sounds to me like it
 18 would preclude the president himself from assisting in
 19 those negotiations if it specifically says
 20 vice-president.

21 I don't think that is what Dave
 22 intended but that might be what the amendment says.

23 PRESIDENT HALLÉ: Mike 4, Brother
 24 Swenor.

25 DELEGATE SWENOR, Division 952: Frank

1 Swenor, Division 952, Toronto.

2 Yes, I agree with that, that you are
 3 limiting who he can appoint. He might have a higher
 4 gun that might be a specialist on an issue that he
 5 might want to put on that committee and I urge you to
 6 reject the amendment.

7 PRESIDENT HALLÉ: Microphone number
 8 2, Brother Gallop.

9 DELEGATE GALLOP, Division 295:
 10 Division 295. Just for my own clarification on this,
 11 is the amendment that they are making strictly for the
 12 vice-president to be the only one that would be allowed
 13 to be appointed?

14 I am just trying to understand this.
 15 To assist in national negotiations,
 16 is that what I am hearing?

17 PRESIDENT HALLÉ: I think the
 18 amendment proposed by the Brother is "a vice-president"
 19 and that is why we need it in writing. Do we remove
 20 the representative?

21 I think the only thing we heard so
 22 far in the amendment is to put "a vice-president". So,
 23 if you want to do that you probably have to delete the
 24 word "representative" so we will...

25 DELEGATE CALDWELL, Division 189: He

1 is going to clarify.

2 DELEGATE ABLE, Division 322: Just to
 3 clarify, in 42 of the general committee rules, page 42,
 4 Section 14 it says "vice-president" now. I don't want
 5 to change that.

6 We are going to go with that. Like
 7 it is vice-president now and now we are changing the
 8 thing totally. That is all I am getting at. Just
 9 going consistent with the language that is there.

10 PRESIDENT HALLÉ: Brother Dave we are
 11 dealing recommendation and amendment in Section 7(p).
 12 We are dealing with 7(p). We are not dealing with
 13 Article 42 of the other rules. That is what --

14 DELEGATE ABLE, Division 322: That
 15 was in my explanation and (off microphone) so I could
 16 clarify that.

17 DELEGATE CALDWELL, Division 189: I
 18 am just going to continue on with that. If what I am
 19 hearing is restricting like I heard earlier, somebody
 20 who has a lot of experience, a specialist, which I have
 21 seen in the past where they have somebody come in to
 22 assist, I totally am against this.

23 We should have people come in who
 24 have a lot of knowledge to assist national
 25 negotiations. That is my opinion.

1 DELEGATE ABLE, Division 322: You
2 want it read first?
3 PRESIDENT HALLÉ: Yes.
4 DELEGATE ABLE, Division 322:
5 "Rail conference president will
6 provide a vice-president or a
7 representative selected by the
8 General Chairman"... (As read)
9 And the remainder.
10 PRESIDENT HALLÉ: Now, you had an
11 amendment, now you are making another amendment to the
12 main amendment.
13 DELEGATE ABLE, Division 322: Well, I
14 will listen to the brothers, I will withdraw my
15 amendment and offer another one. I don't know how you
16 do that, but... But we haven't got that yet, Gerry?
17 PRESIDENT HALLÉ: Let us deal with
18 the first amendment first. We can't exchange words
19 like this all the time.
20 If you want to withdraw the first
21 amendment, your seconder has to withdraw it. Let's do
22 it properly.
23 DELEGATE ABLE, Division 322: I will
24 withdraw that amendment with consideration right away
25 here.

1 DELEGATE SMITH, Division 667: We
2 will withdraw our submission on the basis of
3 seconding it.
4 PRESIDENT HALLÉ: Okay. So, Brother
5 Able you withdraw your amendment. Your seconder
6 withdraws his second. So, let's go back.
7 DELEGATE ABLE, Division 322: Now
8 could we offer the other amendment?
9 "The rail conference president
10 will provide a vice-president or
11 a representative selected by the
12 General Chairman"... (As read)
13 And then the remainder of the article.
14 DELEGATE SMITH, Division 667: Tim
15 Smith, Division 667, Trainman, will second the
16 motion -- or second the amendment.
17 PRESIDENT HALLÉ: Listen, let's get
18 the wording over to the table so we can change this
19 thing to that on the screen.
20 --- Pause
21 PRESIDENT HALLÉ: Okay, we have the
22 amendment on the screen. If I see it correctly, it
23 removes the words "a representative" and it's replaced
24 by "vice-president or a representative selected by the
25 general chairman".

1 Mic 1, I think Brother Welter was
2 there already.
3 DELEGATE WELTER, Division 132: I
4 would like to speak on that motion.
5 I believe that the president should
6 send somebody at the request of the general chairman,
7 but I believe by that amendment you are tying the hands
8 of the president.
9 It's just my opinion. I would have
10 to say no to it.
11 PRESIDENT HALLÉ: Brother Swenor,
12 microphone 4.
13 DELEGATE SWENOR, Division 952: Yes,
14 Frank Swenor, Division 952.
15 Perhaps the Brother could speak to
16 why he wants to restrict it to -- the way I read this,
17 the rail conference president could send a
18 vice-president without consulting the general chairman,
19 or if he wanted to send in a higher gun he would have
20 to get the approval of the general chairman. Could he
21 speak to the reason why it's worded that way?
22 UNIDENTIFIED DELEGATE: Yes. Back to
23 the constitution again, it says that, on request, he
24 can provide one. So if we don't request, we don't get
25 anything. If we do request and he doesn't send

1 someone, that's fine, but we don't want -- we have
2 discussed this, and I think Tim wants to amend it, but
3 when we ask for the expenses -- the unwritten policy of
4 the OBLE was we got the expenses paid for our
5 negotiations provided we requested a vice-president.
6 The U.S. used to have -- like, Gilles
7 at one time was a vice-president before he was Canadian
8 director, and there was George, who was a
9 vice-president or -- yeah, that's how that works, so
10 those guys, if they made a request to, at the time, the
11 international president, then the expenses were picked
12 up.
13 So this way we are just trying to get
14 this into the writing to -- I mean, the Bylaws
15 Committee. I'm not speaking for you, I hope, but this
16 is my thoughts, is we are getting that, but we don't
17 want to have -- and the president's here, and, I mean,
18 I'm not saying he's going to do that, but he might
19 appoint that guy over there, you don't know, and if we
20 have the selection -- we know the specialists you are
21 going to need at negotiations.
22 Like, we will bring in a benefit
23 person, for an example. Like, we know that. Or if we
24 have got a guy from -- I will use Vancouver. If we
25 have issues there, Gerry's sitting right here and we

1 will call him up, "Come on in". I mean, this contract
2 coming up, we have issues with Sparwood, so we would
3 ask the assistance of -- the local chair's from
4 Cranbrook, for an example, because that's their area,
5 and that's the reasoning.

6 Like, we don't need -- we wouldn't
7 need Brother O'Donnell coming in, for just an example,
8 we would like to select who it is because we know who
9 it is. And we are not trying to tie the president's
10 hands in any way, shape or form. I mean, you have got
11 four general chairs, we would have to agree on who it
12 is anyway.

13 Does that clarify why or...?

14 DELEGATE SWENOR, Division 952: Yes.

15 UNIDENTIFIED DELEGATE: Okay, thanks,
16 Brother.

17 PRESIDENT HALLÉ: Okay, listen,
18 Brothers, we don't have a debate like this. We don't
19 have a debate between two tables here.

20 Microphone No. 4, Brother Shawn.

21 DELEGATE O'DONNELL, Division 723: I
22 would like to speak against the motion.

23 I think if the general chairmen are
24 seeking help from the national office or the Canadian
25 director president, that's legitimate and he should

1 Edwards, Division 657, Revelstoke, locomotive
2 engineers.

3 Can I make an amendment to the
4 amendment?

5 PRESIDENT HALLÉ: You can amend an
6 amendment.

7 DELEGATE EDWARDS, Division 657: I
8 can or I can't, sorry?

9 PRESIDENT HALLÉ: You can, yes. You
10 are allowed to.

11 DELEGATE EDWARDS, Division 657:
12 Okay, I would like to move that the amendment be
13 revised to read, "vice-president or a representative
14 acceptable to the general chairman".

15 UNIDENTIFIED DELEGATE: Can you
16 repeat that again, Greg?

17 PRESIDENT HALLÉ: You want to remove
18 the word "selected" and replaced by "acceptable to"?

19 DELEGATE EDWARDS, Division 657:
20 Remove the words "selected by" and replace them with
21 "acceptable to".

22 PRESIDENT HALLÉ: Okay. Is there a
23 seconder?

24 DELEGATE LOCKHART, Division 535:
25 Seconded.

1 provide-- or they should provide one, but to select who
2 it's going to be and then have the national pay for
3 whoever they select, I don't understand how any of that
4 makes -- none of that makes sense to me. I think if
5 you ask for help from the national, the national then
6 has the discretion to appoint someone to help you out
7 and pay for the full pot, then.

8 That's all I have to say.

9 PRESIDENT HALLÉ: Microphone No. 2.

10 DELEGATE RANSON, Division 320:
11 Division 320, Gerry Ranson, locomotive engineers.

12 I just want to point out that if that
13 goes through as it is, it's kind of in conflict with
14 the current GCA rules, section 14, where it says:

15 "The President shall respond in
16 person at once or send a
17 vice-president." (As read)

18 So if that goes through, it's
19 basically what the brother said before, the president
20 could not go himself or there would be conflict between
21 the two. So I'm not opposing what they are trying to
22 do, but I think there's going to be a conflict if that
23 goes through the way it's written.

24 PRESIDENT HALLÉ: Microphone 3.

25 DELEGATE EDWARDS, Division 657: Greg

1 PRESIDENT HALLÉ: Brother Art
2 Lockhart. What's your division, Art?

3 DELEGATE LOCKHART, Division 535:
4 535.

5 PRESIDENT HALLÉ: 535 seconded the
6 motion.

7 Any debate on the motion to amend the
8 amendment?

9 UNIDENTIFIED DELEGATE: Could we view
10 it on the screen, please?

11 PRESIDENT HALLÉ: Yes.

12 --- Pause

13 PRESIDENT HALLÉ: Okay, there's the
14 amendment to the amendment.

15 Microphone No. 4.

16 DELEGATE DOHERTY, Division 247:
17 Derek Doherty, 247, Halifax, engineers.

18 Can we call for the question to vote
19 on the original amendment to the original resolution
20 before we amend the amendments?

21 PRESIDENT HALLÉ: If you call for the
22 question, it's on this amendment to the amendment
23 first. We got to go reverse now.

24 DELEGATE BEAVER, Division 288: Tim
25 Beaver, 288.

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1 Another clarification here. Before I
2 wish to make amendment, we have to vote on this
3 amendment, is that correct, because I have my own
4 language that I would like to put into this.
5 PRESIDENT HALLÉ: You have to deal --
6 it is an amendment to amend --
7 DELEGATE BEAVER, Division 288:
8 Right, okay.
9 PRESIDENT HALLÉ: -- an amendment,
10 so we have to deal with this one now and back to the
11 other one and back to the main motion. That's how you
12 do that.
13 DELEGATE BEAVER, Division 288: Yes.
14 We have to deal with this one now,
15 and back to the other one, and back to the main motion.
16 That's how we do that.
17 Do we have a seconder for the
18 question?
19 I recognize microphone No. 4.
20 DELEGATE FLEGEL, Division 793: I
21 second the call for the question.
22 PRESIDENT HALLÉ: All right. There
23 is nobody at the microphone? There is a call for the
24 question?
25 --- Pause

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1 PRESIDENT HALLÉ: Now we will vote on
2 the call for the question.
3 Will you please put the question?
4 --- Pause
5 DELEGATE SINGER, Division 563: Point
6 of order. What did we just vote on?
7 We had a vote up there, and then it
8 went away, and now another one has come back up that
9 some people had voted on.
10 HON. JIM SHIELDS: What was on the
11 floor at the time of the vote was the call for the
12 question, which was to end debate on the amendment to
13 the amendment.
14 That is all that was voted on. The
15 next vote would be on the amendment to the amendment.
16 DELEGATE FLEGEL, Division 793: It
17 just happened again. It disappeared.
18 HON. JIM SHIELDS: It's on there now.
19 The next vote will be on this
20 amendment, which is an amendment to the amendment.
21 And it is a vote, because we just
22 closed debate on the amendment to the amendment.
23 DELEGATE FLEGEL, Division 793: Do
24 you see what is happening? The screen keeps going back
25 and forth here. What are we doing?

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1 Are we not announcing these votes as
2 they take place?
3 PRESIDENT HALLÉ: The result came
4 out: 72 to --
5 DELEGATE FLEGEL, Division 793: That
6 was the second one.
7 UNIDENTIFIED DELEGATE: The first one
8 never came out.
9 PRESIDENT HALLÉ: No, the first one
10 never came out. It disappeared. It came back after
11 the result was --
12 DELEGATE FLEGEL, Division 793:
13 That's what I am asking about.
14 UNIDENTIFIED DELEGATE: Start from
15 zero.
16 UNIDENTIFIED DELEGATE: That was an
17 error on the screen. It was cancelled and changed to
18 the call for the question.
19 PRESIDENT HALLÉ: All right. There
20 was an error, so do we go back to the call for the
21 question?
22 Let's do the vote again. We will do
23 it properly.
24 All right. We will vote --
25 HON. JIM SHIELDS: Let me go over

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1 where we are at the moment.
2 We started with the recommendation of
3 the Bylaws Committee. We then had an amendment. We
4 then had an amendment to the amendment. And we then
5 had a call for the question.
6 Once the motion is brought for the
7 call for the question, we then vote on that, which then
8 brings us back to voting on the amendment to the
9 amendment. That is where we are right now, and that is
10 what should be on the screen.
11 PRESIDENT HALLÉ: All right. We will
12 start the vote again. The vote is for the call for the
13 question.
14 UNIDENTIFIED DELEGATE: Point of
15 order.
16 HON. JIM SHIELDS: The error that was
17 made was that we put on the screen the vote to amend
18 the amendment, and when we realized that it was the
19 call for the question that should have been on there,
20 that vote was cancelled, and then we put on the screen
21 to call for the question.
22 PRESIDENT HALLÉ: So you all
23 understand that you voted for the call for the
24 question.
25 Brother at microphone No. 2.

1 UNIDENTIFIED DELEGATE: Point of
2 order. I understood that, when a call for the vote
3 came out, if there was no one at the microphones, there
4 was no need for a vote.

5 I didn't think we would vote on a
6 call for the question.

7 --- Pause

8 PRESIDENT HALLÉ: Brothers, please.

9 HON. JIM SHIELDS: There was a call
10 for the question. That motion would end the debate.

11 I understood that it was seconded and
12 that it was to be voted on, and that vote was
13 conducted. Unfortunately, at the same time as that
14 vote was called, the actual amendment to the amendment
15 was on the screen, and that has been clarified.

16 So we should be at the stage where
17 you vote on the amendment to the amendment.

18 DELEGATE O'DONNELL, Division 723: If
19 someone calls for the vote, do you vote on that?

20 Because I called for the vote. I did
21 that, and then I couldn't undo it. It's like, once a
22 call for the vote is made, then the vote has to be
23 taken, if there is no one at the microphones.

24 Are we saying now that, when you call
25 for the question, you need a seconder, and then you

1 vote on that?

2 HON. JIM SHIELDS: Yes, because that
3 ends the debate.

4 DELEGATE O'DONNELL, Division 723:
5 Right. So earlier in the program, when I called for
6 the question, there was no vote on that. Why was that?

7 HON. JIM SHIELDS: There was no
8 seconder at that time.

9 VICE PRESIDENT (TCRC) HUCKER: Shawn,
10 just a point of clarification. What happened in your
11 situation was, you called for the question, there was
12 nobody there, nobody seconded it, so the question goes
13 ahead. You don't have to vote on it.

14 As soon as the question was called by
15 Brother Derek, then a seconder came up, and we then had
16 to vote on that motion.

17 Had there been a seconder on your
18 motion, we would have voted on it. That's the only
19 difference.

20 DELEGATE O'DONNELL, Division 723: I
21 don't recall Derek calling for the question. I think
22 he asked, if he did, what would it be called on.

23 I guess the longer we are here the
24 more confused I am going to get.

25 --- Laughter / Rires

1 HON. JIM SHIELDS: Hopefully that
2 won't be true.

3 I think we are going to have to go a
4 little bit slower, because we are now into the
5 amendment to the amendment, and that is why I said
6 originally that it has to be in writing.

7 So we now have it in writing, and we
8 have it on the screen.

9 We have closed debate, and we are now
10 coming back to vote, unless there are other questions.

11 UNIDENTIFIED DELEGATE: Question.

12 PRESIDENT HALLÉ: Microphone No. 2.

13 UNIDENTIFIED DELEGATE: Thank you.

14 It is my understanding that the
15 Bylaws Committee put a motion on the floor. That was
16 then amended by Brother Able. Then the amendment was
17 amended, and then the question was called.

18 Is not the question that is called on
19 the amendment to the amendment?

20 HON. JIM SHIELDS: Right.

21 UNIDENTIFIED DELEGATE: So that's
22 what we should be voting on.

23 Originally they put the amendment to
24 the amendment on the screen. Then, before it was
25 finished, it disappeared, and then the question on the

1 amendment appeared on the screen. Then, the amendment
2 to the amendment came back on the screen.

3 So there was confusion because, I
4 think over there, they didn't know where we were at.

5 So I think if we started at the
6 amendment to the amendment, we would be in order and we
7 could proceed.

8 HON. JIM SHIELDS: And that is
9 exactly where we are right now.

10 The wording of the motion is the
11 amendment to the amendment. Those are the words
12 "acceptable to".

13 Once we finish with this vote, we
14 then go back to the amendment, and then we go --

15 PRESIDENT HALLÉ: All right. We all
16 understand that. The question is on the amendment to
17 the amendment.

18 Can we proceed with that vote now?

19 DELEGATE FORTIN, Division 319: Mike
20 Fortin, 319, Conductors, Trainmen.

21 Just to clarify, we are going to
22 revote again because some of us have voted for the
23 amendment and like, as has been said, before the calls
24 showed up some of us never had a chance to vote on that
25 and the results of the -- the results for the call to

1 order or the call of question came up and none of the
2 results for the amendments came up, and so that's what
3 we voted on.

4 PRESIDENT HALLÉ: That's what we are
5 voting -- we are voting on the amendment to the
6 amendment now. Okay? Do we all understand? We are
7 voting the amendment. It's at Table 2.

8 Start the vote.

9 The amendment to the amendment has
10 passed; 80 in favour, 27 against.

11 --- CARRIED

12 PRESIDENT HALLÉ: We will now proceed
13 to the debate on the main motion as amended.

14 Now, we will vote to this amendment
15 that reads:

16 "Vice-president or a
17 representative acceptable to the
18 General Chairman."

19 Any debate on this one?

20 It's the Brother at mike two.

21 DELEGATE NELLIGAN, Division 68:

22 Okay. Steve Nelligan, Division 68, Engineers.

23 I believe I am just asking for a
24 point of information here which might be out of line.
25 I'm not sure.

1 But to Brother Smith, I don't
2 understand how the second sentence in this paragraph is
3 related to the first sentence in this paragraph.

4 DELEGATE SMITH, Division 162: You
5 mean in the original?

6 DELEGATE NELLIGAN, Division 68: In
7 the original or in this amendment. I don't understand
8 how the circumstances of the General Chairman in this
9 national committee will have their expenses paid by the
10 national office. Is it only if they request a
11 vice-president or a representative acceptable to the
12 General Chairman, because that's the impression I get
13 from reading that second sentence.

14 DELEGATE SMITH, Division 162:
15 Exactly.

16 DELEGATE NELLIGAN, Division 68: So
17 that is the only way they get paid?

18 DELEGATE SMITH, Division 162: Yes.

19 DELEGATE NELLIGAN, Division 68:

20 Okay.

21 DELEGATE SMITH, Division 162: Which
22 has historically been the case --

23 DELEGATE NELLIGAN, Division 68:

24 Okay.

25 DELEGATE SMITH, Division 162: --

1 forever.

2 DELEGATE NELLIGAN, Division 68:

3 Okay. Thank you.

4 PRESIDENT HALLÉ: Okay.

5 UNIDENTIFIED DELEGATE: Would it be
6 appropriate now to amend the amendment; do another --
7 amend the amendment?

8 PRESIDENT HALLÉ: Can the
9 cellphone --

10 UNIDENTIFIED DELEGATE: Just a
11 second. I will turn this off.

12 DELEGATE SMITH: Somebody else wants
13 to amend.

14 --- Laughter / Rires

15 PRESIDENT HALLÉ: Well, Brother, it's
16 five after 5:00, okay? Let's carry on. You want to
17 make an amendment?

18 UNIDENTIFIED DELEGATE: Yes.

19 PRESIDENT HALLÉ: To this now.

20 UNIDENTIFIED DELEGATE: Yes, I would
21 like to delete:

22 "...will provide a
23 vice-president or representative
24 acceptable to the General
25 Chairman". (As read)

1 I can't? I can't do it?

2 And I would like to replace it. It
3 would read "Upon request", et cetera:

4 "...for the majority of the
5 affected general chairs the Rail
6 Conference president will..."
7 (As read)

8 And this is where I want to put my
9 two cents in --

10 "...or shall authorize the
11 expenses associated with
12 national negotiations regardless
13 of whether the assistance of a
14 president or vice-president is
15 requested". (As read)

16 PRESIDENT HALLÉ: The first amendment
17 has been approved. We are dealing with this one.

18 UNIDENTIFIED DELEGATE: No, the
19 amendment to the amendment was voted against.

20 PRESIDENT HALLÉ: For. It was
21 voted for.

22 UNIDENTIFIED DELEGATE: Oh, I
23 thought -- what you are saying then is if we -- if I
24 want what I want in there we would have to turn this
25 down. Is that correct?

1 HON. JIM SHIELDS: That is right.
 2 UNIDENTIFIED DELEGATE: Thank you.
 3 PRESIDENT HALLÉ: Seeing no other
 4 debate we will vote on the amendment.
 5 Start the vote, please.
 6 70 in favour; 38 against. So the
 7 amendment has been adopted. Point of information 9/4.
 8 --- CARRIED
 9 UNIDENTIFIED DELEGATE: Does that put
 10 us back to the main motion now?
 11 PRESIDENT HALLÉ: Yes, that's exactly
 12 where I am going.
 13 UNIDENTIFIED DELEGATE: Then my
 14 question is relevant.
 15 The TCRC president's original
 16 resolution stated:
 17 "...has the power to appoint a
 18 national negotiation committee."
 19 (As read)
 20 That wording was removed from
 21 the resolution submitted by the Bylaws Committee.
 22 My question is for the president. Did you need
 23 that wording in there to accomplish what you wanted
 24 to do here?
 25 PRESIDENT HALLÉ: I'm not here to ask

1 questions or to answer questions. I mean, I'm the
 2 chair so I will refer that -- if you refer a question,
 3 refer it to the Bylaws Committee.
 4 DELEGATE SMITH: On that question
 5 what we wanted to do was -- our concern initially was
 6 that the language initially proposed was a little bit
 7 wide open and we wanted to tighten it up so that it
 8 included only the General Chairman being affected by
 9 those negotiations. That was our intent with the
 10 change in the language.
 11 PRESIDENT HALLÉ: Seeing no other
 12 delegate at the microphone now we will vote on the main
 13 motion as amended. Please start the vote.
 14 97 in favour; 13 against. So the
 15 recommendation as amended is accepted.
 16 --- CARRIED
 17 PRESIDENT HALLÉ: Well, it's only 10
 18 after 5:00 so we will continue for a couple more.
 19 Brother Smith.
 20 DELEGATE SMITH, Division 162: Okay.
 21 Brothers, Sisters, section 7(a) will be a new
 22 paragraph. It's on page 26.
 23 Your Bylaws Committee agrees with the
 24 concepts advanced by both Division 631 and the TCRC
 25 president to establish a newsletter. The resolution of

1 the TCRC president proposes a publication quarterly.
 2 Your Bylaws Committee has submitted its own resolution
 3 based on the language of the resolution submitted by
 4 the TCRC president but removing the words "who wishes
 5 to receive same" and "or make their own copy."
 6 Your Bylaws Committee recommends to
 7 reject the resolution submitted by Division 631 and the
 8 TCRC president and to accept the resolutions submitted
 9 by your Bylaws Committee.
 10 I so move.
 11 --- MOVED
 12 PRESIDENT HALLÉ: Seeing nobody at
 13 the mike and most of you looking at me, so we will go
 14 for the vote.
 15 DELEGATE NIJJAR, Division 320: Gord
 16 Nijjar, Division 320, Conductors or Trainmen.
 17 Just a point: Having it available
 18 on the website could it not include email to the
 19 members? Would that be like an amendment? That could
 20 be an amendment.
 21 DELEGATE SMITH, Division 162: Yes,
 22 there would be nothing to prevent it if you are asking
 23 the Bylaw Committee's opinion.
 24 DELEGATE NIJJAR, Division 320: We
 25 will have to write it down.

1 PRESIDENT HALLÉ: So are you
 2 proposing an amendment that -- and basically what it
 3 will say is that it will be emailed to the members?
 4 DELEGATE NIJJAR, Division 320: Yes.
 5 --- Pause
 6 PRESIDENT HALLÉ: Microphone four.
 7 DELEGATE DOHERTY, Division 247: Just
 8 to speak to that issue -- Derek Doherty, 247,
 9 Halifax -- if it is available online we don't need to
 10 have somebody to take the effort to email it to all the
 11 members. Any member that wants to see it can just go
 12 get it from the website. We don't need to email it to
 13 everybody.
 14 --- Applause / Applaudissements
 15 PRESIDENT HALLÉ: So do you wish to
 16 make your amendment now?
 17 UNIDENTIFIED DELEGATE: No, I never
 18 got a second or so.
 19 PRESIDENT HALLÉ: Okay.
 20 --- Laughter / Rires
 21 PRESIDENT HALLÉ: Thank you, Brother.
 22 Seeing no other delegates at the
 23 microphone we will vote on a motion by the Bylaws
 24 Committee to reject 631. The TCRC who are present, do
 25 you accept the resolution submitted by the Bylaws

1 Committee? Please vote.
 2 103 in favour; 4 against.
 3 --- CARRIED
 4 PRESIDENT HALLÉ: So the
 5 recommendation from the Bylaws Committee is adopted.
 6 Brother Smith.
 7 DELEGATE SMITH, Division 162: I
 8 think we will skip to the next one, 7(s) on page 29 and
 9 that will make 7(r) following the place a little
 10 better. Bylaws section 7, paragraph (s), new
 11 paragraph; resolution submitted by Division 631.
 12 Your Bylaws Committee recommends
 13 to accept the resolution submitted by Division 631. I
 14 so move.
 15 --- MOVED
 16 PRESIDENT HALLÉ: Seeing no delegates
 17 at the microphone we will vote on the recommendation of
 18 the Bylaws Committee to accept the resolution submitted
 19 by Division 631 on section 7(s). Please vote.
 20 108 in favour; zero against. Wow.
 21 Adopted.
 22 --- CARRIED
 23 DELEGATE SMITH, Division 162: And
 24 the one previous bylaw, section 7; be a new
 25 paragraph (r). Bylaws Committee agrees with the

1 concept advanced by Division 631 but the resolution of
 2 the Bylaws Committee dealing with the establishment of
 3 a quarterly newsletter specifically provides for the
 4 reporting of decisions made by the Executive Board.
 5 Your Bylaws Committee recommends
 6 to reject the resolution submitted by Division 631. I
 7 so move.
 8 --- MOVED
 9 PRESIDENT HALLÉ: Seeing no delegates
 10 at the mike we will vote on the recommendation made by
 11 the Bylaws Committee to reject the resolution submitted
 12 by Division 631 in regards to section 7(r). Please
 13 proceed with the vote.
 14 100 in favour, 12 against;
 15 recommendation adopted.
 16 --- CARRIED
 17 DELEGATE SMITH, Division 162: The
 18 Bylaw section 8(b) is part of a bigger puzzle. I don't
 19 think it's something we want to get into this late in
 20 the day.
 21 So let's skip to Bylaw section 8,
 22 paragraph (d). It's on page 31.
 23 This resolution would mandate the
 24 TCRC vice-president to visit at least eight terminals
 25 annually; additionally, at least nine specific

1 terminals must be visited once every two years.
 2 Your Bylaws Committee feels the
 3 resolution seriously underestimates the demands of the
 4 office of the TCRC vice-president. There is nothing to
 5 prevent a division from requesting the attendance of
 6 the TCRC vice-president at a division meeting but that
 7 request should be considered in the light of the nature
 8 of the issue, the current scheduled workload of the
 9 TCRC vice-president.
 10 Your Bylaws Committee recommends to
 11 reject the resolution submitted by Divisions 5, 10 and
 12 728 and to retain present law. I so move.
 13 --- MOVED
 14 PRESIDENT HALLÉ: It seems that my
 15 pace is getting a little better.
 16 So seeing no delegates at the
 17 microphone we will vote on the recommendation of the
 18 Bylaws Committee. Please vote.
 19 104 in favour, 8 against; motion
 20 adopted.
 21 --- CARRIED
 22 DELEGATE SMITH, Division 162: Bylaw
 23 section 9, paragraph (b), page 32.
 24 Your Bylaws Committee agrees with the
 25 general concept advanced by Division 631 but prefers

1 the resolution submitted by the TCRC President as it
 2 acknowledges the requirement for Executive Committee
 3 approval prior to the distribution of the audit to the
 4 divisions.
 5 Your Bylaws Committee recommends to
 6 reject the resolution submitted by Division 631 and to
 7 accept the resolution submitted by the TCRC president.
 8 I so move.
 9 --- MOVED
 10 PRESIDENT HALLÉ: Seeing no delegates
 11 at the microphone we will vote on the recommendation by
 12 the Bylaws Committee. Please start the vote.
 13 103 in favour, 5 against; the
 14 recommendation is adopted.
 15 --- CARRIED
 16 DELEGATE BEAVER, Division 288:
 17 Although I didn't make a motion to adjourn, I know that
 18 the time was 1700. We are continuing. I didn't hear
 19 the motion to continue and it's now -- what the stated
 20 time will be.
 21 I'm Tim Beaver from Division 288.
 22 PRESIDENT HALLÉ: Brother Beaver,
 23 we -- I spoke about this, this morning, that we will
 24 extend on a plan that was to extend until 5:30, and I
 25 was just going to speak about this. I think it will

1 be a proper time. In our schedule we are going to
2 5:30 and with the break we came a little bit after,
3 but we have been doing wonderful with our schedule. So
4 I think that it would be a proper time to quit for the
5 day.

6 Let me say this; this is our first
7 one and we have been doing extremely good in our
8 timeframe with the bylaws. There are some things
9 that we are working on. It seems pretty good. Keep
10 that in mind.

11 So I will ask Brother Ruddick if he
12 has any announcements to make.

13 TRUSTEE RUDDICK: Just two
14 announcements.

15 Due to a scheduling conflict, the CN
16 Central Region Caucus meeting that was supposed to be
17 after this meeting has been cancelled, and there will
18 be a joint caucus meeting for CN Central, CP West, CP
19 East, CN West and Via delegates and alternates 30
20 minutes after this session in the Dalhousie Room on the
21 third floor. All candidates for all offices are
22 invited to make presentations to the caucus.

23 Candidates, please contact Al Singer
24 to be placed on the list for presentations.

25 And just a reminder -- just a

1 reminder of the breakfast tomorrow morning with the
2 guest speaker, Brian Jean, Deputy Minister of
3 Transport, and that will be from 7:00 a.m. until
4 9:00 a.m.

5 That's it.

6 --- Pause

7 PRESIDENT HALLÉ: Slow down,
8 slow down. We are not adjourned yet. We are not
9 adjourned yet.

10 It should be probably shown where --
11 Richard forgot the paper up in his room, the exact room
12 where the breakfast will be out tomorrow morning. So
13 check downstairs and maybe we will try to put somewhere
14 on this floor exactly where the breakfast will be
15 tomorrow morning.

16 So we ask you to -- okay. It's
17 called Laurier Room.

18 Thanks, Mrs. Robilliard. That's
19 great.

20 And they ask you to leave your
21 keypads on the table and take your cards -- put your
22 cards with your ID.

23 And we need a motion to adjourn --
24 recess.

25 At 9 o'clock tomorrow morning. We

1 will break for a start at 7:00. We will probably have
2 our guest speaker around 7:30 to start.

3 Do we have the motion?

4 Microphone two. Just hold on,
5 hold on.

6 DELEGATE FORTIN, Division 319: Mike
7 Fortin, 319, Conductors, Trainmen.

8 I move to adjourn.

9 --- MOVED

10 PRESIDENT HALLÉ: Second, Art
11 Donovan, mike number three.

12 DELEGATE DONOVAN, Division 381: Art
13 Donovan, 381. I second the motion to adjourn the
14 meeting.

15 PRESIDENT HALLÉ: All in favour?

16 DELEGATION: Aye.

17 --- CARRIED

18 PRESIDENT HALLÉ: Opposed?

19 Have a good evening.

20 --- Whereupon the convention adjourned at 1725 /

21 to resume on Wednesday, September 20, 2006

22 at 0900 / La conférence est ajournée à 1725,

23 pour reprendre le mercredi 20 septembre 2006

24 à 0900

25

1 Ottawa, Ontario / Ottawa (Ontario)

2 --- Upon resuming on Wednesday, September 20, 2006

3 at 0900 / L'audience reprend le mercredi

4 20 septembre 2006 à 0900

5 --- Video presentation / Présentation vidéo

6 PRÉSIDENT HALLÉ: Confrères,

7 consoeurs, bonjour. J'espère que vous avez passé une
8 belle nuit. On va débiter maintenant.

9 Brothers and sisters, I trust you all
10 had a good night.

11 We will start right now with an
12 attendance vote. I will ask that we put the screens
13 on. I will let you put the cards in the machine.

14 Let's vote now.

15 --- VOTING

16 PRESIDENT HALLÉ: We have 94 and 16,
17 110.

18 First of all, I would like to thank
19 the law firm of Shields and Hunt for providing the
20 breakfast this morning with our guest speaker. Thank
21 you to them.

22 Before we move to Brother Dyon, I
23 would like to introduce a guest speaker for a few
24 minutes. He should be right outside here.

25 Dan Di Tota, the National Director

1 for Operation Lifesaver, which we sponsor. He is a
2 locomotive engineer at CP Rail.

3 NAT'L DIRECTOR DI TOTA: Thank you
4 very much.

5 I was asked to be here today and I
6 really appreciate the opportunity to address you here.

7 I have our new tool. As many of you
8 may know, the Operation Lifesaver program is a
9 community-based public safety program. We go around
10 the country trying to promote safety. Our mandate is
11 to try to reduce fatalities and injuries related from
12 train/vehicle collisions at railway crossings and from
13 trespassing incidents.

14 Today I have brought one of our
15 newest tools OLEV, our "Operation Lifesaver Educational
16 Vehicles". It is parked outside, just outside the
17 hotel as you step out from the lobby, just right on
18 Sparks Street. You shouldn't have a problem seeing it,
19 it is a fairly large vehicle.

20 I invite you all to come and visit
21 this tool and we can discuss the program and discuss
22 the contribution that the Teamsters have made in this
23 program, which we are very much appreciative. I will
24 be there today until just after lunch time.

25 Any questions you may have, any

1 something, especially on our behalf, he puts a little
2 percentage into that foundation. We will run that
3 again today, it is like a little ranch
4 where handicapped and crippled can go there and we work
5 with them.

6 Recently I spoke with CN and CN
7 subsidized \$10,000 towards a trailer now. They will be
8 able to bring the animals right to places like the
9 Montreal Children's Hospital, the Shriners, and
10 Sainte-Justine, for the one's who live in Montreal,
11 for children.

12 So it is a good thing. The only
13 kickback -- people talk about that -- it goes to
14 that foundation and that is from him. So if you
15 can help him...

16 The next order of business is the
17 report from Secretary Treasurer Brother Dyon.

18 Richard, please.

19 SEC. TREASURER DYON: Good morning,
20 Brothers and Sisters. I will try to be as quick as
21 possible. I don't want everybody to go to sleep on me.

22 Pierre.

23 Like I was saying yesterday, our
24 finances are doing pretty well.

25 This report reflects January 1, 2006

1 concerns you may have regarding the program and the
2 implications it may have to the Teamsters and to your
3 Members, please feel free to address them with me.

4 I thank you very much for this
5 opportunity. As I said, we will be outside and looking
6 forward to meeting with you. Have a wonderful,
7 enjoyable convention. Thank you.

8 --- Applause / Applaudissements

9 PRESIDENT HALLÉ: We have been
10 attending many functions with Operation Lifesaver and
11 it is a great tool. Wait until you see this. It is a
12 beautiful piece of work.

13 Before I introduce Brother Dyon, I
14 just want to mention -- we will probably run this
15 video again. Benoit told me we ran it at lunch time.

16 One of our friends who is selling
17 some stuff here is a Member of Local 1998 in Montreal.
18 H Intercom International Communications where we buy
19 our caps and shirts and stuff from them. I think
20 Benoit told me we presented a little video at lunch
21 time. We will probably present it today again.

22 One of the things that Normand Clark,
23 who runs this business does, he has a foundation in
24 Montreal called the Normand Clark Foundation. That is
25 the video you saw yesterday. Every time he sells

1 to June 30, 2006.

2 Our dues income is \$1,880,057. We
3 have to note here that this is not exactly the real
4 amount, because with the accounting system that we
5 have, everything that comes in after January 1st will
6 reflect in that report. So we are looking at probably
7 \$1.5 million as the true amount on it.

8 We had revenues in the simulator
9 centre revenues. That is a course that we arranged to
10 have to train new locomotive engineers, and that's what
11 generated it. But it is not clear money. We had to
12 pay the instructors and everything.

13 The expenses. Officers' salaries,
14 \$141,412.72; special rep, \$118,768.58; part-time
15 representative wages, \$11,051.63; staff salary,
16 \$71,000; for a total of \$343,040.54.

17 This is all the salary that we paid
18 from January 1, 2006.

19 Travel and business expenses totals a
20 total of \$147,772.28.

21 The employer's benefit that we have
22 to pay is \$63,000.

23 Tell me if I am going too fast. I
24 know the numbers.

25 We have affiliation fees, CROA. I

1 guess everybody knows about it. Total of CROA, usually
2 it's around \$45,000 a year.

3 Professional fees, legal services,
4 \$49,000 so far.

5 Audit and accounting service, close
6 to \$6,000.

7 So professional fees of \$55,537.54.

8 Per capita teamsters, like I said at
9 the beginning of my first report, the per capita went
10 up close to 50 percent more, and we paid \$390,000 so
11 far. We got reimbursed \$83,000 of the per capita. The
12 total net that we paid is \$306,000.

13 So if we put that in a year, we
14 multiply by two and you will get it.

15 General office administration, you
16 have all the numbers for a total of \$225,290.35. That
17 is with the rent of the office and everything.

18 Am I going too fast?

19 The account balance. This is all our
20 investments. We have roughly \$3.6 million in assets.
21 You will see that we have some investment in U.S., GICS
22 and all the good stuff.

23 The reason we have this good amount,
24 we need money for organizing, defending ourselves.
25 Education is a big thing. Let's not forget that better

1 education equals better representation to our
2 membership.

3 We talked about buying a building.
4 That will generate some other assets, equity and
5 everything that goes back to the membership.

6 We also have submissions at this
7 convention that bear some costs. We are talking about
8 creating a new job. We are talking of a newsletter.
9 Everything has a cost.

10 This is a projection until 2010, up
11 to the next convention.

12 You will see that the green is the
13 net income. In 2006 you can see a drastic -- well, not
14 drastic but it is less income because of this
15 convention.

16 In 2007 it goes back to normal, and
17 so on and so on until 2010.

18 The projection was done with a
19 3 percent raise for salaries and 2 percent on anything
20 else. But bear with me, this is only a projection.

21 The good news on all that is I don't
22 foresee any raise in the national dues for this
23 convention.

24 Any questions?

25 DELEGATE SINGER, Div. 563: AI

1 Singer, Division 563, Cranbrook, B.C., Locomotive
2 Engineers.

3 I am just wondering, Richard, if we
4 have an estimated cost for the convention yet, and is
5 there a separate fund for the convention portion of our
6 dues?

7 SEC. TREASURER DYON: The convention
8 was paid with the general fund. That included the
9 \$2.00. But if you do the math, that \$2.00 wasn't
10 enough to do this convention. Let's not forget, when
11 we separated from our Brothers of the United States, at
12 the convention of 2001 they were in the red and they
13 had to borrow the money. It took that time to
14 reimburse for the 2001 convention.

15 So when it was time to split, we
16 didn't have the portion of the money because that was
17 used to deplete the convention fund.

18 DELEGATE SINGER, Div. 563: So we
19 don't know the estimated cost of the convention yet?

20 SEC. TREASURER DYON: It is roughly
21 between \$650,000 and \$700,000.

22 DELEGATE SINGER, Div. 563: Thanks.

23 SEC. TREASURER DYON: On budget.

24 Thank you.

25 DELEGATE HAMEL, Div. 319: Mark

1 Hamel, 319, Chapleau.

2 We talked about what we were spending
3 on education. Do we have a number that we have spent
4 on education in the past year? How much did we set
5 aside for education?

6 SEC. TREASURER DYON: I don't really
7 have a budget at this point. It will reflect in the
8 2007 budget.

9 But it should be half a million,
10 something like that.

11 DELEGATE HAMEL, Div. 319: So right
12 now there is nothing that is set aside as how we have
13 spent already then. Right?

14 SEC. TREASURER DYON: No. We wanted
15 to build a strong fund, and I think we are pretty much
16 at where we wanted to be.

17 DELEGATE HAMEL, Div. 319: Okay.

18 SEC. TREASURER DYON: 2007 is going
19 to be the time to redistribute that money in different
20 categories, and education is going to be a big part
21 of it.

22 DELEGATE HAMEL, Div. 319: Okay.

23 Thank you, Brother.

24 SEC. TREASURER DYON: You are
25 welcome, Brother.

1 Microphone 3.
 2 DELEGATE EDWARDS, Div. 657: Greg
 3 Edwards, 657, Locomotive Engineers, Revelstoke.
 4 I am just wondering and I have to
 5 ask: two and a half years and apparently you sent out
 6 the audit two weeks ago. I haven't seen it because, to
 7 be quite honest, I had no idea it was coming. You put
 8 it in the mail roughly two weeks before the convention.
 9 It might have taken a week to get there. It may not
 10 even be there yet. I don't know. I haven't seen it
 11 and I would be surprised if there are many delegates on
 12 the floor who have seen an audit, two and a half years.
 13 You explained briefly yesterday that
 14 some audit has gone out. Which years?
 15 Why is it that your financial
 16 forecasts and all of your information here we get to
 17 look at on a slide briefly? Why didn't we get printed
 18 copies of it?
 19 I am just wondering why we don't get
 20 this basic idea to look at our own money.
 21 SEC. TREASURER DYON: Well, first of
 22 all, let's talk about the audits.
 23 Audits were mailed two weeks ago, and
 24 the bylaw says that it has to be approved. So at our
 25 last Executive meeting it was approved and it was sent

1 the following week. It was sent to all the SCs.
 2 DELEGATE EDWARDS, Div. 657: Which
 3 years?
 4 SEC. TREASURER DYON: 2005.
 5 DELEGATE EDWARDS, Div. 657: Where is
 6 2004?
 7 SEC. TREASURER DYON: 2004, we are
 8 still waiting for clearance. That is one of the
 9 reasons that the audit was late, because we were
 10 waiting to get the 2004 figures to make sure that the
 11 2005 reflected the good thing. So we had to change
 12 the -- we didn't change the books. We started with
 13 2005 fresh to do the audit.
 14 Microphone 1.
 15 DELEGATE WELTER, Div. 132: David
 16 Welter, Engineers, Division 132.
 17 Would it be possible some time today
 18 for you to print this for us and maybe include 2005? I
 19 haven't seen it either.
 20 Also, in six months of 2006, you have
 21 just roughly -- because it went by pretty quick --
 22 about \$55,000 or better in uncategorized expenses, or
 23 you have down as miscellaneous.
 24 Can you give us an idea? If that
 25 stays the same, that is over \$100,000 for the year.

1 SEC. TREASURER DYON: Which amount
 2 are you talking about?
 3 DELEGATE WELTER, Div. 132: The
 4 miscellaneous there. That is something over \$55,000.
 5 Or did I see it wrong? It went by kind of quick.
 6 SEC. TREASURER DYON: Okay. The
 7 expense, when it is miscellaneous expense, is strike
 8 signs, meeting rooms for the Executive Board, the web
 9 pages, for doing a web page. There is about \$15,000
 10 that goes there.
 11 DELEGATE WELTER, Div. 132: Okay. It
 12 just kind of confused me that that was all
 13 miscellaneous. You know, it could have been
 14 categorized maybe.
 15 I would think that somewhere it
 16 should be put out so we know what it is.
 17 SEC. TREASURER DYON: QuickBooks.
 18 QuickBooks is an accounting system.
 19 DELEGATE WELTER, Div. 132: Yes, sir.
 20 SEC. TREASURER DYON: It is all
 21 separated in categories, and that is the only place
 22 that we could put it.
 23 We might work at something else.
 24 This is only a resumé of all expenses. And don't
 25 forget, all expenses have been approved by our trustees

1 too.
 2 DELEGATE WELTER, Div. 132: Yes, sir.
 3 But I have to take this information back to my
 4 division, and they do have the right to know that.
 5 Could you print this stuff out with a
 6 little bit more detail so we have that breakdown and
 7 give it to us while the convention is on?
 8 SEC. TREASURER DYON: I've got
 9 trouble hearing you; sorry.
 10 DELEGATE WELTER, Div. 132: Could you
 11 possibly print that out? I know QuickBooks has a
 12 little bit more advanced report than what you are
 13 showing.
 14 Could you print that out from the
 15 start of 2005 and supply it to the delegates here
 16 before we leave this convention so that we do have the
 17 information to take back to our membership?
 18 SEC. TREASURER DYON: You want me to
 19 print out the presentation?
 20 DELEGATE WELTER, Div. 132: The
 21 report, just the reports part, back to 2005, the start
 22 of 2005, and use a little more advanced -- the
 23 QuickBooks report that is a bit more advanced so the
 24 breakdowns show up a little bit better.
 25 SEC. TREASURER DYON: You want a full

1 audit of 2005. Is that what you are asking me?
 2 DELEGATE WELTER, Div. 132: No, sir,
 3 just your report. But there is more than one type of
 4 report in QuickBooks and you could use a little bit
 5 more advanced that would give us a little bit better
 6 breakdown and if you could print those out and supply
 7 it to the delegates before we leave this convention so
 8 we have that information to take home.
 9 SEC. TREASURER DYON: You want a
 10 printout of this report.
 11 DELEGATE WELTER, Div. 132: If you
 12 don't understand what I am asking for, I would be happy
 13 to show you on QuickBooks. I will bring the laptop
 14 down after lunch.
 15 SEC. TREASURER DYON: Come and see me
 16 later.
 17 DELEGATE WELTER, Div. 132: You
 18 got it.
 19 SEC. TREASURER DYON: Microphone
 20 No. 2.
 21 DELEGATE GALLOP, Div. 295: Ray
 22 Gallop, 295.
 23 I have just a quick question. I see
 24 the officers' salaries here of \$141,412-whatever. That
 25 is not what I am curious about. It is when you almost

1 have the same price of \$119,000, say, for special reps.
 2 I am just curious what that was. It
 3 is almost the same amount.
 4 SEC. TREASURER DYON: Salary of the
 5 special rep. We have two special reps at this time,
 6 and that is their salary. Divide it in two and you are
 7 pretty close to the figure.
 8 DELEGATE GALLOP, Div. 295: I am just
 9 curious. This is for six months?
 10 SEC. TREASURER DYON: Yes.
 11 DELEGATE GALLOP, Div. 295: So the
 12 special reps are making \$120,000 a year?
 13 SEC. TREASURER DYON: No, they are
 14 not making 120. It is close to 90-something, or
 15 something like that.
 16 DELEGATE GALLOP, Div. 295: I am
 17 just curious. This is almost \$119,000 for six months.
 18 If you double that for the other six months, there
 19 is \$120,000.
 20 I am just inquiring.
 21 --- Pause
 22 SEC. TREASURER DYON: Any more
 23 questions?
 24 DELEGATE GALLOP, Div. 295: I just
 25 was wondering. I sat down, but I was waiting for an

1 explanation.
 2 Is that correct, \$120,000 per
 3 special rep?
 4 SEC. TREASURER DYON: Sorry, I am
 5 deaf and the sounds are going everywhere, so I have a
 6 little problem.
 7 Could you speak a little bit louder,
 8 please.
 9 DELEGATE GALLOP, Div. 295: Yes. I
 10 just wanted to get your answer.
 11 Is was correct for each special rep
 12 \$120,000 a year?
 13 SEC. TREASURER DYON: It's not each;
 14 it's both. You have Brother Brunet and Brother Arnold,
 15 and that is from January 1st until June. So it is six
 16 months of wages. It is \$118,768.
 17 DELEGATE GALLOP, Div. 295: Yes. And
 18 if you double that for the year, they will each be
 19 getting close -- I am not going to work out pennies
 20 here -- to \$120,000 a year.
 21 Is that right?
 22 SEC. TREASURER DYON: Well, it is --
 23 DELEGATE GALLOP, Div. 295: \$118,000,
 24 \$119,000. Okay.
 25 SEC. TREASURER DYON: Thank you for

1 your patience.
 2 SEC. TREASURER DYON: Well, thank you
 3 for your patience.
 4 PRESIDENT HALLÉ: Thank you, Brother
 5 Dyon.
 6 I heard the comment -- because
 7 Richard put his hearing aids in and the noise came in
 8 here we had a problem to understand.
 9 We will get you the exact salary
 10 for the two gentlemen you asked for, Brother Brunet
 11 Brunet and Arnold. We will get this done. Because the
 12 119, it might be overlapped for a month. That's for
 13 that six-month period, though. We will get that, the
 14 exact number.
 15 Okay. So we will continue with the
 16 report of the Bylaws Committee, and before we go there
 17 I would like all parliamentarians to go over the rules
 18 again on some amendments, so it is all clear and fresh
 19 in your mind, to clarify, you know, some of the rules
 20 one more time.
 21 PARLIAMENTARIAN SHIELDS: Well, good
 22 morning. I hope you all enjoyed the breakfast.
 23 I thought after our various questions
 24 yesterday afternoon that we might just want to go back
 25 over some of the examples of what is actually happening

1 when you come up to the microphone and what the various
2 motions mean.

3 So let's start with the amendment to
4 a resolution. If you have the Rules of Order for
5 Teamster Canada Rail Conference I would ask you to go
6 to rule or Section 13. It's about four pages and it
7 looks like this. These were the rules that were
8 basically taken from the previous conventions and
9 Robert's Rules of Order.

10 For clarification purposes -- and
11 after what happened yesterday I'm not sure it clarified
12 much, but let's deal with the concept of an amendment
13 to a resolution.

14 And if you just take a quick look at
15 Section 13, and I will read it out:

16 "A motion to amend and to amend
17 an amendment..."

18 And we had that yesterday afternoon:
19 "...shall be an order, but to
20 amend an amendment to an
21 amendment shall not be
22 entertained."

23 So all that means is that if you
24 have a resolution somebody moves to amend, that is an
25 order; somebody then moves to amend that amendment,

1 that's an order, but it stops there. You can't do it a
2 third time.

3 If you want to do it the third time,
4 you have to wait until the other two amendments are
5 dealt with and then bring your amendment up. But if
6 you are at the microphone, you indicate that you want
7 to bring up your own amendment, which would be the
8 third amendment. We just deal with two of them.
9 Otherwise, we could be in the 97th amendment to the
10 resolution.

11 So that's what that part of the rule
12 means, and you will find the same in Robert's Rules
13 of Order.

14 If we go to the next paragraph, if it
15 is moved to amend the amendment that means calling a
16 vote on the amendment to the amendment:

17 "The vote is first taken on the
18 amendment to the amendment ..."

19 Which we did yesterday:

20 "...then on the amendment as
21 amended, then on the original
22 motion as amended if the
23 amendment of the motion was
24 carried."

25 And finally, by the paragraph as it

1 would read, "If so amended" which we did yesterday.

2 Now, the important thing to remember
3 is that if the amendment is adopted we always have to
4 go back to the original motion and resolution because
5 it is not adopted until we adopt it as the resolution
6 as amended and that brings finality to that particular
7 resolution.

8 Any questions on that? Microphone 4.
9 DELEGATE DOHERTY, Div. 247: Derek
10 Doherty, Halifax 247, Engineers.

11 So when there is a call for the
12 question --

13 PARLIAMENTARIAN SHIELDS: No, don't.
14 I want everybody to be focused. We are just doing it
15 about an amendment. I am going to go through with the
16 call for the questioning in great detail.

17 DELEGATE DOHERTY, Div. 247: Thank
18 you.

19 PARLIAMENTARIAN SHIELDS: This is
20 just on how we are going to do the amendment.

21 And I would like to have an example
22 put up on the screen for a moment of a resolution with
23 the wording of an amendment in it.

24 Microphone 2.

25 DELEGATE SINGER, Div. 563: A1

1 Singer, Division 563, Cranbrook, B.C., Locomotive
2 Engineers.

3 I guess my question -- I think some
4 of the confusion -- although this question may be an
5 observation, but some of the confusion seemed to come
6 that people didn't understand what they were voting on
7 as we went through the amendments to the amendments,
8 and so on and so forth.

9 PARLIAMENTARIAN SHIELDS: I'm going
10 to --

11 DELEGATE SINGER, Div. 563: If I can
12 just finish my point?

13 PARLIAMENTARIAN SHIELDS: Sure.

14 DELEGATE SINGER, Div. 563: If we
15 could when we are voting on these -- I mean, it's
16 valuable to have this explanation but as we are voting
17 if it could be explained in short detail what we are
18 voting on, that would perhaps help to clarify the
19 situation.

20 PARLIAMENTARIAN SHIELDS: Right. I
21 am going to get to that. I have a new procedure that
22 we are going to follow on, on that part, which should
23 cover exactly what you are asking.

24 So to continue on with our example,
25 here is an amendment to a resolution. So if you have

1 proposed this amendment, all the debate is on the words
2 "quadrennial convention". That's all that is
3 discussed, whether or not to amend the resolution to
4 add those two words. Once that's done with, if it is
5 rejected then we go back to the original resolution as
6 written; if it's adopted we then go back to the
7 original resolution as amended and we have a debate on
8 that resolution as amended and then the vote.

9 Now, the Chairman today when it comes
10 time to vote, he will read the resolution even though
11 it is on the screen. He will read the resolution word
12 for word and that's what you are going to be voting on.
13 And then, and not until then, will a vote come up on
14 the screen.

15 If you see the vote come up on the
16 screen, if you look down in the left -- it would be my
17 left-hand corner -- you will see the word "ready".
18 That doesn't mean that you are voting. You are only
19 voting when it says "open" and that's when the vote
20 will start.

21 So unlike yesterday, you see now on
22 the screen where it has the word "ready"? That only
23 means that we are ready to vote but the vote isn't
24 open, and it will become open when it says "open" and
25 you will see the red and green colours come up.

1 But that screen will not come up now
2 until the Chair has read the motion that is going to be
3 voted on, the resolution.

4 Any questions on that?

5 Now, let's go into the real fun part
6 here. Yesterday, we had two, if not three, examples of
7 delegates getting up and using the phrase "call the
8 question", "call for the question". So if we go back
9 to our four pages, I would like you to take a look
10 at -- sorry.

11 DELEGATE HAMEL, Div. 319: Before you
12 go there, I guess you didn't see me. Mark Hamel.

13 PARLIAMENTARIAN SHIELDS: Thank you,
14 Mark.

15 DELEGATE HAMEL, Div. 319: Okay, 319,
16 Engineers.

17 Okay. You were saying earlier about
18 you can only amend it twice. So once the amended --
19 amended amendment is adopted how can we make another
20 amendment?

21 PARLIAMENTARIAN SHIELDS: Well, when
22 you come to the microphone you indicate that you have
23 the -- what I will call the third amendment.

24 DELEGATE HAMEL, Div. 319: Yes.

25 PARLIAMENTARIAN SHIELDS: Once the

1 resolution is dealt with as amended, you then go on to
2 move to consider that amendment.

3 DELEGATE HAMEL, Div. 319: Prior to
4 the vote, then?

5 PARLIAMENTARIAN SHIELDS: No, after
6 the vote.

7 DELEGATE HAMEL, Div. 319: Okay.

8 Okay, thank you.

9 PARLIAMENTARIAN SHIELDS: On the call
10 for the question, if we go back to our rules, the four
11 pages, I would like you -- I would like to take you to
12 section 15.

13 "When a question is before the
14 TCRC..."

15 And that means when the question is
16 on the floor before the delegates:

17 "...the only motion in order
18 that may interrupt shall be:
19 first, to adjourn; second, the
20 previous question; third, to lay
21 on the table; fourth, to
22 postpone indefinitely..."

23 Et cetera, et cetera.

24 Now, there are two expressions in
25 there that I think are not fully understood.

1 The expression "the previous
2 question" is also known and we used yesterday is "call
3 for the question". What that means, that expression,
4 you can use either the previous question or call for
5 the question, that means calling for a vote.

6 The other expression in here "to
7 lay on the table" doesn't mean that you are asking the
8 Chairman to lay out on the table although you may want
9 to. What it means, interrupt the proceedings because
10 an immediate urgency has arisen. And then you explain
11 your urgency and that is dealt with. It's not the same
12 as a motion to postpone because if you used the
13 expression "to lay on the table" it will be denied if
14 there is not an immediate emergency. If you want to
15 postpone a matter you bring a motion to postpone, and
16 we did that with respect to certain resolutions
17 yesterday that were moved from when it came up over to
18 this morning.

19 Now, if you want to call for the
20 question or if you want to bring a motion for the
21 previous question, you are asking for an immediate
22 vote. Now, it's out of order when another person has
23 the floor. In other words, you can't interrupt that
24 person. You can't bring up your motion until that
25 person has finished speaking. It has to be seconded.

1 It's not debatable. It is voted on and it requires a
2 two-thirds majority to pass. If passed, it can be
3 reconsidered.

4 Now, the important thing, though, is
5 this. When a resolution is brought to the floor and
6 there is no debate, the Chairman calls for a vote.
7 When the resolution is before the floor and there is a
8 debate and there is nobody standing at the microphones,
9 the Chairman calls for a vote.

10 Now, keeping that in mind, the
11 practice is you only bring a motion to call the
12 question or a previous question when there are
13 individuals at the microphone and the debate is going
14 on and you want to end the debate. Now, that's the
15 normal practice. We didn't have that yesterday because
16 when both those motions were made there was nobody at
17 the microphones debating. So unless -- I mean, you can
18 keep doing it, but unless there is a reason, it is the
19 same thing as the Chair saying "There is no one at the
20 microphone, we will vote".

21 If there are individuals at the
22 microphone and your turn comes up and you are at the
23 microphone and you say "call the question" or "previous
24 question" here is what happens. Your motion has to be
25 seconded at that time. All the people standing at the

1 microphone get the right to finish and say whatever
2 they wish to say, but no one else can get up. When
3 everyone is finished talking we vote on the motion to
4 end the debate. In other words, we vote on your motion
5 to call for the question. If it is passed, then the
6 resolution is voted on at that stage without any more
7 debate.

8 So that's the practical way of doing
9 it. Now, the instances we had yesterday there was no
10 debate. So that is the general practice.

11 Now, any questions on calling the
12 question or the previous question?

13 Microphone 2.

14 DELEGATE BEAVER, Div. 288: Yes, I'm
15 Tim Beaver from Div. 288. I'm a locomotive engineer.

16 We saw your example to amend but we
17 have seen no example to amend the amendment, have we?

18 PARLIAMENTARIAN SHIELDS: No,
19 although we saw it yesterday.

20 DELEGATE BEAVER, Div. 288: Well, I
21 think I made a motion to amend the amendment and I was
22 denied yesterday. It was not -- it was not a third
23 amendment. It was the second one. There was only Greg
24 that made one amendment, and I was there for the second
25 and I was denied.

1 PARLIAMENTARIAN SHIELDS: I would
2 have to check. I can remember us doing one resolution.
3 There was an amendment and then there was a second
4 amendment.

5 DELEGATE BEAVER, Div. 288: Oh,
6 pardon me, Dave did the amendment. That's right. I'm
7 wrong. I apologize.

8 PARLIAMENTARIAN SHIELDS: No problem.
9 It's just that -- the reason I thought we should do
10 this is so that we all knew what the terms were. I
11 mean, you can use whatever you want but that's the
12 general practice.

13 Any other questions? Microphone 3.
14 DELEGATE COLE, Div. 381: Ivan Cole,
15 Division 381, Locomotive Engineer.

16 When the council says to adopt and
17 they put in, "We would like to amend that to adopt it
18 immediately", is that considered as one amendment?

19 PARLIAMENTARIAN SHIELDS: That would
20 be the first amendment to that resolution.

21 DELEGATE COLE, Div. 381: So we could
22 only really do one more then on that.

23 PARLIAMENTARIAN SHIELDS: And you can
24 only do one on top of that but always -- you have to
25 advise the floor, though, that you do have your

1 amendment and then the floor has to deal with your
2 amendment once the first two issues are dealt with.
3 Microphone 2.

4 DELEGATE GALLOP, Div. 295: Yes, Ray
5 Gallop, 295.

6 After yesterday there, I talked with
7 a few other people and I would just like to mention to
8 the table this is very important what we are doing and
9 it just seems that we are going a little too quick. I
10 understand that people have -- should have read this
11 book, marked it off. Most of us probably have. But
12 you have got so many different submissions coming
13 forward that when you are throwing it up on the screen
14 you have got to try and remember, okay, which one was
15 this that I went through; go through your notes and
16 things. We are way too fast in here. At least, that's
17 my opinion and I would like to slow it down.

18 PARLIAMENTARIAN SHIELDS: Yes, we
19 have already taken measures to slow things right down.
20 I will put it to you this way, your brother is quite
21 correct. This is important. If you have any doubt
22 about something all you do is go to the microphone and
23 you ask for time.

24 In this new procedure we are going to
25 try to make sure that -- and keep reminding the

1 speakers of where we are and what we are actually
 2 doing, because sometimes when you get into the
 3 amendment debate you will find the speaker talking
 4 about the whole resolution but technically we should
 5 just be talking about the amendment and then go back to
 6 the resolution. And when you go back to the resolution
 7 that's being debated, that's when the resolution should
 8 be re-read so everyone can focus on exactly what it is,
 9 especially if there are resolutions that are
 10 interrelated. Again, you can always ask for time to
 11 consider.

12 Anything else?

13 CC-BLC SMITH, Div. 162: Jim Chris
 14 Smith, Division 162, Moncton, Locomotive Engineers.

15 PARLIAMENTARIAN SHIELDS: Anything
 16 else?

17 CC-BLC SMITH, Div. 162: Jim, Chris
 18 Smith, Division 162, Moncton, Locomotive Engineers.
 19 Just on the question of the amendment and somebody
 20 wanting to propose an additional amendment because
 21 there has been an amendment to the amendment. And
 22 the answer was that you waited until the question
 23 was voted.

24 But I think it has to be made clear
 25 that it's the amendments that are taken care of but

1 they would have to make their third amendment as we
 2 will call it, before the main resolution is voted.

3 PARLIAMENTARIAN SHIELDS: Right,
 4 before the final version of the resolution is voted on.
 5 So, for example, in our -- what we have up on the
 6 screen now -- if that is a second amendment and that is
 7 passed. And by passed I mean the words "Quadrennial
 8 Convention" are now in the motion, the person who has
 9 the third amendment now gets up and makes their
 10 amendment to this resolution as it now reads.

11 And let's say they want to put in the
 12 word, or take out the words "the National Legislative
 13 Director" and change it to something else. That is
 14 when you make that amendment to the words.

15 And you debate firstly on whether or
 16 not those words are to be included. Then we go back to
 17 the resolution, either as amended this third time and
 18 we debate that resolution. And that is the final
 19 debate on that resolution.

20 Anything else? Microphone 4?

21 DELEGATE HAMEL, Div. 319: Mike
 22 Hamel, 319, Engineer. Yes, that is why it is important
 23 to write them out so they can get up on the board as
 24 they want to be amended because that is where all the
 25 confusion happened yesterday.

1 It was that it wasn't up on the board
 2 and it was just being read. So, we have to write them
 3 out and hand them to the Chair so they can get them on
 4 the computer.

5 PARLIAMENTARIAN SHIELDS: Right. And
 6 I am glad you brought that to our attention. You
 7 recall yesterday that when the amendment was made
 8 verbally the first time, it was something and by the
 9 time we got it in writing it was actually changed from
 10 that version.

11 So, that is why when I first made my
 12 little talk, all the amendments have to be in writing
 13 so we know exactly what we are focussing in on.

14 Okay, I will now turn the microphone
 15 over to the Chair.

16 PRESIDENT HALLÉ: Okay. We are
 17 going back to the Bylaws Committee. And I think that
 18 is clarified. We had a long discussion last evening
 19 about this.

20 And Brother Gallop was right, I was
 21 going a little too fast and we did that. And so before
 22 we vote we make sure that everyone understands it
 23 properly on the screen and we will try to just slow
 24 down a bit. We all discussed that last night.

25 So, Brother Smith.

1 CC-BLC SMITH, Div. 162: Brothers and
 2 Sisters, welcome again this morning. Yesterday we had,
 3 we started to look at the National Legislative Director
 4 or the creation of a position, I will call it.

5 And we had a little issue, a
 6 couple of the members brought to our attention that
 7 we had made reference in some of those resolutions
 8 to a regional board. I've had some discussion with
 9 our committee members and with the Co-chairman,
 10 Brother Doug.

11 And to try and avoid some of that
 12 confusion, what we would like to do this morning is to
 13 start right off with the question of the creation of
 14 regional boards. And that may help us going forward
 15 when we get into the other issues.

16 So, we would like to start with
 17 Legislative Rules, Section 1(a), which is on page 93 of
 18 your Bylaw Report.

19 The Bylaws Committee agrees with the
 20 concept of regional legislative boards, however the
 21 Committee does not endorse the elimination of
 22 provincial and/or regional boards with representation
 23 limited to an appointed regional legislative
 24 representative as proposed by Division 320.

25 Additionally, the Committee does not

1 support a revised process for voluntary establishment
2 of regional boards as proposed by the Legislative
3 Committee which will provide for little or no change
4 from the present.

5 Your Bylaws Committee recommends to
6 reject the solution submitted by Division 320 and the
7 Legislative Committee, and to accept the resolution
8 submitted by the Bylaws Committee.

9 And I so move.

10 PRESIDENT HALLÉ: Can I ask Brother
11 Handkamer, microphonerophone 3.

12 DELEGATE HANDKAMER, Div. 76: Tom
13 Handkamer, Division 76, Locomotive Engineers. I am
14 going to speak against accepting the recommendation of
15 the Bylaws Committee.

16 I want to make reference to the
17 Quadrennial Convention proceedings in Miami, Florida,
18 where a number of resolutions were brought up by
19 Division 320 in regards to the legislative committees
20 and regional boards.

21 I am going to read out of the minutes
22 from September the 27, 2001. Brother Howe of Division
23 728 began speaking on some of the resolutions, in
24 particular legislative boards and regional boards.

25 It reads as follows:

1 "The resolutions submitted by
2 Division 320 contain a number of
3 changes on Section 28, Standing
4 Rules. Among the changes
5 proposed by this should be this
6 should 28 legislative boards.
7 Among the changes proposed by
8 Division 320, would be to remove
9 the provision which guarantees
10 the active membership a vote
11 when proposing to formulate or
12 abolish, specifically abolish,
13 the provincial legislative
14 board. In addition, the
15 resolution submitted by Division
16 320 would also remove the
17 provincial legislative boards
18 and replace them with regional
19 legislative boards, if required.
20 The effects of this change would
21 be twofold.

22 Number 1, due to the
23 workload inherent on
24 representing members from
25 several provinces, the position

1 of regional legislative board
2 would most likely become a
3 fulltime position.

4 Number 2, as a result of
5 this fulltime position, dues
6 would most certainly have to be
7 increased to cover the
8 additional costs. Further, the
9 smaller jurisdictions, in
10 particular Quebec or Atlantic
11 Canada would find these costs
12 prohibitive. Provincial
13 legislative boards serve a very
14 valuable function, particularly
15 with regard to provincial
16 legislation governing short line
17 railroads which are governed by
18 legislation of the province in
19 which they operate. It would be
20 very difficult, if not
21 impossible, for a regional
22 chairman to keep abreast of
23 legislation for several
24 provinces. In short, the
25 resolution proposed by

1 Division 320 would remove the
2 membership's right to vote on
3 the formulation or abolish
4 provincial boards, resulting in
5 less effective representation at
6 increased cost." (As read)

7 I don't think anything much has
8 changed since 2001 and that convention in the
9 formulation or the possible formulation of the
10 regional boards.

11 The regional boards, for example, the
12 proposal here being Saskatchewan, Manitoba, Alberta, at
13 the present time we have 3 individuals working
14 part-time. Under this proposal I would suggest you
15 would have to have one fulltime individual and in all
16 likelihood the dues would have to go up in order to pay
17 for this man to do the job.

18 Not only that, with all the various
19 differences between WCB, the different laws within the
20 provinces, one man cannot keep up with it.

21 Simple case in point, we just had a
22 situation in Manitoba where an individual, an engineer,
23 for example, had a hearing problem. All of a sudden --
24 like it had been paid all along for his adjustments,
25 all of a sudden the legislation changed and he is no

1 longer paid.

2 Small point, but for this individual
3 it is costing about \$250 to \$300 now, whereas before he
4 wasn't paying anything. Little changes like that.

5 Brothers, how many times do we have
6 to come to convention and go through this procedure
7 again? They talked about in Miami, it was voted
8 against and here it is on the floor once more to be
9 reconsidered.

10 I would just like to say on behalf of
11 the Manitoba Provincial Legislative Board, I am
12 speaking against this motion and against the
13 recommendation of the Bylaws Committee. And that is my
14 feelings at this point.

15 PRESIDENT HALLÉ: Thank you, Brother.
16 Microphone 2.

17 --- Applause / Applaudissements

18 UNIDENTIFIED DELEGATE: Just a
19 question on if the Committee gave any consideration to
20 the initial meet of this new formed board, of who was
21 going to fund it. There is no wording in there as far
22 as how that, the initial meet will be funded.

23 CC-BLC SMITH, Div. 162: I think you
24 will see in the note to the Bylaws Committee resolution
25 that it would be effective immediately:

1 "The Executive Board shall
2 oversee the transition from
3 provincial regional boards
4 including the transfer of
5 existing provincial board
6 funds."

7 So if there is money to operate today
8 there would be money to operate tomorrow for the
9 business that had to be done in the creation of the
10 regional boards.

11 PRESIDENT HALLÉ: Microphone 4.
12 TRUSTEE WHETEN, Div. 728: Mike
13 Wheten, Division 728, Locomotive Engineer.

14 I would like to speak against the
15 resolution of the Resolution Committee also. The whole
16 idea of regional boards was put forth to improve
17 service to our members.

18 And while I think that there is some
19 value in the regional boards at some time in the
20 future, we have got problems in the legislative
21 department right now that have to be looked after. Two
22 of those problems are we don't have a board in B.C. and
23 we don't have a board in Nova Scotia.

24 As my brother said from Manitoba, you
25 are going to take 3 part-time provincial legislative

1 chairmen and possibly create a fulltime chairman on the
2 prairies.

3 And just to speak to the prairies, to
4 create that fulltime position, like we have a fulltime
5 position in Ontario and I can tell you that especially
6 with the travel that is involved, there is a lot of
7 cost in setting up a fulltime chairman.

8 We haven't done the numbers and that
9 is part of the problem. Nobody has done any research
10 into this. Between now and the next convention because
11 it is such a big step, I think that we should look at
12 it, the legislative department and the executive board
13 and put the funding in place.

14 And I will give you an example. It
15 might look pretty simple to fund this thing, but let's
16 say for example you want to set up a fulltime position
17 in those 3 provinces. First of all you would have to
18 look at the funding.

19 I would suggest that probably there
20 is going to be a shortfall and there is only 2 ways to
21 make up for that shortfall. One is to raise the dues
22 in those provinces, to improve service. And again I
23 can't stress enough, the idea of this thing is to
24 improve service to the members. Or else you are going
25 to have to fund it through the National Legislative

1 Board or the general fund.

2 Now, I can assure you that if you are
3 going to subsidize the 3 provinces in the west, that
4 you are going to have to subsidize Ontario because our
5 members are paying \$14 a month for the service that
6 they receive in Ontario having a fulltime chairman.

7 So if you are going to subsidize the
8 west, you are going to be subsidizing Ontario and I
9 suggest also if you are going to set somebody up in
10 Quebec you are going to have to subsidize them or fund
11 them whatever way you want but definitely we are going
12 to have to have a long hard look at that.

13 And I suggest that this just isn't
14 the right time. I think that the funding is there
15 if you want to go ahead with that initiative. But I
16 know the upcoming executive is going to have a lot of
17 tough decisions to make here where they want to up
18 their money.

19 And I just feel that while the
20 regional boards might be a good idea at the next
21 convention, it certainly isn't a good idea at this
22 point. There has got to be a lot of work done in
23 that area.

24 And I suggest that we leave the
25 provincial boards as they are and reject the resolution

1 of the Resolutions Committee.
 2 Thank you very much.
 3 PRESIDENT HALLÉ: Microphone 2,
 4 Brother Gallaher,
 5 DELEGATE GALLAHER, Div. 821: Bob
 6 Gallaher, Division 821, Locomotive Engineer.
 7 I am standing to speak against this
 8 resolution as well. The only positive thing I see in
 9 this is B.C. is going to get a board out of it. But I
 10 would like to see a provincial board.
 11 I also would like to mention that
 12 every province deserves to have a voice in Ottawa on
 13 the national board.
 14 Thank you.
 15 PRESIDENT HALLÉ: Thank you.
 16 Microphone 4.
 17 DELEGATE DOHERTY, Div. 247:
 18 Doherty, 247, Halifax.
 19 I thank you for your comments,
 20 Brother Wheten and I would also like to see some
 21 accounting. We don't belong to a provincial
 22 legislative board, that is correct. And we would
 23 also like to see some accounting for what you do with
 24 your money.
 25 PRESIDENT HALLÉ: Microphone 4,

1 Brother Wheten.
 2 TRUSTEE WHETEN, Div. 728: Mike
 3 Wheten, Division 728, Locomotive Engineer.
 4 As per the bylaws, we have an audit
 5 in our province and I would imagine that there is in
 6 the other provinces also. It is in the bylaws and we
 7 send an audit report out every year. It has gone out
 8 this year to all the secretary treasurers of the
 9 divisions.
 10 Further, I heard some questions
 11 relative to the national audit. I would suggest that
 12 the brothers here that haven't seen the audit, or any
 13 of our audits, for that matter --
 14 PRESIDENT HALLÉ: Brother, you are
 15 talking about one subject.
 16 TRUSTEE WHETEN, Div. 728: Well the
 17 speaker before me asked for some explanation of our
 18 funding or our report on how we spend our money.
 19 PRESIDENT HALLÉ: Okay. Go ahead.
 20 TRUSTEE WHETEN, Div. 728: So, the
 21 audits are out there. I suggest you ask the Secretary
 22 Treasurer because we are accountable. Our books, all
 23 our books are audited.
 24 I think the problem is the reports go
 25 to the Secretary Treasurers and nobody asks the

1 Secretary Treasurers for them. But they are out there,
 2 the national, the provincial, the GC of A, all the
 3 audits go to the Secretary Treasurer as per the bylaws.
 4 PRESIDENT HALLÉ: Thank you.
 5 Microphone 3.
 6 DELEGATE EDWARDS, Div. 657: Greg
 7 Edwards, 657, Locomotive Engineers, Revelstoke.
 8 Like a previous delegate, I would
 9 like to mention the B.C. legislative board in the
 10 debate but I don't see it as a positive.
 11 There are a lot of people in this
 12 room that understand that there was a grass root
 13 membership vote to remove the B.C. legislative board.
 14 It was a dysfunctional board and the members were quite
 15 upset with it.
 16 I cannot stand in support of any
 17 resolution to this convention that doesn't give the
 18 members the say on whether or not they want to
 19 reinstate a legislative board that not that long ago --
 20 what was it about 5 years ago -- that the members
 21 themselves, by a ballot, voted to eliminate.
 22 And I cannot sit in this room and
 23 vote to reinstate it without even asking their opinion.
 24 It can't be done.
 25 PRESIDENT HALLÉ: Thank you. We will

1 go to microphone 1, Brother Smith.
 2 DELEGATE SMITH, Div. 667: Tim Smith,
 3 Division 667, Conductors Trainmen.
 4 Call a question.
 5 PRESIDENT HALLÉ: There was a brother
 6 at microphone 4. I just want people to know that.
 7 Is there a second to the motion made
 8 by Brother Smith?
 9 Brother Welter.
 10 DELEGATE WELTER, Div. 132: I will
 11 second that.
 12 PRESIDENT HALLÉ: Okay. Motion by
 13 Brother Smith is second by Brother Welter. To call for
 14 the question.
 15 There were 2 people at the
 16 microphone, Brother McGunigal and Brother Porter?
 17 We will go first with Brother
 18 McGunigal. He was already standing at the microphone.
 19 Al, please.
 20 DELEGATE MCGUNIGAL, Div. 355:
 21 Brother A. McGunigal, Locomotive Engineer,
 22 Division 355.
 23 I would like to speak against the
 24 motion that is in front of us today. There are two
 25 things that I find quite distasteful.

1 Basically what we are looking at is,
2 you know, the regions I suppose somewhere down the road
3 they may have some merit. However, the stumbling block
4 that I see, what is in front of us today is the idea of
5 appointed regional directors.

6 Where the heck is our democratic
7 rights and what are you guys trying to do with it?
8 Our members that pay our dues require, need and
9 demand to at least have a say in who represents them
10 and who doesn't.

11 Secondly, is the 4 regions. Where do
12 you get the lopsided thing here with, you know, no
13 disrespect here, but there are as many divisions in
14 Alberta as there are in British Columbia, let along
15 Saskatchewan and Manitoba.

16 So, I think this really needs to be
17 retooled and looked at before it is brought before the
18 delegates.

19 Thank you.

20 PRESIDENT HALLÉ: Thank you,

21 Brother Al.

22 I will go to Brother Porter.

23 DELEGATE PORTER, Div. 583: Tom

24 Porter, Engineer, Division 583.

25 I am just going to simplify this a

1 The two brothers at the microphone
2 have spoken, so shall the main question be now put --
3 CC-BLC SMITH, Div. 162: Can I just
4 clarify something, Gilles? I just want to clarify
5 something, I don't want to enter a debate.

6 The brother that spoke previously
7 made reference to a distasteful -- the resolution that
8 we are debating right now is the resolution submitted
9 by the Bylaws Committee. The Bylaws Committee
10 resolution does not contain a provision for an
11 appointed representative, so I am a little bit
12 disappointed with that remark being directed towards
13 the Bylaws Committee's recommendation.

14 PRESIDENT HALLÉ: Okay, thank you.
15 The main question will be now put and we will get the
16 question on the screen, which is to call for the
17 question and then debate. Everybody is ready to vote.
18 Start the vote now.

19 --- Adopt Bylaws Committee Recommendation

20 --- VOTING

21 PRESIDENT HALLÉ: 83 yes, no 26. So
22 we get the two-thirds and it is carried.

23 --- CARRIED

24 PRESIDENT HALLÉ: So now we go on.
25 The voting for the motion made by the Bylaws Committee,

1 little bit. I am speaking up against the proposal.

2 I guess number 1 is I feel we need
3 the PLB board just for local representation. These
4 guys they usually know the issues, they know the rules
5 and they know the code. You know, with the way the
6 Board of Transport is going these days it is pretty
7 scary out there and it is nice to have somebody that
8 knows what is going on.

9 I know in our division we have -- the
10 PLB was like the chairman last term. Our LR right now
11 is the co-chair and the PLB Board's, you know, come to
12 our help many times. I don't want to see where the
13 other thing is going.

14 I guess, you know, in Winnipeg
15 we have CP, CN and VIA and the shortlines and to
16 have a PLB in Winnipeg to look after these guys is
17 really important.

18 The other thing I wanted to mention
19 is, I don't know if you guys are aware, but the CN is
20 basically attacking our number 3 air test and the PLB
21 Board has take up this fight alongside of us and I
22 don't know where we would be without it.

23 So basically, that is all I would
24 like to say. It is good to have these guys. Thanks.

25 PRESIDENT HALLÉ: Thank you, brother.

1 which is to reject the resolution submitted by Division
2 320 and the Legislative Committee and to accept the
3 resolution submitted by the Bylaws Committee on
4 page 95, which is on the screen now.

5 For sake of clarity, I think I will
6 read the whole resolution so that everybody
7 understands:

8 "Section 1(a), effective
9 February 1, 2007 there shall be
10 four regional legislative boards
11 established. The jurisdictions
12 of these regional boards are
13 defined as: West Coast -
14 British Columbia; Prairies -
15 Alberta, Saskatchewan and
16 Manitoba; Central - Ontario; for
17 Eastern - Quebec, New Brunswick
18 and Nova Scotia." (As read)
19 The note:

20 "In order to provide an orderly
21 transition between provincial
22 and regional legislative boards,
23 division legislative
24 representatives within their
25 respective regions shall convene

1 on the fourth Tuesday in
2 January, 2007 in order to fulfil
3 election requirements of
4 regional boards. Effective
5 immediately, the executive board
6 shall oversee the transition for
7 provincial to regional boards,
8 including the transfer of
9 existing provincial board
10 funds." (As read)

11 So if you are all ready, we will have
12 the vote, so start the vote.

13 --- VOTING

14 PRESIDENT HALLÉ: 33 yes. I cannot
15 read the...

16 UNIDENTIFIED DELEGATE: 75.

17 PRESIDENT HALLÉ: 75. Sorry, because
18 it is right in the logo.

19 So 33 yes, 75 no. The motion is
20 defeated.

21 --- DEFEATED

22 PRESIDENT HALLÉ: So we go to...

23 CC-BLC SMITH, Div. 162: There are a
24 number of related issues with the creation or
25 non-creation, as it is at this point, of regional

1 UNIDENTIFIED DELEGATE: Just if we
2 come up with 113 one time I will be happy. We haven't
3 seen it yet.

4 PRESIDENT HALLÉ: I have been
5 attending many conventions and very seldom we have a
6 vote that includes all the delegates, very very seldom
7 we have that. But we are close, we are doing excellent
8 I think. We are in the 2, 3 percent bracket, which is
9 excellent in my book.

10 --- Pause

11 UNIDENTIFIED DELEGATE, Div. 320: A
12 point of information.

13 PRESIDENT HALLÉ: Yes, microphone
14 number two?

15 UNIDENTIFIED DELEGATE, Div. 320:
16 Just so we get clarity here, we rejected the
17 committee's recommendation on this last resolution or
18 their resolution. Do we not move back to the other two
19 resolutions on that same section?

20 PRESIDENT HALLÉ: Yes, if somebody
21 wants to go back to -- if you want to go back to your
22 resolution or the Legislative Committee wants to go
23 back to their resolution.

24 UNIDENTIFIED DELEGATE, Div. 320:
25 Well, I would think that would be automatic. There are

1 board. So we might as well continue along with those
2 related issues and clean that issue as we go.

3 So it would be Legislative Rules,
4 Section 1(b), page 97.

5 UNIDENTIFIED DELEGATE: Mr.
6 President, a point of order.

7 PRESIDENT HALLÉ: Yes.

8 UNIDENTIFIED DELEGATE: Just curious.
9 In all the votes -- we have 113 delegates here. Is
10 that what we seated, 113?

11 PRESIDENT HALLÉ: That was the --
12 yes, a report from the credentials.

13 UNIDENTIFIED DELEGATE: In all the
14 votes we have had up to now we have not had 113. I am
15 just curious, are all these machines working or what is
16 going on? Because, I mean, if we get down to a crunch
17 vote here, I mean, the last one was what, 109 or
18 something. We have not gotten 113 yet. Even when we
19 were present today, everybody came in, there was only
20 111. So I am just curious if everything is working.

21 PRESIDENT HALLÉ: Okay, just hold on.
22 When I took the attendance this morning there was 110 I
23 think. And if I look, I can see two empty chairs there
24 and there is another empty chair over there, so that
25 makes 110.

1 two resolutions involved in this section and that is
2 one for the Legislative Committee and the other one
3 from Division 320.

4 PRESIDENT HALLÉ: You are right.
5 But you have to bring that up. Do you want to
6 bring this...?

7 --- Pause

8 PARLIAMENTARIAN SHIELDS: You will
9 recall what I said when we first started out, that
10 where you defeat a resolution put forward by the Bylaws
11 Committee where they propose their own resolution --
12 you have now rejected it -- unless someone brings up
13 the other resolutions, they die on the floor and we
14 proceed to a new area and that is how you proceed
15 through each one of these where you are rejecting the
16 Bylaw Committee's recommendation.

17 But it is not automatic, it has to be
18 brought up on the floor.

19 CC-BLC SMITH, Div. 162: Legislative
20 Rules, Section 1(b):

21 "Bylaws Committee recommends to
22 reject the resolution submitted
23 by Division 320, the Legislative
24 Committee, and to accept the
25 resolution submitted by the

1 Bylaws Committee." (As read)
 2 PRESIDENT HALLÉ: Microphone 2.
 3 DELEGATE SINGER, Div. 563 : Brother
 4 Al E. Singer, Division 563, Cranbrook B.C., Locomotive
 5 Engineers. Just a point of order, I wonder if Brother
 6 Smith could just advise as we are going through these
 7 next resolutions, which ones pertain to the principal
 8 one we just vote on, so the delegates understand.
 9 Perhaps debate isn't necessary if we have already
 10 decided the main point of the question.
 11 CC-BLC SMITH, Div. 162: Okay. I
 12 thought when I had made my comments earlier that we
 13 would deal now with those related issues.
 14 DELEGATE SINGER, Div. 563: Yes, just
 15 each one I guess. (off mic)
 16 CC-BLC SMITH, Div. 162: Yes, okay.
 17 Before each one I will preface, you know, that this is
 18 another one. I mean, I can't tell you how to vote, but
 19 you have just dealt with the main meat of that issue,
 20 don't vote for me now, you know.
 21 --- Laughter / Rires
 22 PRESIDENT HALLÉ: Well put.
 23 CC-BLC SMITH, Div. 162: 1(b), the
 24 Committee's recommendation was to reject the submission
 25 by Division 320 and the Legislative Committee and to

1 accept the resolution submitted by the Bylaws
 2 Committee.
 3 PRESIDENT HALLÉ: Okay. We might go
 4 a little faster on these ones, you all know what it is
 5 all about. So seeing nobody at the microphone, the
 6 Bylaws Committee recommends to reject resolution
 7 submitted by Division 320 and the Legislation
 8 Committee, to accept the resolution submitted by the
 9 Bylaws Committee.
 10 So we will vote on their
 11 recommendation. We are ready to vote. You have all
 12 your machines, start the vote.
 13 --- Adopt Bylaws Committee Recommendation
 14 --- VOTING
 15 PRESIDENT HALLÉ: 17, yes. It is
 16 rejected. Can we move this? Can we get the number for
 17 the record please?
 18 UNIDENTIFIED DELEGATE: 89.
 19 PRESIDENT HALLÉ: 89 against, so it
 20 failed.
 21 --- DEFEATED
 22 PRESIDENT HALLÉ: Nobody at the
 23 microphone. Brother Smith, let us move to the next
 24 one.
 25 CC-BLC SMITH, Div. 162: We will move

1 to Legislative Rules Section 1(c). Again, this is
 2 another recommendation attached to the main question.
 3 The Bylaws Committee recommends to reject the
 4 resolution submitted by Division 320 and the
 5 Legislative Committee and to accept the resolution
 6 submitted by the Bylaws Committee.
 7 I so move.
 8 PRESIDENT HALLÉ: Okay, we are all
 9 there. The Bylaws Committee recommends to reject the
 10 resolution submitted by Division 320 and the
 11 Legislative Committee and to accept the resolution
 12 submitted by the Bylaws Committee.
 13 Can we have the vote on the screen?
 14 We have the vote on the screen, you are ready to vote,
 15 start the vote.
 16 --- Adopt Bylaws Committee Recommendation
 17 --- VOTING
 18 PRESIDENT HALLÉ: 14 in favour,
 19 94 against. The motion failed.
 20 --- DEFEATED
 21 CC-BLC SMITH, Div. 162: Brother
 22 President, if we could just have a minute? We are
 23 going to check with Chuck to see whether it would be in
 24 order for the Committee to withdraw the recommendations
 25 they had in relation to the initiative for regional

1 boards. We have them all listed and I guess if we
 2 could get an answer on that it might save some time.
 3 --- Pause
 4 PRESIDENT HALLÉ: Brothers, brothers,
 5 please. It is 10:25 and I will use the right word now,
 6 I will forget my French side, we will have a recess of
 7 10 minutes and be back here -- well let us see, between
 8 10:25 and 10:30.
 9 Okay, hold on, what we will do is we
 10 will try to speed up this thing on this legislative
 11 matter. We will try to come with a resolution that
 12 will eliminate all the resolutions in regards to that
 13 one. Thank you, 10:40 thanks.
 14 --- Upon recessing at 1027 / Suspension à 1027
 15 --- Upon resuming at 1048 / Reprise à 1048
 16 PRESIDENT HALLÉ: It should take
 17 another couple of minutes for Brothers Smith and
 18 Vincent to finish. So let's have an attendance vote,
 19 please.
 20 --- Attendance Vote
 21 PRESIDENT HALLÉ: 81, 15: 96. Thank
 22 you.
 23 We are just trying to finalize a
 24 motion from the Bylaws Committee.
 25 --- Pause

1 CC-BLC SMITH, Div. 162: Brothers and
2 Sisters, in light of the question being decided on, I
3 will use the term the main motion or the main question
4 in that initiative, if you want to get your pencils out
5 here and write it down, I am going to give you a list
6 of resolutions that the Bylaws Committee will be moving
7 to withdraw.

8 These are, in our view, housekeeping
9 issues directly related to the creation of regional
10 boards.

11 I will move that the following
12 resolutions of the Bylaws Committee be withdrawn:
13 Division Section 17, paragraph (d); Legislative Section
14 1, paragraph (d); Legislative Section 1, paragraph (e);
15 Legislative Section 1, paragraph (f); Legislative
16 Section 1, paragraph (g); Legislative Section 1,
17 paragraph (i); Legislative Section 1, paragraph (j);
18 and, finally, Legislative Section 1, paragraph (k).

19 Those are the resolutions that I move
20 be withdrawn.

21 I will need a seconder, please.

22 I will just clarify. In Section (k)
23 there are two separate resolutions regarding
24 Legislative 1, paragraph (k). It would be the one
25 found on page 110.

1 PRESIDENT HALLÉ: Microphone 3.
2 UNIDENTIFIED DELEGATE: I will second
3 the motion (...off mic).

4 PRESIDENT HALLÉ: Thank you, Brother,
5 but the rules are it is a motion by the Bylaws
6 Committee. It is a Committee motion so they will need
7 a second to do that.

8 Thanks, anyway.

9 Microphone 4.

10 DELEGATE HAMEL, Div. 319: Mark
11 Hamel, Division 319.

12 Could you put them on the board,
13 please, or repeat them. I missed one or two.

14 CC-BLC SMITH, Div. 162: I will
15 repeat them again. It might be easier.

16 In the Division section, Section 17,
17 paragraph (d) --

18 UNIDENTIFIED DELEGATE: Is that "D"
19 as in Don?

20 CC-BLC SMITH, Div. 162: "D" as in
21 Don, doughnut.

22 PRESIDENT HALLÉ: Delta.

23 CC-BLC SMITH, Div. 162: Page 77.

24 The rest of the resolutions that
25 we propose to withdraw are all found in the Legislative

1 section.

2 Legislative Section 1, paragraph (d),
3 on page 100; Legislative Section 1, paragraph (f), page
4 102; Legislative Section 1, paragraph (g), page 104;
5 Legislative Section 1, paragraph (i), page 107;
6 Legislative Section 1, paragraph (j), page 109.

7 And the first resolution related to
8 Legislative Section 1, paragraph (k), on page 110, the
9 first one only.

10 I missed one here. Legislative
11 Section 1, paragraph (e), page 101.

12 PRESIDENT HALLÉ: Microphone No. 2.
13 DELEGATE THERIAULT, Div. 469:
14 Brother Smith, 106 also reflects a change.

15 Ron Theriault, Division 469.

16 CC-BLC SMITH, Div. 162: The
17 Legislative rule Section 1, paragraph (h), I would
18 rather that come up separately because it is not so
19 clearly identifiable as being purely a change in
20 language.

21 I believe it is too, but I would
22 rather that come up separately.

23 PRESIDENT HALLÉ: Microphone 3,
24 Brother Edwards.

25 DELEGATE EDWARDS, Div. 657: Greg

1 Edwards, Division 657, Revelstoke Locomotive Engineers.

2 I just want to clarify. Now that you
3 have the page numbers, it kind of clarifies for me, but
4 Legislative Rule Section 1, paragraph (i), there is a
5 second resolution on that one as well, and that is not
6 included.

7 It is on page 108.

8 CC-BLC SMITH, Div. 162: No. That is
9 related to another resolution. There is a main
10 resolution elsewhere, and that is a housekeeping issue
11 related to a different issue.

12 DELEGATE EDWARDS, Div. 657: I just
13 wanted to clarify that.

14 --- Motion to Withdraw Vote

15 PRESIDENT HALLÉ: Seeing no delegates
16 at the microphone, I will repeat the submission by the
17 Bylaws Committee to withdraw from the Division rules
18 Section 17(d) at page 77, from the Legislative rules
19 Section 1(d) at page 100, Section 1(e) at page 101,
20 Section 1(f) at page 102, Section 1(g) at page 104,
21 Section 1(i) and page 107, Section 1(i) at page 109,
22 first Section 1(k) at page 110 another 1(k) -- this is
23 the other one? No.

24 I think that's it. There is only
25 one 1(k).

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1 So if everybody is ready and there
 2 is no delegate at the microphone, can we have a vote on
 3 withdrawing all these things? Can we start the
 4 vote now?
 5 108 in favour, 1 against; the motion
 6 is carried.
 7 --- CARRIED
 8 PRESIDENT HALLÉ: Microphone one,
 9 Brother Welter.
 10 DELEGATE WELTER, Div. 132: Welter,
 11 132.
 12 Just a bit of information here, I
 13 just wanted to let you know that I did speak with the
 14 brother's secretary. He did show me the information
 15 that I was asking for and I very much appreciate it.
 16 Thank you very much
 17 PRESIDENT HALLÉ: Thank you.
 18 --- Pause
 19 PRESIDENT HALLÉ: Microphone four,
 20 DELEGATE HAMEL, Div. 319: Mark
 21 Hamel, 319, Engineer.
 22 I noticed on the last vote we had a
 23 countdown. How many seconds was on the countdown
 24 there?
 25 PRESIDENT HALLÉ: Twenty (20).

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1 DELEGATE HAMEL, Div. 319: I am just
 2 wondering if we could get it raised to 30 maybe -- more
 3 time. I found 20 seconds was a little quick.
 4 PRESIDENT HALLÉ: Can we find out
 5 exactly how the vote --
 6 DELEGATE HAMEL, Div. 319: I'm not a
 7 quarterback.
 8 PRESIDENT HALLÉ: I am just
 9 addressing it to the people in the chairs there for a
 10 second. Do we know how long it took to take to vote
 11 completely?
 12 --- Off microphone / Sans microphone
 13 PRESIDENT HALLÉ: Sixteen. It took
 14 16. So you want to raise it to 30, fine. We will try
 15 the next one at 30.
 16 DELEGATE HAMEL, Div. 319: Thank you.
 17 PRESIDENT HALLÉ: It's going to be
 18 a delay.
 19 DELEGATE HAMEL, Div. 319: Thank you.
 20 --- Pause
 21 PRESIDENT HALLÉ: Okay. We are
 22 ready.
 23 Brother Smith.
 24 CC-BLC SMITH, Div. 162: Brothers and
 25 Sisters, there is -- we have also found one more so far

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1 and there may be others too that we run across that is
 2 purely a housekeeping issue.
 3 I will make the same motion. The
 4 Committee moves to withdraw the Committee resolution in
 5 relation to Legislative Rules, Section 5, paragraph (b)
 6 on page 125.
 7 --- Pause
 8 PRESIDENT HALLÉ: Microphone three.
 9 DELEGATE BROWNLEE, Div. 956:
 10 Brownlee, Div. 956.
 11 In the previous recommendations to
 12 withdraw, page 101, Section 1(e), the Bylaws Committee
 13 had no resolution.
 14 CC-BLC SMITH, Div. 162: Where is it
 15 shown?
 16 DELEGATE BROWNLEE, Div. 956: Page
 17 101, Legislative Rules, Section 1(e).
 18 CC-BLC SMITH, Div. 162: Right.
 19 DELEGATE BROWNLEE, Div. 956: The
 20 Bylaws Committee had no resolution to withdraw.
 21 CC-BLC SMITH, Div. 162: No, but we
 22 are just withdrawing -- we are withdrawing our
 23 recommendation. So we withdraw it. It disappears
 24 completely and by default --
 25 DELEGATE BROWNLEE, Div. 956: Okay.

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1 We just -- okay.
 2 CC-BLC SMITH, Div. 162: -- it goes
 3 back to the present law.
 4 DELEGATE BROWNLEE, Div. 956: All
 5 right. Thank you.
 6 CC-BLC SMITH, Div. 162: I think we
 7 are still looking for a seconder for that.
 8 PRESIDENT HALLÉ: No, that's a
 9 committee recommendation.
 10 CC-BLC SMITH, Div. 162: Oh, I'm
 11 sorry.
 12 PRESIDENT HALLÉ: Okay. There is a
 13 recommendation by the Bylaws Committee to withdraw
 14 Legislative Rule 5(b), their recommendation. They
 15 withdraw their submission.
 16 Seeing nobody at the microphone can
 17 we put the vote on? It is a motion to withdraw,
 18 Legislative 5(b) from the Bylaws Committee. Please
 19 vote.
 20 104 in favour, 5 against; motion
 21 passed.
 22 --- CARRIED
 23 PRESIDENT HALLÉ: Oh, microphone 3.
 24 Sorry.
 25 DELEGATE OHRYN, Div. 680: Yes, Mike

1 Ohryn, Div. 680, Engineers.
 2 You mentioned that we were going to
 3 retain (h). I didn't get the reason why we were
 4 retaining (h) in all those withdrawals.
 5 Thank you.
 6 CC-BLC SMITH, Div. 162: We are not
 7 necessarily retaining (h). It's just it wasn't so
 8 clearly identifiable as a purely -- a change related to
 9 the main motion. This one has other language
 10 associated with it elsewhere and I just wanted to leave
 11 it out and not leave it in that big group, deal with it
 12 individually. It may end up being exactly the same
 13 thing. It wasn't purely housekeeping at first glance.
 14 --- Pause
 15 CC-BLC SMITH, Div. 162: I guess, at
 16 this point, Brothers and Sisters if you want to give
 17 some indication to us as a Committee. Do you want to
 18 go back and resume where we were yesterday? Do you
 19 want to deal with the legislative rep position or do
 20 you just want to keep going forward from where we are
 21 now in the legislative section?
 22 It doesn't really matter to us where
 23 we start.
 24 --- Pause
 25 CC-BLC SMITH, Div. 162: Okay, we

1 will just resume where we left off with the
 2 housekeeping issues and just carry on right through in
 3 the legislative section. There is only a few more
 4 before we run into the legislative position which was
 5 the item that we had postponed over to today.
 6 So we will go with Legislative Rules,
 7 Section 1, paragraph (h), page 106.
 8 The Committee moves to withdraw the
 9 resolution submitted in relation to paragraph (h) on
 10 page 106.
 11 I so move.
 12 PRESIDENT HALLÉ: There is a
 13 resolution by the Bylaw Committee to withdraw their
 14 recommendation on Section 1(h) at page 106.
 15 Nobody at the microphone.
 16 Can we get the question on the
 17 screen please?
 18 Please vote.
 19 --- Motion to Withdraw Vote
 20 --- VOTING
 21 PRESIDENT HALLÉ: 108 in favour,
 22 3 against. The motion passed.
 23 --- CARRIED
 24 CC-BLC SMITH, Div. 162: Legislative
 25 Rules, Section 1, paragraph (i), the one appearing on

1 page 108 is a housekeeping issue related to an item
 2 that we have not addressed yet. So we will go by that
 3 one for now and the same with Legislative Rules,
 4 Section 1, paragraph (k) on page 111 is a housekeeping
 5 issue related to the creation of a position within the
 6 legislative. And we will go by that for now.
 7 Which brings us to the main issue
 8 that we postponed from yesterday, it's Legislative
 9 Rules, Section 2, paragraph (a) found on page 112.
 10 Your Bylaws Committee recommends to
 11 reject the resolution submitted by Division 320,
 12 Division 563, the Legislative Committee and to adopt
 13 the resolution submitted by the Bylaws Committee.
 14 I would also like to amend that to
 15 the extent that it would be effective upon the election
 16 results pursuant to Bylaw Section 6(a) which is the
 17 initiative.
 18 --- Pause
 19 PRESIDENT HALLÉ: Can we have the
 20 amendment on the screen?
 21 --- Pause
 22 CC-BLC SMITH, Div. 162: Brothers and
 23 sisters, within in this section 2, and it is the fault
 24 of the Bylaws Committee, mostly my fault because I was
 25 putting together some of this language.

1 And what we have done inadvertently
 2 is where we did Section 1 and then we carried into
 3 Section 2, there is reference to regional boards in the
 4 language where we are talking about creating a position
 5 within the legislative.
 6 Just consulting with Jim and he
 7 suggested it would be proper for not only my amendment
 8 to address the timeline but that I could also continue
 9 on and address this regional legislative issue at the
 10 same time, if I understand correctly.
 11 So that would be the amendment that I
 12 would propose, that the timeline be as suggested and
 13 also to remove the words "regional legislative" from
 14 the proposed language in paragraph (a). That would
 15 leave provincial boards as the existing language.
 16 --- Pause
 17 CC-BLC SMITH, Div. 162: The
 18 amendment would revert to the original language.
 19 PRESIDENT HALLÉ: Okay, I think
 20 first...
 21 CC-BLC SMITH, Div. 162: I was just
 22 going to ask at the desk if they could remove the
 23 highlight from the word "provincial". Thank you.
 24 PRESIDENT HALLÉ: Brother Welter.
 25 DELEGATE WELTER, Div. 132: Just a

1 question. Wouldn't you want to leave the word
2 "legislative" in there?
3 CC-BLC SMITH, Div. 163: It is not in
4 the present language.
5 DELEGATE WELTER, Div. 132: Okay.
6 PRESIDENT HALLÉ: Brother Handkamer,
7 are you going to the microphone? Microphone 3.
8 DELEGATE HANDKAMER, Div. 76: Tom
9 Handkamer, Division 76, Locomotive Engineers. You know
10 what, I would appreciate it if we could get a little
11 more time on this just to look at the changes and
12 digest it.
13 PRESIDENT HALLÉ: That is what we are
14 doing, we are just -- I am just waiting.
15 DELEGATE HANDKAMER, Div. 76: I just
16 didn't want you calling for a vote, you know, without
17 me letting you know that... (off mic)
18 UNIDENTIFIED DELEGATE: Is it
19 possible to get the whole -- the screen so you can see
20 the entire submission by the Bylaws Committee? Because
21 we only see the bottom of it. (off mic)
22 PRESIDENT HALLÉ: Can you roll the
23 screen down a bit? No, the other way.
24 UNIDENTIFIED DELEGATE: The other
25 way. There. (off mic)

1 PRESIDENT HALLÉ: Okay, from the top,
2 okay.
3 UNIDENTIFIED DELEGATE: There you
4 are. (off mic)
5 PRESIDENT HALLÉ: Okay, thank you.
6 Just as a point of information, I got
7 a note here that the lunch, which is sponsored by the
8 BLET today, thanks to them, will be served at 11:45, so
9 we might carry on for an additional 15 minutes, but will
10 give you 15 minutes more to come back because the lunch
11 won't be ready anyway. 11:45, that is the note that
12 was given to me, lunch will not be ready.
13 Microphone 2.
14 DELEGATE RANSON, Div. 320: I don't
15 quite understand what you are trying to do there to be
16 effective upon the results of the bylaws, Section 6(a).
17 What is the idea there?
18 CC-BLC SMITH, Div. 162: What we are
19 trying to do there is, at present, we have a
20 vice-president who is -- part of his duties are
21 legislative. So what we are saying is if we are going
22 to create a new position that is legislative and it
23 ends up being created here by the delegates, then
24 language, the responsibilities and everything else
25 should change upon the election so that the transfer be

1 made at that time of the legislative responsibilities.
2 Because then, that vice-president at
3 that time would be -- there is other language in the
4 bylaws which refers to the responsibilities of the
5 vice-president, including that it includes legislative
6 responsibilities where there is a resolution to strike
7 that based on the possibility of a creation of a new
8 legislative position. So if we are going to strike it
9 from one, we got the responsibilities flowing here, we
10 want to make them flow at the time of the election
11 results so that there is no overlap or there is no gap.
12 DELEGATE RANSON, Div. 320: (off
13 mic). vice president --
14 CC-BLC SMITH, Div. 162: That is
15 right, because there is specific language in the bylaws
16 that ties the legislative responsibilities to the vice
17 president now.
18 PRESIDENT HALLÉ: Okay, Brother
19 Handkamer, are you okay now?
20 Microphone 3.
21 DELEGATE ANGUS, Div. 737: Don Angus,
22 737, Engineers. So am I to understand this afternoon
23 when there is nominations that there will be a
24 nomination for a vice-president and a legislative
25 director? Is that correct?

1 PRESIDENT HALLÉ: No.
2 DELEGATE ANGUS, Div. 737: It will
3 still be just a vice-president?
4 PRESIDENT HALLÉ: Well, I will.
5 CC-BLC SMITH, Div. 162: Well, it
6 depends what you do here. You know, if --
7 DELEGATE ANGUS, Div. 737: But, that
8 is what I am saying. If this is passed, is there going
9 to be two --
10 CC-BLC SMITH, Div. 162: But we are
11 only talking about the amendment at this point. I
12 think that is more a question for the main -- for the
13 main motion.
14 DELEGATE ANGUS, Div. 737: Okay.
15 --- Laughter / Rires
16 PRESIDENT HALLÉ: Are you okay,
17 Brother Handkamer? Microphone 3.
18 DELEGATE HANDKAMER, Div. 076: Your
19 amendment up on the screen, getting rid of the word
20 "legislative", is that your intention?
21 CC-BLC SMITH, Div. 162: Our
22 intention is to revert to the original language. The
23 original language was provincial boards, so we are just
24 reverting back to the original language.
25 PRESIDENT HALLÉ: Microphone 2.

1 DELEGATE SINGER, Div. 563: A1
2 Singer, Division 563, Cranbrook, B.C., Locomotive
3 Engineers. I guess a point of order, all the other
4 resolutions that we have brought forward that we
5 intended to have adopted immediately, we have said
6 effective immediately, and I am wondering if we are not
7 going to require another amendment to this motion to
8 cause, as Brother Angus said, this main resolution to
9 be adopted immediately, if that is the intent of the
10 delegation.

11 CC-BLC SMITH, Div. 162: Well, I
12 guess that is for them to decide on the amendment. If
13 they want to go in a direction other than what we are
14 proposing with this amendment, then they will make
15 their choice.

16 DELEGATE ANGUS, Div. 563: I guess I
17 am just concerned that the wording is, "to be effective
18 upon election results pursuant to bylaws." Will that
19 enable us to have that position nominated and elected
20 at these proceedings?

21 CC-BLC SMITH, Div. 162: Yes. The
22 only reference to 6(a).

23 CC-BLC SMITH, Div. 162: Yes. The
24 only reference to -- to 6A -- because remember we can't
25 change any thing at 6A. 6a is out of bounds.

1 All we're saying is instead of it
2 being effective immediately, that it would be effective
3 upon the election results that are going to be
4 conducted under 6A for president, vice president,
5 secretary treasures, so that there's a transition time
6 when the responsibilities from the current vice
7 president would flow to this -- to this new position.

8 It just creates that time line.
9 That's the only -- the only thing that's trying -- that
10 we're trying to cover off.

11 DELAGATE SINGER, Div. 563: Okay.

12 So --

13 CC-BLC SMITH, Div. 162: If --

14 DELAGATE SINGER, Div. 563: So I
15 understand, that will be the understanding or the chair
16 then, when we move to nominations this afternoon? That
17 this -- should this amendment and should this
18 resolution be adopted, that that position would then
19 come forward as a position available for nominations?

20 CC-BLC SMITH, Div. 162: If -- if
21 this were to be -- let's go ahead into never, never
22 land here for a minute.

23 UNIDENTIFIED DELEGATE, Div. 563: I
24 have been there before, so --
25 --- Laughter

1 CC-BLC SMITH, Div. 162: We were
2 there and we are back.

3 --- Laughter/ Rires

4 CC-BLC SMITH, Div. 162: But let us
5 suppose -- let us suppose, for the sake of argument,
6 that -- that the -- the delegates decide to create
7 decision, basically as we have proposed. That -- that
8 would mean that we would go ahead, nominations would be
9 held, that position would be elected by the delegates
10 here, to be effective on along the same time line as
11 the other positions are effective under 6A.

12 So although it would be created this
13 week, the effective date would be two or three months
14 in the future under the same timeline as the other
15 officers come in under 6A.

16 DELAGATE SINGER, Div. 563: And
17 that's the ruling of the chair as well?

18 PRESIDENT HALLÉ: Brother Singer,
19 today I'm the chair. You asked me a question as
20 president. So I'm the chair; I'm chairing this
21 meeting, it's a debate.

22 I cannot make position as the
23 president; I'm chairing. So if you said, "The position
24 of the chair," I'm just chairing the meeting. I can't
25 stand position to give you here position here now as

1 the president. I'm the chair.

2 DELEGATE SINGER, Div. 563: Okay.

3 PRESIDENT HALLÉ: Sorry about that.
4 That's the rule, Brother Singer.

5 DELEGATE SINGER, Div. 563: Okay.

6 PRESIDENT HALLÉ: Microphone 3.

7 DELEGATE HANDKAMER, Div. 76:

8 Handkamer, division 76, board of engineers. In line
9 with what happened with the initiative out of division
10 320, do we have a constitutional right to choose --
11 separate these positions, the vice president and the
12 national legislative director? Or does this not have
13 to remain for that two-year period, in tact.

14 CC-BLC SMITH, Div. 162: No, I
15 believe -- I believe the -- I can check again for the
16 exact wording, but I believe under the membership
17 initiative, the language now is simply vice president
18 with a bracketed S, but let me check.

19 That's exactly how it is. In the new
20 section, section 6, paragraph A, there is no reference
21 to any legislative duties, like previously bracketed or
22 anything else.

23 It simply says -- it simply says the
24 officers are president, vice president, bracket S,
25 secretary treasurer.

1 DELEGATE HANDKAMER, Div. 72: Okay.
 2 PRESIDENT HALLÉ: Are we all now
 3 comfortable with this? There's no delegate at the
 4 microphone, we will first vote on the amendment, which
 5 is to remove the words "Regional Legislative," and that
 6 this resolution would be effective upon the election
 7 result, pursuant to Bylaw section 6(8).

8 Would you please put the question on
 9 the amendment? Will you please vote. Start the vote.
 10 --- Amend Bylaws Committee Recommendation vote

11 PRESIDENT HALLÉ: 108 in favour,
 12 4 against on the vote for the amendment.

13 Now we will go back to the main
 14 motion as amended. Brother Ranson, microphone 2.

15 DELEGATE RANSON, Div. 320: So as I
 16 understand it, you are going to create a separate
 17 position outside one of the executive officers, is that
 18 correct?

19 CC-BLC SMITH, Div. 162: That is
 20 right. It will be -- it will be outside of the
 21 executive board. Again, more as a -- as a result of
 22 the -- the changes in 1E.

23 Had it been left to the committee,
 24 we would have created that position within the
 25 executive board.

1 We would have done other changes too,
 2 which we discussed yesterday, but as it stands, we have
 3 to create it in the legislative section.

4 DELEGATE RANSON, Div. 320: Okay. Is
 5 there any thought to giving what -- how this office is
 6 going to be paid and at what amount? Right now the
 7 vice president of GA is basically paid what, \$130,000?

8 Is that job going to be affected as
 9 far as wages goes, and that new vice president's job?
 10 And is it -- how is this guy going to be -- what amount
 11 is he going to be paid?

12 CC-BLC SMITH, Div. 162: We
 13 discussed, amongst the committee, whether or not
 14 we should make a recommendation that got so detailed as
 15 to include the salary, dictate the salary and
 16 everything else.

17 And what our -- what our position
 18 within the committee was since -- since the position
 19 now is a part of another position, separate it and
 20 rather than dictate that it be at a vice president's
 21 level or some specific level, we don't know what that
 22 work load is going to be.

23 So we felt that that would be best
 24 left to the executive board to determine, you know,
 25 how -- how that position unfolds. Our -- our mission

1 was simply to create the position.

2 PRESIDENT HALLÉ: I see no other
 3 delegates at the microphone. Oh.

4 UNIDENTIFIED DELEGATE, Div. 319:
 5 319, Chapleau Engineers. Right now we have a vice
 6 president and a national director, correct?

7 CC-BLC SMITH, Div. 162: As one
 8 position.

9 UNIDENTIFIED DELEGATE, Div. 319:
 10 As one position. And I'm just wondering, what is
 11 the workload? Is it that much that we have to have
 12 another one?

13 CC-BLC SMITH, Div. 162: Well I
 14 think with our -- again, from -- this is not my
 15 opinion, the discussion within the community was that
 16 there has been a fair amount of growth over the last
 17 couple of years and hopefully we can look forward to
 18 some additional growth.

19 And it -- it's to the point now where
 20 you can split the position off, and I don't think there
 21 was any doubt in the committee's mind that -- that
 22 there is enough work for two separate and distinct
 23 positions. That is -- and our proposal reflects that.

24 UNIDENTIFIED DELEGATE, Div 319:
 25 Okay.

1 PRESIDENT HALLÉ: Okay. I think
 2 there's no more delegates at the microphone. It will
 3 be time to vote as the recommendation by the Bylaws
 4 committee to accept their resolution as amended. So
 5 we'll get the vote done. Let's start it.

6 --- Adopt Bylaws Committee Recommendation as Amended
 7 --- VOTING

8 PRESIDENT HALLÉ: 86 in favour,
 9 24 against; the motion passed.

10 --- CARRIED

11 PRESIDENT HALLÉ: Brother Ruddick, is
 12 there any announcement? There's no announcement?
 13 Brother Welter, microphone one.

14 DELEGATE WELTER, Div. 312: Yes.
 15 Division 132. I'm in agreement with -- and I support
 16 this one hundred percent, but I really think that you
 17 have to give some thought as a -- as a body to how
 18 you're going to handle this man, if he's going to be
 19 full a time -- anybody running for this position has a
 20 right to know.

21 PRESIDENT HALLÉ: Brother, this is --
 22 Brother Welter, you are out of order.

23 DELEGATE WELTER, Div. 312: Okay.

24 PRESIDENT HALLÉ: We -- we have dealt
 25 with this thing. So if there is no announcement,

1 brothers, we will call for the recess. I say we should
2 not enter the other debate.

3 And so we will start at 13:15. And I
4 look outside, the door is open, I think the lunch is
5 already there.

6 Thank you. We will recess 13:15.

7 --- Upon recessing at 1141 / Suspension à 1141

8 --- Upon resuming at 1315 / Reprise à 1315

9 PRESIDENT HALLÉ: Good afternoon,
10 Brothers and sisters. Can we have a quick attendance
11 vote, please?

12 Whenever you are ready. Ready?

13 Let's start the vote.

14 --- ATTENDANCE

15 --- VOTING

16 PRESIDENT HALLÉ: 72, 27 for 99.

17 Okay, perfect.

18 First thing, don't forget we have
19 a cocktail party at 1800 to 2000 this evening in the
20 Laurier Salon in the lower level where we had
21 breakfast.

22 Also, Brother Vickers just mentioned
23 to me if people are looking for their coupon for
24 cocktails tonight, he said it is in this little pocket
25 at the front. That is where the Arrangement Committee

1 put the coupon for drinks tonight.

2 There was a lot of complaints that
3 people were not able to find it.

4 The next thing is we would like
5 to thank the BLET. I think our Brothers from the
6 U.S. have left, but we would like to thank them for the
7 good lunch. It sure saved you money and saved us a lot
8 of time.

9 The next thing is when you get to the
10 microphone to speak, we have put a tape in front of the
11 microphone so make sure you stand on that tape. People
12 have a tendency to get to the microphone and walk away
13 and we lose you. I do that myself, by the way.

14 So if you want to go to the
15 microphone, put your toes on the yellow tape there so
16 we don't lose track.

17 We will have a guest speaker later
18 on but maybe we can do a couple of things with the
19 Bylaws Committee. When Mr. Ritchie comes in, I will
20 introduce him.

21 Brother Smith.

22 CC-BLC SMITH, Div. 162: Brothers and
23 Sisters, what we would like to do, the Bylaws
24 Committee, is make a motion at this time, a motion from
25 the Bylaws Committee to delete newly proposed words

1 "regional" and/or "region" and/or "a regional" and/or
2 "the regional" in all subsequent Bylaws Committee
3 resolutions and retain the present language.

4 I so move.

5 It is coming up on the screen

6 there now.

7 --- Pause

8 PRESIDENT HALLÉ: Okay? Everybody
9 can read it.

10 So it is a motion by the Bylaws
11 Committee to delete newly proposed words "regional"
12 and/or "region" and/or "a regional" and/or "the
13 regional" in all subsequent Bylaws Committee
14 resolutions and retain the present language.

15 --- Adopt Bylaws Committee Recommendation vote

16 PRESIDENT HALLÉ: Seeing no debate,
17 we will proceed with the vote.

18 Would you please put the vote on
19 the screen.

20 We are ready to vote. Let's start
21 the vote.

22 --- VOTING

23 PRESIDENT HALLÉ: 104 in favour,
24 6 against. Motion passed.

25 --- CARRIED

1 PRESIDENT HALLÉ: So it will be
2 automatic in all the resolutions that come forward now.
3 Microphone No. 4.

4 DELEGATE MCGUNIGAL, Div. 355: A1
5 McGunigal, Division 355, Locomotive Engineers.

6 In view of the newly created National
7 Legislative Director which we discussed here this
8 morning and voted on, I think it is imperative --
9 although I struggled with this, I think it is important
10 that we deal with the wages and the pay structure. We
11 have people that are going to be running for these
12 positions and I think we are putting them in an unfair
13 position to run for something when they have no idea
14 what the monetary gain is or what it entails.

15 Therefore, I would like to make a
16 movement, if possible, that the Rail Conference
17 National Legislative Director be paid as a Rail
18 Conference Vice President out of the general funds and
19 in accordance with section 39, Annual Salaries of
20 Officers of the Rail Conference.

21 Obviously that is open for
22 discussion and in the hands of the delegates, but I do
23 feel that this needs to be dealt with. I know it's a
24 can of worms.

25 Thank you.

1 PRESIDENT HALLÉ: I have to consult
2 because it is a submission. The submissions were done
3 already and dealt with.

4 --- Pause

5 PRESIDENT HALLÉ: Brother Al, I think
6 you have to make a motion to suspend the rules and to
7 get a second, and you will need a two-thirds vote of
8 the delegates to bring this subject back.

9 I think somebody came to me with this
10 subject. Maybe we can address it with the Bylaws
11 Committee later on.

12 To me, that is what you need. You
13 need a motion to suspend the rules, and you need a
14 second and you need a two-thirds majority to suspend
15 the rules and to bring that motion in.

16 DELEGATE MCGUNIGAL, Div. 355: I am
17 in no position to argue with you, Brother Gilles. It
18 is up to the...

19 DELEGATE MCGUNIGAL, Div. 355: Well,
20 I'm in no position to argue with you, Brother Gilles.
21 It's up to the body to decide.

22 What I do think is that one way or
23 the other before this convention is over, it's got to
24 be dealt with. That's kind of where I am coming from.
25 I thought that now would be an appropriate time, seeing

1 as that was the motion that was voted on, was creating
2 a position. Basically, I'm just furthering it.

3 So in my opinion, if this is the
4 proper time or not, I can't say for certain, but what I
5 do feel is that it needs to be dealt with.

6 So the motion is made and my
7 understanding is I need a second here.

8 PRESIDENT HALLÉ: So then we need a
9 motion to suspend the rules, okay, and we need a second
10 to that.

11 DELEGATE RANSON, Div. 320: I thought
12 that Al -- but I will make a motion to suspend the
13 rules to deal with the wages of the new
14 vice-president's position and national legislative
15 director.

16 DELEGATE HAMEL, Div. 319: Mark
17 Hamel, 319.

18 I second that motion.

19 PRESIDENT HALLÉ: Okay. We have a
20 motion to suspend the rules. We will vote on the
21 motion to suspend the rules and you need two-thirds
22 majority.

23 --- Motion to Suspend the Rules vote

24 PRESIDENT HALLÉ: Seventy-six in
25 favour, 29 against. Can we do the math if it's

1 two-thirds?

2 Okay. The motion has passed to
3 suspend the rules.

4 --- CARRIED

5 PRESIDENT HALLÉ: Now, at this point
6 I would like to introduce our guest speaker, and we
7 will start after our guest speaker, which is the
8 Executive Director of the Task Force on Rail & Urban
9 Transit Security for Transport Canada, Mr. Tony
10 Ritchie.

11 --- Pause

12 PRESIDENT HALLÉ: Okay, here is
13 Mr. Ritchie, and there will be also a presentation on
14 the screen.

15 MR. RITCHIE: Okay, perfect. Thank
16 you.

17 Okay. Good afternoon. Sorry I'm a
18 little late. We were downstairs in the other room but
19 as we got there and there was completely vacant tables
20 and stuff I said, "Oh, my goodness, I knew we were a
21 little late but I didn't think we were that late".

22 --- Laughter / Rires

23 MR. RITCHIE: My name is Tony
24 Ritchie. I am with Transport Canada and I'm with the
25 Rail & Urban Transit Task Force. Now, that task force

1 has been set up by Transport to develop short and long
2 term policy directions around security for rail and
3 transit.

4 So I'm going to go through the
5 presentation. It's not long. It's about 20 minutes or
6 so, and then I will take questions.

7 The presentation is structured such
8 that it will provide you an update of the activities we
9 are doing to date. It's an English -- I was going to
10 give it in English but -- si vous avez des questions en
11 français, pourrai je peux les répondres en français.
12 Je suis confortable dans les deux langues.

13 So we will proceed, I guess, on the
14 English side.

15 If I could just have the next slide?
16 Was it here? Oh, sorry, okay. That's my mistake,
17 okay, right there. I got it. Next, okay. Guys in a
18 federal department take a long time to catch on.

19 Okay. Federal activities to date:
20 This will give you a bit of an overview of just what
21 has gone on since 2004. Some of you may be familiar
22 with this already.

23 In 2004 -- and I am just going to get
24 some of my notes actually -- but the rail security
25 policy review was initiated in 2004 just after the

1 Madrid bombings. It became apparent at that point in
2 time that we needed to quickly get involved and do
3 something so Transport pulled together a security
4 policy review.

5 In September 2004 that review was --
6 it primarily started with rail and it was expanded to
7 take on transit-related activities.

8 In 2004, again, Transport initiated a
9 long-term plan that is called the Transportation
10 Security Action Plan which is a five-year plan. It
11 kind of looks forward. It sort of says to the federal
12 ministers: You have done some things to date on rail
13 and transit. You have allocated some money. There is
14 a number of areas we still need to work on over the
15 next four or five years and not just in rail but also
16 in aviation and also in marine. So it looks like at
17 the multi-modal perspective and it is a five-year
18 window outwards, okay? We are still working on that
19 and the intent now is to be able to go back to Cabinet
20 ministers sometime, probably this fall, with that
21 particular plan, okay.

22 2005 the task force was created, our
23 task force, and it was created primarily to, like I
24 said, develop immediate activities for assistance for
25 operators and rail operators and then to look at the

1 longer term perspectives.

2 In 2006 we did announce our
3 Contribution Program. That is a two-year program. It
4 provides contribution funding in the order of about --
5 of the 95 about \$80 million dollars is allocated to
6 contribution funding. It will be used to target
7 primarily operators in the major urban centres;
8 Toronto, Montreal, Vancouver, Edmonton and Calgary as
9 well as operators in smaller centres but it will be
10 primarily limited to security plans; the development of
11 security plans and threat risk assessments.

12 We are now continuing to look at sort
13 of the legislation itself; the Railway Safety Act, the
14 voluntary measures like the MOU, the Transportation of
15 Dangerous Goods Act, to see if the particular
16 parameters of those pieces of legislation are suitable
17 for the future in terms of security requirements.

18 We have done some progress to date in
19 about four different areas; implementing programs -- I
20 will go through that -- establishing information
21 transfer networks that allow us to transfer information
22 back and forth between the federal government and
23 operators; preparations. We are working on a toolbox
24 for operators in the whole area of preparation
25 planning, and we are looking at long term policy

1 positions.

2 As I have just indicated, the
3 program, the Contribution Program, was announced and it
4 runs over the next two years. We are just finishing
5 Round One, which means that we targeted the major
6 operators. We have received their proposals in for
7 funding. We have evaluated those proposals. They are
8 in the process now of preparing an announcement on the
9 successful projects.

10 We were working very closely with
11 operators all along to ensure that we would receive --
12 we would be able to target the funding towards critical
13 areas. Those critical areas for us were the
14 preparation of security plans. We wanted to make sure
15 all major operators had good security plans in place.
16 We wanted to make sure all major operators had threat
17 risk assessments done and we were targeting employee
18 training and public awareness as major activities.

19 From what we have seen to date, every
20 operator has come back and has put down proposals that
21 address all those particular categories. So we are
22 quite pleased with that.

23 We will then be targeting sometime in
24 the winter period the smaller operators beyond the six
25 major urban ones we just talked about and they won't

1 necessarily be eligible to apply for funding for a
2 range of activities but they will be eligible to apply
3 for funding to do security plans and threat risk
4 assessments. Because our intent at the end of the
5 two-year period is that if we have done nothing other
6 than ensure that all operators, small, mid-range and
7 large, have security plans in place based on good
8 threat risk assessments, that is a start.

9 All right, so this is kind of what it
10 says. And our intent is to go back -- to sort of have
11 basically three funding rounds, the first with the
12 major operators, the second with the smaller, mid-range
13 operators, the third if there is any money left we will
14 bring the major operators back and we will enable them
15 to come back with a second round of funding proposals.
16 So that is our intent.

17 We have also been working --
18 Transport Canada, through the task force, has also been
19 working on establishing networks to transfer
20 information. We know the information transfer is
21 extremely important. It is important that operators
22 receive certain amounts of information from the federal
23 government. So we have an intelligent sharing network
24 with operators that has been in operation pretty much
25 since 2004, just after the Madrid bombings. We use

1 that network on a rather regular basis to transfer
2 intelligence-related information down to operators.

3 We also, at the federal level, worked
4 collectively within our own federal family, the
5 Department of Public Safety and Emergency Preparedness,
6 for instance, and Justice Canada on security-related
7 issues at target rail and transit operators.

8 We are looking at creating, very
9 shortly, a network with our provincial colleagues
10 through various ministries of transportation and
11 emergency management operation centres that will bring
12 the provincial colleagues to the table with us and then
13 we will be able to deal with them on issues like roles
14 and responsibilities. That became one of the main
15 issues we have heard back from operators, is that in
16 the event of an emergency we needed to respond. The
17 whole area around roles and responsibilities needed
18 some clarity.

19 You know, who took the lead and it
20 became really complex in areas like, for instance,
21 Toronto Transit Commission if you would to receive, you
22 know, an unfortunate event on a subway system there.
23 They have their own police force, they have the Toronto
24 Police Force, they might have, you know, the
25 Scarborough Police Force, you have the RCMP who become

1 involved, you have our department, Public Safety. That
2 needs a lot of clarity.

3 So what we are attempting to do is
4 clarify our own roles and responsibilities in the
5 federal family first, we will go down to the province,
6 we will sit down with them and we will try to clarify
7 how we work with them. And of course, we are working
8 with our international partners on the G8 side and
9 through APEC because the whole area of rail and transit
10 security is gaining a whole lot more prominence
11 internationally.

12 It is not as advanced as aviation and
13 marine, but it is starting and it is a good opportunity
14 for us to capitalize on areas like the UK and the U.S.
15 which, in some cases, are a little more advanced than
16 we are, so we can get best practices from them. That
17 is what we are trying to do at transport, make a
18 collection of best practices that we can then share
19 out. I will get into that in just a few minutes.

20 Part of that then, the connection
21 there is that we are also trying to put together, I
22 call it a toolbox, it is a series of guidelines,
23 brochures, material that will assist operators in
24 either, you know, writing a good security plan, how to
25 do a good threat risk assessment, perhaps how to look

1 at various access control technologies and this kind of
2 thing. So we have a series of workshops planned with
3 operators that will bring operators to the table and we
4 will be able to provide them some guidance through our
5 own research on best practices in these areas.

6 We are looking at the development of
7 a security management system, which is very much
8 modelled on the safety management systems that are
9 already in play in the various modes. We are looking
10 at, like I said, national and international best
11 practices in a number of areas.

12 The U.S. is very advanced in this
13 kind of thing, as well as the UK. And we are sort of
14 trying to target which particular areas we might be
15 able to use to be able to sort of provide a little more
16 formality perhaps to the way operators deal with some
17 of their security-related issues.

18 We are dealing very closely with the
19 Department of Public Safety and Emergency Preparedness
20 Canada, which has received money over the next four
21 years to undertake a series of major exercises. Okay,
22 these are sort of exercises on how you would respond to
23 emergencies. The difference with these exercises is
24 they need to test the capacity of the system to operate
25 across jurisdictions.

1 So they are going to be very big
2 exercises targeting sort of, again like we talked about
3 in Toronto as an example, you know, how the
4 municipality works with with the province and who the
5 province works with the federal government and how the
6 operator works together. So it is going to try to test
7 how we work across various jurisdictional boundaries.
8 We are working very closely with them to make sure that
9 that takes place.

10 The three major centres are going to
11 be I think, you know, Montreal, Toronto and Vancouver.
12 Obviously, Vancouver is going to be key in that as
13 well, because we are targeting the Olympics in 2010 and
14 we want to make sure that we are able to run this
15 particular exercise sufficiently in advance of that.
16 So if there are any issues that need to be dealt with
17 we will have enough time to do it.

18 We are also making progress on the
19 policy front because, as I said, we have -- you know,
20 there is a legislative framework in place primarily
21 building on the safety area and our intent over the
22 next little while is to review that to ensure that it
23 provides sufficient flexibility and authorities to be
24 able to deal with the security world that we are into
25 now and then we anticipate changing over the next

1 little while.

2 So we are looking at the Railway
3 Safety Act, the Transportation Dangerous Goods Act, we
4 are looking at the effectiveness of voluntary measures
5 that are currently in place like the MOU. As I said,
6 we are trying to also look at various codes of practice
7 that might be developed internationally, that might
8 have some application here.

9 We are by no means going to develop
10 these and throw them out. Our intent would be to do
11 the research first for operators and industry, we come
12 to the table with operators and industry at that point
13 and sort of say look, based on our research here is
14 what we found works effectively in some other
15 constituencies, how do you think that would work here
16 and do you think that is a good idea?

17 As I indicated, we are certainly on
18 the policy side looking at this whole area of roles and
19 responsibilities and clarity between the federal,
20 provincial and municipal levels.

21 We are also trying to, in a sense,
22 determine if we needed to sort of describe for an
23 operator, for instance, what we would see as being the
24 key elements of an effective security regime. You
25 know, to our initial thinking, these are some of the

1 areas that we think are important that a good security
2 regime address. We need to have a pretty solid policy
3 in our statutory network that also deals with voluntary
4 measures.

5 We certainly want to endorse a
6 risk-management approach, because we know we can't --
7 for instance, it is impossible to solve or to prevent
8 an event from happening, it will happen, it is the
9 nature of the security world. These are very open
10 systems and it is very difficult to prevent anything
11 from happening. So we want to put our resources and
12 our efforts to the highest risk areas. That is why,
13 for instance, on a contribution program we are
14 targeting the major urban centres first.

15 It is important that we do in fact
16 try to prevent these things from happening, although we
17 can never be guaranteed 100 percent success. Again,
18 using a risk-based approach, there are certain
19 interventions we can do at the protective area that
20 would try to sort of solidify and strengthen the
21 existing structures, whether it be an infrastructure
22 issue, whether it be, you know, controlling access to
23 various sensitive areas, this kind of thing.

24 Partnerships and coordination are
25 key. There is no way we can make any kind of security

1 system work with rail and transit areas without enter
2 into a partnership mode because there is very little
3 jurisdiction the federal government has over some of
4 these systems. So we have to work hand in glove with
5 provincial/territorial partners, with the operators
6 themselves and with associations like RAC, for
7 instance.

8 Intelligence information collection,
9 analysis and dissemination, again, is a very important
10 component of a good security regime. Some would say it
11 probably should move up to the top of the ladder
12 because it is hard to do anything if you don't have
13 good information. We are looking within the federal
14 system on how we can, you know, how we can best collect
15 better intelligence, for instance, how we can repackage
16 that intelligence and ensure it gets disseminated in
17 some way down to operators in a timely manner.

18 It also has application for operators
19 themselves. It is important that we get to a point
20 where operators have, you know, their members are
21 sufficiently trainers -- sufficient awareness of the
22 environment, that we have the capacity to report
23 incidents and to be able to, at some point in time,
24 analyze what those incidents mean.

25 We have to move towards some kind of

1 a security culture. We are very much in -- transit
2 operators are very much into the safety world, would
3 one sort of foot touching a bit of the security world.

4 There is a little, you know, some of
5 them don't understand what the security rule means and
6 why it needs to be different. I have to admit that
7 it's a fine line, but in some cases, there isn't a
8 difference.

9 There is a difference in approach in
10 the world of security. You are dealing with people who
11 have, you know, intent to harm a system, as opposed to
12 on the safety side where it happens to happen
13 unintentionally.

14 So we need to get to this cultural
15 change, that entails a good staffing, a good staff
16 training program. You know, staff need to understand
17 that they have some -- you know, those particular
18 companies or their company has a -- a security plan in
19 place and that there is an ability to -- to test that
20 particular plan through exercises, which is the next
21 point, for instance. Okay?

22 Obviously, the whole area of
23 communications is important; communicating downward,
24 communicating outwards.

25 Operators, as well, need to establish

1 partnerships with their own colleagues for instance in
2 other modes.

3 And so for instance, if there an
4 event that happens in a subway system, it is important
5 to keep the system operating.

6 Then, you know, we would look to
7 the bus system, for instance, to help offset some of
8 that impact.

9 Again, these haven't gone any further
10 than slide, for instance. This is just our initial
11 thinking on what would be those important components of
12 an effective security regime.

13 Yes, I'm open for suggestions if
14 people want to provide any advice or guidance on that,
15 we are very much open to it. It is just our initial
16 thinking to provide some guidance as to what an -- an
17 envision, or an instate would look like.

18 The way ahead, for us right now,
19 is -- again, we know this isn't going to go away. We
20 are sort of focusing on a contribution program, getting
21 it in place.

22 We are starting to do some of the --
23 like I said, some of the research around our
24 legislative frame work and our international best
25 practices, and over the course of this -- the rainy

1 part of the fiscal year, between here and March, we
2 fully intend now to start getting out and meeting
3 with -- with operators, provinces, territories, you
4 know, unions, yourselves.

5 Just to try and understand, in a
6 sense, are we on the right track? And you know, we are
7 trying to cover off all the bases that need to be
8 covered off.

9 So that's, in a nutshell, my
10 presentation, and I'm open to questions if people have
11 any questions.

12 VICE PRESIDENT (NLA) HUCKER: My
13 name is George Hucker, I'm the vice president and
14 national legislative representative. In the beginning
15 of your talk, you talked about Edmonton, Vancouver,
16 Calgary, Ottawa, Toronto, and Montreal as being the
17 major players.

18 Given the fact that Madrid and London
19 were in the accidents or acts of vandalism that people
20 walked on to inner urban and commuter rail service with
21 bags. Given the fact that the people we deal with the
22 every day, the major carriers, with the exception of
23 the unmanned one in Vancouver and Edmonton and Calgary.

24 What are you going to do to prevent
25 the railway companies or the operators from downsizing

1 their staff to a point where there is really no
2 properly trained staff around those trains on a regular
3 basis to insure that one -- as you said, security, is
4 part of -- an integral part of safety, and well we have
5 sat with the carriers and put together the Railway
6 Safety Act to help with safety regulations, security is
7 an issue that we are all very concerned with.

8 And so I just wondered what transport
9 is going to do, given the fact that the major carriers
10 want to downsize their workforces to the point where
11 there is really nobody around.

12 And I suggest to you that the one in
13 Vancouver, that the people from British Columbia know
14 better than I do, is unmanned.

15 MR. RITCHIE: Yes.

16 VICE PRESIDENT (NLA) HUCKER: And
17 what would happen with that where if somebody simply
18 walked on the train --

19 MR. RITCHIE: Yes, absolutely.

20 VICE PRESIDENT (NLA) HUCKER: -- had
21 a carrying bag and the next thing you know, on Burrard
22 you have an accident with these trains going down into
23 the --

24 MR. RITCHIE: Yes.

25 VICE PRESIDENT (NLA HUCKER): Into

1 traffic.

2 MR. RITCHIE: Okay. Our approach to
3 security, particularly in the assistance because they
4 are so open, is that the -- the prevention component is
5 very -- is very difficult to do, okay?

6 I mean you are not going to prevent
7 these -- something from happening. So we are trying to
8 put a lot of onus on the response capacity and -- and
9 so if an event happens, you have got to have trained
10 people there to do the response effectively.

11 You keep the public calm, you get the
12 service up and running. So business continuity
13 planning is important, okay?

14 When it comes to prevention, one --
15 one important aspect is, in fact, to have trained
16 people who are capable of identifying suspicious
17 behaviour, knowing what to do when they see that, and
18 sort of reporting that into an incident-reporting
19 database.

20 So these are some of the lessons we
21 are getting out of the UK and they have developed a --
22 an approach to this whole awareness component that is
23 extremely important.

24 So it's not the perfect answer for
25 you, but it's -- the answer we are trying to put forth

1 to operators is technology is part of the solution, but
2 it's not a complete solution. You need people on the
3 ground.

4 The operators need staff that are on
5 the ground that know how to -- how to spot suspicious
6 behaviour, know how to approach suspicious people, know
7 what questions to ask, know what to do what to do with
8 the information, and then more importantly at the end,
9 know how to respond effectively when something happens.

10 I mean that's not our message. We
11 can't go in and say we are going to stop you from
12 downsizing, that's not our mandate to do that. But our
13 mandate is a part of our security regime. It's
14 awareness, incident reporting, training; these are all
15 important components for us. That's our approach. Any
16 further questions?

17 TRUSTEE RUDDICK: Yes.

18 MR. RITCHIE: Yes?

19 TRUSTEE RUDDICK: Mr. Ritchie, I'm
20 Jim Ruddick, trustee and general chairman for the rail
21 of traffic controllers. Our people give all the
22 authorities to all trains and track personnel on the
23 track and one or two of the trains.

24 And if there is a problem, an
25 emergency tower goes off. It comes into our offices.

1 We are the first respondents. In our rail of traffic
2 control, there is no Canadian law, Canadian rules.

3 At present, the American government
4 has legislation in place to prevent Canadian or any
5 other rail traffic controller monitoring trains in the
6 states. But yet there is not legislation to prevent CN
7 or CP from moving the rail traffic controllers down to
8 the state and work out of there and you would have the
9 first respondent be an informed country, potentially.

10 MR. RITCHIE: Okay.

11 TRUSTEE RUDDICK: To deal with
12 emergency situations in Canada.

13 MR. RITCHIE: Right.

14 TRUSTEE RUDDICK: Is your committee
15 bringing this forward to the government to insure that
16 Canadians will be responding to Canadian problems?

17 MR. RITCHIE: Absolutely. Again, the
18 solutions have to be routed and based within a Canadian
19 legislative framework. So we are looking at that
20 framework right now to try and -- like I said, to try
21 and understand what the impacts are in a security
22 world. Okay?

23 And I can't tell you where we are
24 going to go with it at the end, but our mandate is
25 between here and the end of the fiscal year to arrive

1 at some -- some conclusions and some options on the
2 table that we can bring forward and sort of say, "Okay.
3 I think, you know, we need to look at the impact this
4 has and we have, for instance, if the legislation
5 allows this kind of thing to happen, this isn't good.
6 We are going to need some kind of control on the
7 Canadian side managing within a Canadian framework on
8 how we deal with these incidents."

9 So again, it's not -- I can't answer
10 the -- but specifically, we are not there yet in our
11 review, but we are looking very closely at the whole
12 RSA, the TSA, the transportation engineers, MOUs,
13 Codes, practice, it's all in there.

14 Okay. But I'm going to take a
15 note of this particular point because it's very
16 interesting, okay?

17 Any other questions? Yes, please.

18 DELEGATE NIJJAR, Div. 320: Nijjar,
19 320, Vancouver. With this task force, do you have any
20 budget or a plan to maybe train or educate us running
21 train people that run the trains, to be able to assist,
22 you know --

23 MR. RITCHIE: Okay.

24 DELEGATE NIJJAR, Div. 320: To deal
25 with a suspicious -- you know how to identify a

1 suspicious activity.

2 MR. RITCHIE: Yes.

3 DELEGATE NIJJAR, Div. 320: Whereas
4 we are average people, we are not trained for that.

5 MR. RITCHIE: You are right. What we
6 are trying to do is -- and it will come through a
7 number of streams, through the Contribution Program, we
8 have money available for operators.

9 They will come back, for instance,
10 and like I said, most -- all operators in the major
11 urban centres have come back and have requested money
12 from us to provide training and awareness activities
13 for their employees, okay?

14 We are now going to work closely with
15 them to try and ensure that they plug in to some best
16 practices that are happening in the US or elsewhere,
17 okay? So that at least, you know, if you are going to
18 spend the money, you will spend it with some
19 guidelines.

20 The second thing we are going to try
21 and do is we are also looking at -- at putting in place
22 a series of workshops for representatives from major
23 operators around things like how to report suspicious
24 incidents.

25 What does terrorism mean? What does

1 security mean? So it is basic, you know, it is trying
2 to increase the basic understanding.

3 You know, we have to have a -- a
4 certain amount of faith. I guess we only -- we can't
5 deal with everybody, so we bring in the major
6 operators, key people, and we are hoping that, you
7 know, whatever

8 MR. RITCHIE: You know we have to
9 have a certain amount of faith I guess that when we
10 can't deal with everybody so we bring in the major
11 operators, the key people. And we are hoping that, you
12 know, whatever we give them gets disseminated down
13 through their organizations.

14 But we are sensitive to the fact
15 that, you are right, this is a new world for a lot of
16 us. And we are trying to, again, capitalize on work
17 done in the UK for instance, where we are working with
18 a consultant who has done a lot of work in the UK
19 around this whole area of incident reporting and
20 suspicious behaviour stuff.

21 We are working the RCMP to pull
22 together some kind of, again, a package, a training
23 package so we can bring operators to the table and run
24 it through with them.

25 Okay, that is our approach at this

1 point.

2 VICE PRESIDENT (NLA) HUCKER: Just a
3 second question in regards to -- it took us years to
4 convince both your department and Transport Canada and
5 the major rail operators that first responding was not
6 a policeman or a fireman, it was the conductor getting
7 out of the cab --

8 MR. RITCHIE: Right.

9 VICE PRESIDENT (NLA) HUCKER: -- or
10 the locomotive and walking back or the engineer walking
11 back.

12 And it has only been recently that we
13 have actually got training. So, I think that when you
14 start to bring people in --

15 MR. RITCHIE: Yes.

16 VICE PRESIDENT (NLA) HUCKER: --the
17 operators, we are not the problem, we are part of the
18 solution.

19 MR. RITCHIE: Absolutely, yes.

20 VICE PRESIDENT (NLA) HUCKER: And I
21 believe that you should have us there as soon as you
22 start talking to CN and CP and VIA Rail, and some of
23 the smaller ones where we represent the people on those
24 trains.

25 MR. RITCHIE: Yes.

1 VICE PRESIDENT (NLA) HUCKER: I think
2 it is incumbent upon Transport Canada to have a
3 representative from our union and the other unions at
4 the table to ensure that we can hold the company's feet
5 to the fire to get this information out.

6 MR. RITCHIE: Yes.

7 VICE PRESIDENT (NLA) HUCKER: Because
8 truthfully, my experience is that it sometimes gets
9 caught up in the corporate ladder and we are the last
10 guys to hear about it.

11 And we sit back and say, well, why
12 did you do this? You could have done it this way and
13 made it this, you know, to Jimmy's point.

14 MR. RITCHIE: Yes.

15 VICE PRESIDENT (NLA) HUCKER: I can
16 suggest to you that the FRA is going to be, absolutely
17 have their feet dug in over getting some of the things
18 they have done with the Sault line and that to have
19 proper people working with the Canadians to understand
20 the Canadian operating rules --

21 MR. RITCHIE: Yes.

22 VICE PRESIDENT (NLA) HUCKER: --
23 which are different from the U.S.

24 MR. RITCHIE: Yes. You know, I agree
25 with you.

1 But a few months back, I think it was
2 probably last June or July just after I started. I had
3 a mini consultation session, with presenters of the
4 various unions.

5 And I asked the question, I said,
6 well, from your perspective, how many of your members
7 do you think are aware that there are actually security
8 plans in place in most of our operators and have they
9 ever seen them.

10 And the answers I got back almost to
11 a "T" was, you know, very little knowledge that the
12 plans were there and that people had actually seen the
13 plans. And it just, it struck me, holy smokes, you
14 know, how can you respond to an incident, for instance,
15 if, you know, the members aren't aware of the plans.

16 So, to me I just, I walked away with
17 the fact that, okay, there is no way I can go through
18 any type of a consultative process. We don't have any
19 unions there and we intend to do that.

20 We have not consulted actively yet.
21 We are trying to get our act together so that we can
22 have something to consult on.

23 But when we go forward you are going
24 to be at the table for sure because I don't want to
25 have operators out there where the security plan is

1 done, they check it off and says, hey, we've done that,
2 that's great. You know, the 4 or 5 people in senior
3 management know about it, that's great, that's it.

4 That is just not good enough for us
5 because London has shown us that when something happens
6 it is the people right then and there that have to deal
7 with this. Plus Canadians, and so there is a Canadian
8 awareness component here as well that kicks in, right?

9 And so we are sensitive to that and
10 my eyes were opened when I asked that question. I
11 said, holy smokes, I can't believe that.

12 TRUSTEE WHETEN, Div. 728: There is
13 an initiative on the GO Transit in Toronto at the
14 present time to reduce a train to one locomotive
15 engineer. On those trains there used to be 5 or 6 crew
16 members.

17 At the present time many of the
18 trains are down to 2 locomotive engineers and 1
19 conductor. Railway rules under certain circumstances
20 and especially under emergency circumstances may
21 require at the locomotive end, if they indeed went to 2
22 crew members that the, if the radio system broke down
23 in times of a bomb, it might not work that the
24 conductor and the locomotive engineer would have to get
25 off the train in multi-track territory and manually go

1 out and flag other trains. Because you wouldn't want a
2 freight train on another track to hit your train also.

3 So that would leave the passengers,
4 if the initiative were successful and there were only
5 two people on the train that would leave nobody with
6 the passengers in an emergency situation.

7 MR. RITCHIE: Yes.

8 TRUSTEE WHETEN, Div. 728: We met
9 with the companies and the companies said, their
10 response to us was in that particular situation, first
11 of all they said that probably wouldn't happen and b)
12 it does.

13 The other thing is they have
14 community emergency response. But in many cases you
15 wouldn't be able to get a fire truck or anything else
16 to the train. You know, you are between stations and
17 there are no roads.

18 MR. RITCHIE: Yes.

19 TRUSTEE WHETEN, Div. 728: And the
20 other response from the companies was that they would
21 hope that there was a doctor or nurse or somebody on
22 the train that could look after the passengers.

23 --- Laughter / Rires

24 TRUSTEE WHETEN, Div. 728: No, I am
25 serious.

1 MR. RITCHIE: Okay.

2 TRUSTEE WHETEN, Div. 728: This is
3 the response we got.

4 Now, we are aware of your initiative.
5 We were aware of your initiative here, that you
6 explained here.

7 MR. RITCHIE: Yes.

8 TRUSTEE WHETEN, Div. 728: Now, we
9 went over and we met with Transport Canada and we told
10 them of our meeting. And they knew of our meeting with
11 the company anyway. And we discussed their response
12 and they accepted our proposals, our briefs and we had
13 a good discussion.

14 But having said that, they didn't
15 really respond. And when we told them what we just
16 told you, I can assure you that nobody at Transport was
17 laughing, they just made notes and that was it.

18 MR. RITCHIE: Yes.

19 TRUSTEE WHETEN, Div. 728: We brought
20 up the subject of your initiative and that there was
21 money available. And this is the first time that I
22 have seen the \$80,000,000 in 2 years.

23 And one of our suggestions was that
24 if you, as you explained here, if you were going to, if
25 you have got \$80,000,000 to spend -- and what they are

1 trying to do is save money -- couldn't you get some of
2 that money and give it to GO Transit to help them
3 basically, well, help them with their expenses but also
4 keep the crews on the train.

5 Because I think the situation with
6 the crews, at least in that situation there, if we left
7 the crews as they are with 3 people on the train, and
8 you have to understand, GO Transit right now is running
9 with 10 cars. They have ordered locomotives that they
10 will be able to hold 12 cars. And we are talking about
11 3,000 people on a train.

12 And I would suggest that the position
13 taken by the company was very unsafe to say the least.

14 At least if you kept the 3 crew
15 members on the train with 12, and I understand they may
16 even go to 14 which would put it in excess of 3,000
17 passengers on a train by themselves, is unsafe.

18 But at least if that situation
19 occurred and you had 1 other crew member, or if you
20 left the crews the way they are, you at least have 1
21 crew member left on the train with the passengers. And
22 that isn't saying very much.

23 MR. RITCHIE: Yes.

24 TRUSTEE WHETEN, Div. 728: One person
25 to look after 3,000 people in an emergency situation

1 and maybe they could operate the radio on the train.
2 One of the responses they have had --
3 they have been very slow to respond to any suggestions.
4 But another one was that they were going to supply the
5 GO Trains with a radio in the 5A car that would be a
6 separate unit.

7 But that radio is going to be placed
8 in a locker, in a case, because they don't want it out
9 where the passengers might be able to pick it up. So,
10 this, if there was somebody on the train, now they have
11 to go, they are emergency response, they have to go in
12 a locker, in a case, get the radio, set it up and then
13 start making transmissions.

14 What I am suggesting to you here --

15 MR. RITCHIE: Yes. Yes.

16 TRUSTEE WHETEN, Div. 728: -- is that
17 what you are trying to do and the reality in commuter
18 transit --

19 MR. RITCHIE: Yes. Yes.

20 TRUSTEE WHETEN, Div. 728: Is
21 entirely 2 different things because their accent is on
22 saving money.

23 MR. RITCHIE: Yes.

24 TRUSTEE WHETEN, Div. 728: And your
25 accent is on safety.

1 MR. RITCHIE: Right.

2 TRUSTEE WHETEN, Div. 728: And we,
3 when we met with Transport Canada, we stressed in our
4 brief, security, because we felt maybe we were
5 stretching things.

6 But the fact of the matter is, what
7 you are saying here is security is a big issue. And
8 they didn't argue with us at that.

9 MR. RITCHIE: Yes.

10 TRUSTEE WHETEN, Div. 728: But we
11 said, well, you are talking about security but really
12 what is happening, it's not -- they are going the other
13 way, the companies are going the other way. They don't
14 really care.

15 MR. RITCHIE: Yes. I know.

16 TRUSTEE WHETEN, Div. 728: They
17 honestly, they might say security, they might talk to
18 you about security. But then they say, oh, we are
19 going to take a guy off the train, when you are down to
20 3 people looking after 3,000 passengers now.

21 MR. RITCHIE: Yes.

22 TRUSTEE WHETEN, Div. 728:
23 High-speed, 80-mile-an-hour stop and go traffic.

24 MR. RITCHIE: Yes.

25 TRUSTEE WHETEN, Div. 728: I suggest

1 that you need the crews you have got there, at least.

2 MR. RITCHIE: Yes.

3 TRUSTEE WHETEN, Div. 728: And I
4 would suggest maybe you put 2 people on the train, 2
5 conductors or a conductor on the train back working
6 with the passengers because the focus of the locomotive
7 engineers is on the operation of the train, the rules.

8 MR. RITCHIE: Yes.

9 TRUSTEE WHETEN, Div. 728: Safety.

10 MR. RITCHIE: Yes.

11 TRUSTEE WHETEN, Div. 728: And you
12 can't have your head in 2 places. With all due
13 respect, the conductors and the trainmen are supposed
14 to be responsible for the rules and they are as much as
15 they can.

16 But really they have to be back there
17 looking after the passengers for the most part.

18 MR. RITCHIE: Yes.

19 --- Applause / Applaudissements

20 MR. RITCHIE: I can't argue with
21 that.

22 --- Laughter / Rires

23 MR. RITCHIE: I mean it makes a lot
24 of sense to me.

25 Again, can money be targeted to

1 assist operators to keep operations going? Not under
2 this round.

3 It took everything we had just to
4 convince Parliamentarians to agree to this initial
5 package of measures. It was sold to them as an initial
6 package. It is not enough to cover off everything we
7 need to cover off. It was sort of we needed to address
8 the critical vulnerabilities as quickly as we could.

9 So the intent was, and the intent
10 still is, to go back to Cabinet and say look, it is not
11 enough money; we are going to need more money. At that
12 point, we could redefine perhaps the terms of
13 references for what the money would be used for. And
14 maybe it does get channelled into helping with
15 operations. Maybe it gets channelled into sustaining
16 some of the measures that have been put in place now.
17 That is our intent.

18 It will have to come out through the
19 consultative period that we are going to put in place
20 between now and then to see from memberships, from
21 operators, what would be the best use of additional
22 funding on the table.

23 That is all I can say.

24 In terms of the way things operate, I
25 agree with you. Again, the message we are trying to

1 get across to operators is you have to have people on
2 the ground to do this kind of thing. When you are
3 dealing with security as opposed to safety, it is a
4 different venue sometimes. Unfortunately, you are
5 dealing with big explosions, for instance, in areas.

6 Yes, there is going to be a lot of
7 chaos and you need people who know what they are doing
8 to wade through that initial test because your first
9 responders aren't going to make it in time. I can
10 guarantee that.

11 If something happens, you are right,
12 it is going to be whoever happens to be on the train
13 who is going to be required to respond first. It will
14 take a while before the various jurisdictional police
15 get there. And at that point in time, who knows what
16 is going to happen because all of them are going to
17 start to argue about who has jurisdiction over
18 everybody else.

19 VICE PRESIDENT (NLA) HUCKER: Given
20 the fact that this is now a bomb in the airline
21 industry, what are we going to do in the rail industry
22 when we have so much coming in?

23 MR. RITCHIE: Yes, that's right. It
24 is very difficult in these systems because the balance,
25 it can't virtually -- if you were to screen everybody

1 getting on a commuter train, they will say forget it;
2 I'll take my car. And the next thing you know, you
3 have all kinds of problems because of congestion and
4 you have exacerbated your problem as to what is going
5 to go on, because it is not going to stop anybody from
6 loading a trunk full of explosives and running the car
7 somewhere.

8 So we are trying to strike that
9 balance as to how do you protect such open systems that
10 are very diverse.

11 Again, my response to that is on
12 response. That is where you put your onus. Make sure
13 that we can respond and contain the impact and get
14 these systems up and running, back up and running
15 again.

16 Yes?

17 DELEGATE HAMEL, Div. 319:

18 Mr. Ritchie, Mark Hamel, Chapleau, Ontario.

19 We don't have a mass transit system
20 in Chapleau, as you probably don't even know where I
21 live, but we do pay --

22 MR. RITCHIE: I know Chapleau well.

23 DELEGATE HAMEL, Div. 319: But we do
24 pay taxes. I think if you are spending \$80 million of
25 taxpayers' money, I think a good share of it should go

1 into prevention, as I would rather have somebody
2 stopping this than somebody there that is trained how
3 to wrap a foot that maybe got blown to bits.

4 MR. RITCHIE: Right.

5 DELEGATE HAMEL, Div. 319: I think
6 that prevention is number one, and the only way to get
7 good prevention is to have eyes.

8 MR. RITCHIE: Yes. When I say the
9 onus is more on response, it is just because the
10 systems are so open and they are so diverse and there
11 are so many people channelling into these systems all
12 at once. But it doesn't mean there are not response
13 measures that need to be taken.

14 Screening every baggage that goes on
15 may not be the best way, but creating an awareness, how
16 to identify suspicious behaviour, how to report
17 suspicious behaviour, that kind of thing makes a lot
18 more sense.

19 DELEGATE HAMEL, Div. 319: The thing
20 is, like I say, if you are giving taxpayers' money, and
21 for example if you are giving \$40 million to the
22 Toronto Transit Commission, who is to say that they are
23 actually going to be spending that much on security and
24 not infrastructure?

25 MR. RITCHIE: Again, we are

1 concerned. We are accountable for how the money gets
2 spent. So there will be a legal contribution agreement
3 that is put in place. We will have our security
4 inspectors, regional security inspectors, working with
5 the operators to ensure that the money goes where it is
6 supposed to go.

7 So we will put in place as many of
8 the control measures as we have, because we are still
9 accountable to the people of Canada as to how the money
10 gets spent. And it has to be spent on security issues.

11 I can't guarantee all -- there are no
12 guarantees in this business, but certainly our focus is
13 to ensure that whatever they have indicated they are
14 going to spend the money on, they will spend it on.

15 Now why the major centres and not the
16 smaller centres? Again, it goes back to the way we
17 built the program. We went to politicians and said we
18 need to address the major urban centres first, one.

19 And two, on the smaller centres, we
20 will work with smaller centres in the area of
21 developing security plans and threat risk assessments.
22 So that is our intent.

23 Chapleau, or the smaller centres,
24 they can still come forward for funding.

25 DELEGATE HAMEL, Div. 319: I

1 understand that funding should go to the major centres
2 because that is where the threat will be.
3 MR. RITCHIE: Right.
4 DELEGATE HAMEL, Div. 319: I just
5 want to make sure that if we are spending our money,
6 that it goes into the proper channels. That's all.
7 MR. RITCHIE: It does. Again, even
8 in evaluating all of the proposals, Transport Canada
9 has a very extensive regional network. We have
10 regional security personnel in each one of the major
11 urban centres, and they have been working
12 hand-and-glove with each one of the operators to
13 develop the proposals. We know intimately what is
14 coming down from across the country. We have evaluated
15 it through a national committee.
16 And now when it gets implemented, it
17 will be implemented through the assistance of our
18 Transport Canada regional personnel. That's as tight
19 as we can get with the operators. And the provinces
20 are on board as well.
21 DELEGATE HAMEL, Div. 319: Thank you.
22 MR. RITCHIE: You are welcome.
23 PRESIDENT HALLÉ: Brothers, we will
24 take one more question to Mr. Ritchie.
25 DELEGATE MORNEAULT, Div. 873:

1 Jean-Marc Morneau, Division 873, Edmundston, New
2 Brunswick.
3 I just want to make a point here.
4 We are hearing about Transport Canada
5 all over the place, from the companies. Lately I was
6 off for 16 months, and when I came back we went from
7 7,000 feet long trains to 10, 11, 12,000 feet long
8 trains. The only thing they asked me: Do you have
9 your safety glass? Do you have your vest? Are your
10 shoe laces laced at the top?
11 They didn't ask me if I could drive a
12 train 11,000 feet long.
13 MR. RITCHIE: Yes. What can I say?
14 Thank you very much. I really
15 appreciated this.
16 --- Applause / Applaudissements
17 PRESIDENT HALLÉ: That was good
18 questioning and good remarks, Brother.
19 We had a motion to suspend the rules
20 that passed just before Mr. Ritchie got in.
21 As a point of information, you all
22 have received a copy of our bylaws when you registered.
23 When you talk about salaries, if you go to page 10,
24 Section 14, Article 2, that is how the salaries are
25 dealt with in our bylaws.

1 --- Pause
2 PRESIDENT HALLÉ: So --
3 DELEGATE RANSON, Div. 320: A point
4 of information. In reference to that one, does that
5 mean that you can change the vice-president's salary as
6 it is stipulated in Section 39 of the bylaws?
7 PRESIDENT HALLÉ: No, these aren't
8 the bylaws. The new ones, the one in the bylaws that
9 are set you cannot change it. They were set by a
10 convention and there is no recommendation at this point
11 from the finance to change them. So we will continue
12 the same practices to get the average increase.
13 That's it.
14 DELEGATE RANSON, Div. 320: So the
15 vice-president, you know his job duties are going to
16 change and he is going to maintain the same salary. Is
17 that correct?
18 PRESIDENT HALLÉ: Yes, there was --
19 well, there was nothing yet. We are not finished. I
20 don't know what is going to happen here.
21 DELEGATE RANSON, Div. 320: Okay.
22 For the purpose of discussion on this issue I will
23 propose the following motion.
24 Bylaw Section 39 annual salary
25 officers of the Rail Conference; whereas this body has

1 accepted and put in place the new position of the
2 national legislative director; whereas the duties of
3 the national legislative director fall under the VPGA;
4 whereas the duties of the VP will no longer perform
5 many of the duties it has in the past; whereas it is
6 difficult for this body to assess and evaluate both of
7 these positions and the duties thereof be resolved,
8 this body TCRC authorizes and directs the TCRC present
9 to institute a job evaluation of the VP and national
10 legislative director to determine the level of salary
11 for these positions.
12 In no case will a salary for either
13 position be less than \$115,000 and no more than
14 \$130,000. The TCRC Executive will determine the final
15 salary based on the job assessment and evaluation.
16 Once the final salaries are determined they will be
17 placed in to Section 39 of the Bylaws. I so move.
18 Do I get a second? I will pass
19 it over.
20 --- MOVED
21 PRESIDENT HALLÉ: Microphone No. 2.
22 DELEGATE NIJJAR, Div. 320: Gordon
23 Nijjar, 320, Trainmen. I will second that motion.
24 --- SECONDED
25 PRESIDENT HALLÉ: Thank you.

1 We will ask that the motion be put on
 2 the screen for debate.
 3 --- Off microphone / Sans microphone
 4 PRESIDENT HALLÉ: Just the resolution
 5 now. That is what I was already asking Jim.
 6 Maybe just put the resolution, or you
 7 want to deal with the whole? You want the whole?
 8 DELEGATE SINGER, Div. 563: Well, I
 9 thought that it would go in through the back of a thing
 10 or a side, a letter.
 11 --- Off microphone / Sans microphone
 12 PRESIDENT HALLÉ: Okay. Let's
 13 write exactly what Brother Ranson put in his
 14 resolution whereas.
 15 DELEGATE RANSON, Div. 320: Just as a
 16 point of information, what Brother Al said, is that
 17 when we were at Las Vegas at the IBT Constitution there
 18 were many resolutions that came on the floor that we
 19 looked at that are not part of the bylaws and usually
 20 those resolutions went along this type of a resolution
 21 as a statement and then carried forward, but those
 22 resolutions do not form part of the constitution.
 23 The intent of this one will be is
 24 that once the Executive determines the final salary
 25 that will go into Section 39.

1 --- Pause
 2 PRESIDENT HALLÉ: Microphone No. 2.
 3 Do you want to debate the --
 4 DELEGATE FRASER, Div. 821: Just a
 5 question or a point of order. Section 39 speaks of
 6 annual salaries, officers of the Rail Conference. Is
 7 the national legislative director an officer? I don't
 8 believe so. So I don't know if it is appropriate
 9 there. I don't disagree with what Brother Ranson is
 10 trying to do here but I'm just wondering if it is in
 11 order in this position.
 12 The section for compensation for
 13 service on page 56 states:
 14 "Compensation for the services
 15 of officers and members of
 16 legislative boards and
 17 legislative representatives
 18 shall be fixed by the board at
 19 the regular triannual session."
 20 Oh, I'm Ron Fraser, 821, Kamloops.
 21 That could possibly be rectified by
 22 adding to that Section 4 except that the salary of the
 23 national legislative director be established as
 24 provided by Bylaw Section 39.
 25 PRESIDENT HALLÉ: Okay. Well, if you

1 want to make an amendment to the motion we should first
 2 let the people look at the resolution that was made,
 3 and if you want to stay there?
 4 DELEGATE FRASER, Div. 821: Well, I'm
 5 just asking for direction here. I don't know if it is
 6 an amendment or what, you know, or if we need to change
 7 the Section 39 to include "other than officers".
 8 PRESIDENT HALLÉ: Okay. Brother
 9 Ranson.
 10 DELEGATE RANSON, Div. 320: Division
 11 320, Gerry Ranson, Locomotive Engineers.
 12 The intent is to address the
 13 salaries of both the vice-president which is
 14 technically now a new position that we have cancelled
 15 his duties in the bylaws as well as the national
 16 legislative director. The current VPGA does get paid
 17 based on those dual duties so I would -- my idea is
 18 that both jobs should be re-evaluated and assessed for
 19 what their salaries are.
 20 Maybe Brother Hucker can confirm
 21 this, if he so wishes, but I understand, based on what
 22 is in the bylaws \$121,000 -- that was done in 2001 -- I
 23 would suspect that is somewhere around \$140 at the
 24 current rate. So I'm not saying that is overpaid at
 25 the current job. It's just that if these job duties

1 are going to be changed that should be reassessed.
 2 Obviously, that's not going to be -- the job isn't
 3 going to entail as much.
 4 I think the national legislative
 5 director will be an officer of the TCRC. He just won't
 6 be an executive member, if I am correct.
 7 PRESIDENT HALLÉ: Okay. The exact
 8 salary for the Vice President NLR/GA is \$144,059.12.
 9 --- Off microphone / Sans microphone
 10 PRESIDENT HALLÉ: \$144,059.12, that's
 11 the exact salary today.
 12 For your information also, the
 13 point -- I am sorry, Brother who made it, Section 1(e)
 14 that was revised by the initiative says, "the officers
 15 of the Rail Conference shall be elected from the
 16 membership." Says, "the officers of the Rail
 17 Conference." This position created will be more,
 18 according to the wording under 1(e), will now be an
 19 officer of the Rail Conference.
 20 DELEGATE RANSON, Div. 320: Point of
 21 order. I guess the question is, is what happened with
 22 the resolution that was proposed by Brother Fraser?
 23 Was that put forward or is that an amendment to this
 24 motion or how are we dealing with that?
 25 PRESIDENT HALLÉ: We are dealing that

1 everybody understand what the resolution was and
2 Brother Fraser still had the right to come and, if he
3 wants to make an amendment. I was to make sure that
4 everybody -- because it is not in the book, if some of
5 that was moved after suspension of the rule its on the
6 microphone, Brother Ranson, that is the submission that
7 he wrote.

8 Now we can deal with that and if
9 Brother Fraser wants to make an amendment to this now
10 he has the right to come and make an amendment to the
11 main motion which is on the screen.

12 DELEGATE FRASER, Div. 821: I am Ron
13 Fraser, 821, Kamloops. Please allow me. I think that
14 what I need to do here is add language to Section 4
15 and, by doing that, allow this. It is not really an
16 amendment to this motion. But I don't think this
17 motion would be in order until the language of Section
18 4 is amended, so I don't know how to go about it.

19 So being a motion is on the floor for
20 this, can this be tabled and then a motion another
21 article be put forward?

22 PRESIDENT HALLÉ: Yes, I would like
23 to know what you want to do with 4.

24 DELEGATE FRASER, Div. 821: What I am
25 proposing is that Section 4, compensation for service,

1 that a paragraph be added that states or a continuation
2 of the sentence that states: "Except that the salary
3 of a national legislative director be established as
4 provided by bylaws Section 39." And then that would
5 open up the scope of Section 39 to allow the national
6 legislative director's salary to be stated there.
7 Because, as of this point, I don't believe the national
8 legislative director is an officer.

9 PRESIDENT HALLÉ: If you want to do
10 that, take that Section 4, my understanding in this.
11 You want to bring now a reference to Section 39 that
12 will bring this person under a heading of officers of
13 annual salary, officers of the Rail Conference. I am
14 not sure if it will be proper in line of Section 1(e)
15 under the initiative which stipulates who will be the
16 officers of the Rail Conference.

17 So technically, I am -- Because you
18 see, if you say that they refer you -- refer Article 4
19 of the Legislative Rules to Section 39 of the bylaws,
20 now it means that this thing will go under the heading
21 of annual salary, officers of the Rail Conference, and
22 that person will not be an officer of the Rail
23 Conference.

24 Microphone 4.

25 DELEGATE MCGUNIGAL, Div. 355: Just a

1 little bit of a point here on dealing with Section 4.
2 I think that -- my understanding of Section 4 is that
3 legislative representatives and the officers are now
4 governed under the dues collected under the legislative
5 dues. Basically what we are looking to do is to bring
6 in the national legislative representative under the
7 general fund. So I don't think Section 4 really
8 applies.

9 Brother Ranson and I very rarely
10 agree on much of anything but, you know, I have to at
11 least give him credit for a compromise.

12 Getting back to the original question
13 that I was trying to deal with from the beginning, was
14 the officers that may be running for this job need to
15 know what their salaries are going to be.

16 PRESIDENT HALLÉ: If I might here, I
17 know we have to run this thing today in the nomination.
18 But I saw what was done at the other convention that I
19 was. Is there a possibility that the people who want
20 to give this amendment sit with the Bylaws Committee
21 this evening and try to come with a kind of
22 recommendation for tomorrow, how we are going to deal
23 with the salary?

24 I am just suggesting this. So that
25 might save a lot of hurdles, you know. Because if we

1 continue like this, that is what we deal with, Brother
2 Ranson made a motion, we have to deal with the motion.
3 We cannot make amendment on the motion that will create
4 conflict right now, we cannot deal with Section 4 at
5 the back of the book of the Legislative Rules when we
6 are dealing with this motion. We have to deal with
7 this motion now or we table it or we do something
8 with it.

9 DELEGATE RANSON, Div. 320: (off
10 mic). You made reference to Section 14(2) and then you
11 state that the officers are stipulated by 1(e).

12 PRESIDENT HALLÉ: Now you see,
13 that --

14 DELEGATE RANSON, Div. 320: You are
15 saying here you can pay this guy that is not the
16 legislative director under Section 14(2), but it
17 clearly says "establishes salaries of the officers."
18 And it is specific to certain other positions like
19 special reps, but it does not state national
20 legislative director. So how are you going to pay him
21 based on Section 14(2)?

22 Also there is grammatical mistake
23 there too on the third sentence, "...whereas the duties
24 of the vice-president..." should be, wipe that part out
25 and it should be just, "...whereas vice-presidents will

1 no longer perform any of the duties it has in the
2 past." That makes the --

3 PRESIDENT HALLÉ: This is one more
4 reason why it should be tabled. I mean --

5 DELEGATE RANSON, Div. 320: (off
6 mic). taken up under Section 14(2)?

7 PRESIDENT HALLÉ: Yes, we can do that
8 under the duties of the principal officer, the present
9 principal officers in conjunction with the executive
10 board. We can sit down and set the salary. This is a
11 new title created. Because it is a new title -- it is
12 a staff job, in reality will be a staff job with a new
13 title which, as the principal officers, with the rest
14 of the executive board we can sit down and deal with
15 the salary. I think that is something we can work on.
16 A1.
17 DELEGATE SINGER, Div. 563: A1
18 Singer, Division 563, Locomotive Engineers. I would
19 like to move that we table this motion. The purpose of
20 my motion to table is to allow Brother Fraser to put
21 the motion on the floor about.
22 DELEGATE SINGER, Div. 563: And the
23 purpose of my motion to Table is to allow Brother
24 Fraser to put the motion on the floor about including
25 this position in -- and as far as compensation goes, in

1 section 4 of legislative rules on page 56. So I move
2 that motion be Tabled.

3 DELEGATE FRASER, Div. 821: Rob
4 Fraser, 821, Camels Conductors, I will second that
5 motion.

6 PRESIDENT HALLÉ: Like it was
7 explained, you want it Tabled until when?

8 DELEGATE SINGER, Div. 563: Now this
9 motion -- as Brother Fraser -- as Brother Fraser said
10 earlier, Table this motion to allow us to get the
11 concept in play so that this makes more sense. We
12 are -- we are giving a task to the forthcoming
13 executive to deal with. There is something that we
14 haven't established yet.

15 And at least if we had that
16 established, whether we give it to the Bylaws committee
17 or we deal with it right away, one way or another, they
18 have got something to deal with.

19 Because it appears now that they
20 don't have anything to deal with. They have got
21 recommendation to deal with something, but we don't
22 know what it is.

23 PRESIDENT HALLÉ: Okay. So you
24 want -- if I understand, and I will check that after,
25 you want to Table this motion, you have a seconder, and

1 you table it until we deal with a new motion from
2 Brother Fraser.

3 DELEGATE SINGER, Div. 563: Yes.
4 PRESIDENT HALLÉ: Is that my
5 understanding?

6 DELEGATE SINGER, Div. 563: Yes.
7 PRESIDENT HALLÉ: Okay. Okay. W
8 will have to have a vote on the motion -- Brother
9 Fraser has seconded the motion. We will vote on it.
10 --- Pause

11 PRESIDENT HALLÉ: Okay we have a
12 motion to table. The -- brothers, please. We have a
13 motion to table, Brother Ranson, resolution, and it is
14 seconded, it's motioned to Table until we deal with a
15 new motion that Brother Fraser will put forward.
16 So if you are ready to vote, let's
17 start the vote.
18 --- Motion to Table Vote

19 PRESIDENT HALLÉ: 83 in favour;
20 24 against.
21 --- CARRIED

22 PRESIDENT HALLÉ: So the motion
23 is tabled until we deal with the new motion from
24 Brother Fraser.
25 BROTHER FRASER, Div. 821: I'm

1 Fraser, 821, Camels Conductors. I would like to make a
2 motion that adds to section 4, compensation for
3 service, page 56.

4 At the end of the existing paragraph
5 would read, "Except that the salary of the national
6 legislative director be established as provided by
7 Bylaw section 39."

8 DELEGATE SINGER, Div. 563: And I
9 will second the vote, also in division 563.

10 PRESIDENT HALLÉ: Can we get the
11 motion on the screen, please?

12 BROTHER FRASER, Div. 821: Just as a
13 point of order, it should be legislative section 4,
14 page 56.
15 --- Pause

16 PRESIDENT HALLÉ: Okay. Brothers,
17 please. Okay Brother Fraser asked -- can we have one
18 meeting, please? Can we get a one to one meeting?
19 Microphone 3.

20 DELEGATE BROWNLEE, Div. 956: Sheila
21 Brownlee, division 956, Edmonton. I do agree that
22 perhaps the issue of salary does need to be addressed,
23 however, Bylaw section 39 specifically deals with
24 officer salary and the national legislative director
25 under 1E is not an officer of the conference.

1 Therefore, I suggest again that all
2 delegates interested in establishing this salary, that
3 we take the time, we table these motions, and meet with
4 the Bylaws committee to establish which section and
5 what salary should be established at that time and
6 table it until tomorrow.

7 PRESIDENT HALLÉ: I go from
8 microphone 4.

9 DELEGATE MARKEWICH, Div. 631:
10 Markewich, 631. Second.

11 PRESIDENT HALLÉ: Thank you. There
12 is a motion to Table -- one at a time, eh -- to Table
13 until tomorrow morning and it's seconded.

14 PRESIDENT HALLÉ: So, there is no
15 debate on the motion to table. But, was it a point of
16 order? I just want to know what Brother Fraser...

17 DELEGATE FRASER, Div. 821: Well, I
18 guess a point of clarification.

19 PRESIDENT HALLÉ: Okay.

20 DELEGATE FRASER, Div. 821: The
21 intent of the motion is not to establish the National
22 Legislative Director as an officer or infer that.

23 The way it is worded is to establish
24 the salary of the National Legislative Director as is,
25 as similar to, the officers in Article 39. And that is

1 the way it was written to do that.

2 PRESIDENT HALLÉ: My point, if I
3 might just say, Section 39 does not establish salary.
4 It specifies salary.

5 But anyway, we have a motion to table
6 until tomorrow morning. It was seconded, the motion
7 made by Brother Fraser and we will vote on that motion.

8 Please start the vote.

9 --- Motion to Table Vote

10 --- VOTING

11 PRESIDENT HALLÉ: 95 in favour;
12 16 against.

13 --- CARRIED

14 PRESIDENT HALLÉ: So the motion is
15 tabled until tomorrow morning and the lawyer is there,
16 but also table the one made previously by Brother
17 Ranson until tomorrow morning.

18 Okay, just hold on. So, I think we
19 are done with the suspension of the rule and it is
20 1500. On our agenda we had the nomination of officers
21 scheduled at 1430, I think.

22 So I think after this debate it might
23 be proper to have a recess. We will recess until 1515
24 where we will start with the nomination of officers.

25 --- Upon recessing at 1500 / Suspension à 1500

1 --- Upon resuming at 1522 / Reprise à 1522

2 PRESIDENT HALLÉ: Okay, Brothers.

3 Sorry for the little delay.

4 We will return as a Committee as a
5 Whole, and later on we will get back to the Bylaws
6 Committee.

7 We will go with the nomination of
8 officers, and we will proceed with the nomination of
9 President, Vice President, Secretary Treasurer,
10 Recording Secretary and three Trustees and, according
11 to the motion that was made yesterday, three Alternate
12 Rail Conference Officers: submission 1(f) that was
13 dealt with yesterday.

14 So you will have President, Vice
15 President, Secretary Treasurer, Recording Secretary,
16 three Trustees, three Alternate Officers and a national
17 Legislative Director.

18 After the nomination of all the
19 officers, we will run a short election for the
20 5 percent as stipulated for the three positions of
21 President, Vice President and Secretary Treasurer. We
22 will run a small election to determine the 5 percent
23 needed to have the name on the ballot.

24 I will now leave the Chair to Brother
25 Dyon to call for the nomination of the President

1 position.

2 SEC. TREASURER DYON: Good afternoon,
3 Brothers and Sisters.

4 Nominations are now open for
5 President of Teamsters Canada Rail Conference.

6 DELEGATE ERMET, Div. 898: Good
7 afternoon, Sisters and Brothers. My name is Bob Ermet,
8 delegate for Division 898, Jasper, Alberta.

9 I stand to nominate Brother Dan
10 Shewchuk for Rail Conference President. Thank you.

11 SEC. TREASURER DYON: Microphone 1.

12 CC-BLC SMITH, Div. 162: Brothers and
13 Sisters, it is my honour and pleasure to nominate
14 Brother Gilles Hallé for the position of President,
15 Teamsters Canada Rail Conference.

16 SEC. TREASURER DYON: Thank you.
17 Microphone 3.

18 DELEGATE MCCOTTER, Div. 310: Wayne
19 McCotter, Division 310.

20 I second the motion of Dan Shewchuk
21 for President.

22 SEC. TREASURER DYON: Microphone 2.

23 DELEGATE ESSERY, Div. 954: Kari
24 Essery, Division 954, RTCs.

25 I second the motion for Gilles Hallé

1 as President.
 2 SEC. TREASURER DYON: Any more
 3 nominations?
 4 Any more nominations?
 5 Any more nominations?
 6 I declare the nominations closed for
 7 the office of the President, Teamsters Canada Rail
 8 Conference.
 9 PRESIDENT HALLÉ: Thank you, Brother
 10 Dyon.
 11 We will now move for the nomination
 12 of the Vice President Position, Teamsters Canada Rail
 13 Conference.
 14 Microphone 1.
 15 DELEGATE SMITH, Div. 667: Tim Smith,
 16 Division 667, Brandon Conductors, Trainmen, Yardmen.
 17 Brothers and Sisters, it is my honour
 18 to nominate Brother Doug Finnson for Vice President.
 19 PRESIDENT HALLÉ: Thank you.
 20 Microphone 4.
 21 DELEGATE KING, Div. 843: Mike King,
 22 Division 843, Prince George Locomotive Engineers.
 23 I second the motion to nominate
 24 Brother Doug Finnson for the position of Vice
 25 President.

1 PRESIDENT HALLÉ: Thank you.
 2 Microphone 2.
 3 DELEGATE ASHLEY, Div. 529: Don
 4 Ashley, Division 529, Hamilton Locomotive Engineers.
 5 I also second the nomination of
 6 Brother Finnson.
 7 PRESIDENT HALLÉ: There is only one
 8 second.
 9 Microphone 2.
 10 DELEGATE NIJJAR, Div. 320: Gord
 11 Nijjar, Division 320, Trainmen.
 12 I would like to nominate Gerry Ranson
 13 for Vice President.
 14 PRESIDENT HALLÉ: Microphone 3.
 15 DELEGATE BROWNLEE, Div. 956: Shelly
 16 Brownlee, Division 956.
 17 I will second the nomination for
 18 Gerry Ranson as Vice President.
 19 PRESIDENT HALLÉ: Thank you.
 20 Microphone 3.
 21 DELEGATE GRIEVE, Div. 747: Mike
 22 Grieve, Division 747.
 23 I would like to nominate Brother John
 24 Tofflemire for the position of Vice President.
 25 PRESIDENT HALLÉ: Microphone 3.

1 DELEGATE MacKINNON, Div. 128: Eric
 2 MacKinnon, Division 128, Montreal Locomotive Engineers.
 3 I would like to second the nomination
 4 for John Tofflemire.
 5 PRESIDENT HALLÉ: Thank you.
 6 Is there any other nomination for the
 7 position of Vice President?
 8 Is there any other nomination for the
 9 position of Vice President?
 10 No other nomination. Nomination for
 11 the position of Vice President is now closed.
 12 We have Brother Finnson, Brother
 13 Ranson and Brother Tofflemire.
 14 I will now open the nomination for
 15 the position of Secretary Treasurer for Teamsters
 16 Canada Rail Conference.
 17 Microphone 3.
 18 DELEGATE LONGTIN, Div. 689: Good
 19 afternoon, Brother Hallé. My name is Dave Longtin,
 20 Division 689, Montreal, Locomotive Engineers.
 21 I rise to nominate Brother Benoit
 22 Brunet to the position of Secretary Treasurer of the
 23 TCRC. Brother Brunet hired on on CP as a carman helper
 24 in Montreal and transferred into the operating
 25 department in 1984, becoming a Locomotive Engineer in

1 1987, he was elected as Local Chairman for Division 258
 2 in 1992 and occupied this position until 2005. He is
 3 also the legislative rep for Division 258, a position
 4 that he still occupies.
 5 He has been Vice Chairman of the
 6 Quebec Provincial Legislative Board from 1995 to 1999.
 7 He was elected to the Provincial Legislative Board
 8 position.
 9 PRESIDENT HALLÉ: Thank you.
 10 Microphone number 2.
 11 DELEGATE GALLOP, Div. 295: My name
 12 is Ray Gallop, Division 295. I would like to nominate
 13 Richard Dyon for Secretary Treasurer.
 14 PRESIDENT HALLÉ: Thank you.
 15 Microphone number 3.
 16 DELEGATE GRIEVE, Div. 747: Mike
 17 Grieve, Division 747, Toronto. I would like to
 18 nominate Brother Bob Tool, Division 247, for position
 19 of Secretary Treasurer.
 20 PRESIDENT HALLÉ: Microphone 2.
 21 DELEGATE THERIAULT, Div. 469: I
 22 would like to second the nomination of Mr. Richard
 23 Dyon. Ron Theriault, Division 469, Ottawa.
 24 PRESIDENT HALLÉ: Thank you.
 25 Microphone 4.

1 DELEGATE DOHERTY, Div. 247: Derek
2 Doherty of Halifax, 247, Engineers. Second nomination
3 for Brother Tool, 247.
4 PRESIDENT HALLÉ: Microphone 3.
5 DELEGATE KNOWLES, Div. 750: Burt
6 Knowles, Division 750. I would like to nominate Jim
7 Flegel for the position of Secretary Treasurer.
8 PRESIDENT HALLÉ: Thank you, Brother
9 Knowles.
10 Microphone 3.
11 DELEGATE BOURGEOIS, Div. 258: André
12 Bourgeois, Division 258. Je seconde le motion pour M.
13 Benoît Brunet.
14 UNIDENTIFIED DELEGATE: It's already
15 seconded.
16 PRESIDENT HALLÉ: No. There was no
17 second yet, okay.
18 Brother Bourgeois is seconding the
19 nomination of Brother Brunet.
20 Microphone 1.
21 DELEGATE SMITH, Div. 667: Tim Smith,
22 Division 667, Brandon. I would like to second the
23 nomination for Brother Jim Flegel for Secretary
24 Treasurer.
25 PRESIDENT HALLÉ: Okay. Can you bear

1 with me for a second?
2 --- Pause
3 PRESIDENT HALLÉ: Okay, just a little
4 technicality. The candidate must accept nomination,
5 okay. Now, is there any other nomination for the
6 position of Secretary Treasurer? Is there any other
7 nomination for the position of Secretary Treasurer? No
8 other nomination for the position of Secretary
9 Treasurer?
10 I declare the nomination closed. We
11 have Brother Brunet, Brother Dyon, Brother Toole and
12 Brother Flegel running.
13 Now, I think it would be proper for
14 these three jobs, that we will vote after and we should
15 have done that in rotation right after.
16 I will turn the microphone to Brother
17 Dyon.
18 SEC. TREASURER DYON: Good
19 afternoon again.
20 Okay, for the position of President,
21 we have two candidates. Brother Dan Shewchuk, are you
22 accepting to be a candidate?
23 TRUSTEE SHEWCHUK: Dan Shewchuk,
24 Division 945. I accept the nomination for President
25 of TCRC.

1 SEC. TREASURER DYON: Thank you,
2 Brother Shewchuk.
3 Brother Hallé, do you accept the
4 nomination?
5 PRESIDENT HALLÉ: Yes, I proudly
6 accept my nomination for President of TCRC, thank you.
7 SEC. TREASURER DYON: Thank you,
8 Brother Hallé. Shall we pass on the vote?
9 PRESIDENT HALLÉ: (off mic) No, no, I
10 will do that.
11 Okay, on the nomination for the
12 Secretary Treasurer position -- for the Vice President
13 position, sorry.
14 Brother Finnson, do you accept your
15 nomination?
16 CC-BLC FINNISON, Div. 793: Doug
17 Finnson, 793. I am proud to accept the nomination for
18 Vice President.
19 PRESIDENT HALLÉ: Brother Gerry
20 Ranson, do you accept your nomination?
21 DELEGATE RANSON, Div. 320: Gerry
22 Ranson, Division 320. I am honoured and proud to
23 accept the nomination for the office of the Vice
24 President, thank you.
25 PRESIDENT HALLÉ: Brother John

1 Tofflemire do you accept your nomination?
2 DELEGATE TOFFLEMIRE, Div. 747: John
3 Tofflemire, Division 747. I accept the nomination,
4 thank you.
5 PRESIDENT HALLÉ: Thank you, Brother
6 John.
7 We will move to the candidate for the
8 position of Secretary Treasurer.
9 I will ask Brother Brunet, do you
10 accept your nomination?
11 DELEGATE BRUNET, Div. 258: Benoit
12 Brunet, Divisions 258. I am proud to accept nomination
13 for Secretary Treasurer.
14 PRESIDENT HALLÉ: Okay. Brother
15 Dyon?
16 SEC. TREASURER DYON: Yes, I accept.
17 PRESIDENT HALLÉ: Okay. Brother Jim
18 Flegel?
19 DELEGATE FLEGEL, Div. 793: Jim
20 Flegel, Division 793. Proudly accept nomination for
21 Secretary Treasurer at TCRC.
22 PRESIDENT HALLÉ: Thank you, Brother
23 Flegel.
24 Now, I haven't noticed Brother Toole
25 around and it says that the candidate must accept his

1 nomination or more or less have a letter for his
 2 nomination. And I will ask Brother Grieve.
 3 DELEGATE GRIEVE, Div. 747: Yes,
 4 Brother Tool faxed a letter that he would accept the
 5 nomination and I will pass it to you.
 6 PRESIDENT HALLÉ: Thank you, can we
 7 have the letter for the records please?
 8 --- Pause
 9 PRESIDENT HALLÉ: So we recognize the
 10 signature of Brother Tool, we have worked with him for
 11 years so we know his signature. Okay, that will be for
 12 the records.
 13 Now, we will move to the other
 14 position and we will do it -- right after the
 15 nomination we will ask the candidate if they accept
 16 their nomination. We will move to the position of
 17 Recording Secretary.
 18 Microphone number 2.
 19 DELEGATE ASHLEY, Div. 529: Don
 20 Ashley, Division 529, Hamilton, Engineers. I would
 21 like to nominate Brother Tom Handkamer, Division 076
 22 for position of Recording Secretary.
 23 DELEGATE HANDKAMER, Div. 076: Tom
 24 Handkamer.
 25 PRESIDENT HALLÉ: Okay. Microphone

1 number 3.
 2 DELEGATE HARDING, Div. 243: Roger
 3 Harding, Division 243. I would like to second the
 4 nomination of Brother Handkamer.
 5 PRESIDENT HALLÉ: Thank you, Brother
 6 Harding.
 7 Microphone 2.
 8 DELEGATE CALDWELL, Div. 189: Randy
 9 Caldwell, Division 189, Belleville. I proudly nominate
 10 Brother Paul Vickers, General Chairman, CN, for the
 11 position of Recording Secretary.
 12 PRESIDENT HALLÉ: Thank you.
 13 Microphone 3.
 14 DELEGATE PITTS, Div. 510: Bill
 15 Pitts, Division 510, Moose Jaw. I would like to second
 16 the motion for nomination for Paul Vickers.
 17 PRESIDENT HALLÉ: Thank you.
 18 Is there any other nomination for the
 19 position of Recording Secretary? Is there any other
 20 nomination for the position of Recording Secretary? Is
 21 there any other nomination for the position of
 22 Recording Secretary? Seeing none.
 23 Brother Handkamer, do you accept your
 24 nomination as Recording Secretary?
 25 DELEGATE HANDKAMER, Div. 076:

1 Brother Tom Handkamer, Division 076, Locomotive
 2 Engineers. I thank you and I proudly accept the
 3 position or the nomination for Recording Secretary.
 4 PRESIDENT HALLÉ: Thank you,
 5 Brother Tom.
 6 Brother Paul.
 7 DELEGATE VICKERS: Brother Vickers,
 8 General Committees and Central Lines. I proudly accept
 9 the nomination.
 10 PRESIDENT HALLÉ: Thank you. We will
 11 now proceed with the nomination for the trustee
 12 position.
 13 --- Pause
 14 I will explain that. Okay. We will
 15 now move to the position of trustees and we will get
 16 all the nominations and at the election, the three with
 17 the most votes will get the position. So I will go
 18 to -- sorry, I was not watching all the microphones so
 19 I will start with microphone 2.
 20 DELEGATE PORTER, Div. 583: Tom
 21 Porter, division 583. I would like to nominate Bruce
 22 Willows to the position of trustee.
 23 PRESIDENT HALLÉ: Thank you, Brother
 24 Porter. Microphone 3.
 25 DELEGATE EDWARDS, Div. 657: Greg

1 Edwards, division 657, Locomotive Engineers Revelstoke.
 2 I would like to nominate Brother Dave Able for the
 3 position of trustee.
 4 PRESIDENT HALLÉ: Microphone 4.
 5 DELEGATE O'DONNELL, Div. 723: Shawn
 6 O'Donnell, division 723, North Bay, Ontario. I stand
 7 here to nominate Brother Darrel Arnold to the position
 8 of trustee, TCRC executive board.
 9 PRESIDENT HALLÉ: Thank you.
 10 Microphone 3.
 11 DELEGATE TYMKIN, Div. 749: Rick
 12 Tymkin, Division 749, Locomotive Engineers. I would
 13 like to second the nomination for Brother Willows for
 14 trustee.
 15 PRESIDENT HALLÉ: Thank you. Brother
 16 Willows you said? Right?
 17 DELEGATE TYMKIN, Div. 749: Yes.
 18 PRESIDENT HALLÉ: Okay. Number 2.
 19 DELEGATE ASHLEY, Div. 529: Don
 20 Ashley, Division 529, Hamilton Locomotive Engineers. I
 21 would like to nominate Brother Glen McDonald,
 22 Division 852.
 23 PRESIDENT HALLÉ: Glen? It's Glen?
 24 DELEGATE ASHLEY, Div. 529: Glen.
 25 PRESIDENT HALLÉ: Okay. We will go

1 back to -- we were at number 3, number 4?
 2 DELEGATE COUTTS, Div. 668: Brother
 3 Barry Coutts, division 668, locomotive engineer. I
 4 wish to second the position for Dave Able.
 5 PRESIDENT HALLÉ: Thank you Brother
 6 Coutts. Microphone number 2?
 7 DELEGATE GALLOP, Div. 295: My name
 8 is Ray Gallop, division 295. I'm very proud to submit
 9 nomination for Mr. Daniel Généreux for trustee.
 10 PRESIDENT HALLÉ: Thank you Brother
 11 Gallop. Brother Généreux. Microphone 3?
 12 DELEGATE HARDING, Div. 243: Roger
 13 Harding, Division 243, Thunder Bay Engineers. I would
 14 like to second the nomination of Brother Daniel
 15 Généreux.
 16 PRESIDENT HALLÉ: Thank you, Roger.
 17 Microphone 2, Brother Weiss.
 18 DELEGATE WEISS, Div. 667: Mike
 19 Weiss, locomotive engineers, 667, Brandon. I second
 20 the nomination for Darrel Arnold, trustee.
 21 PRESIDENT HALLÉ: Thank you, Brother
 22 Weiss. Microphone 4?
 23 DELEGATE SMELSKY, Div. 764: Lorne
 24 Smelsky, division 764 locomotive engineers. I would
 25 like to nominate Paul White for the position of

1 trustee.
 2 PRESIDENT HALLÉ: Thank you, Lorne.
 3 Microphone 3?
 4 DELEGATE BIRTLES, Div. 337: Steve
 5 Birtles, 337, engineers. I would like to second the
 6 nomination for Brother Glen McDonald.
 7 PRESIDENT HALLÉ: Thank you, Steve.
 8 Number 2?
 9 DELEGATE RODWELL, Div. 510: Rodwell,
 10 510. I would like to second the nomination for Paul
 11 White.
 12 PRESIDENT HALLÉ: Thank you, Brother
 13 Brian. Okay. Is there any other nomination for the
 14 position of trustees? Is there any other nomination
 15 for poison of trustees? Is there any other nomination,
 16 position of trustees?
 17 Carrying on, I will declare the
 18 nomination closed and I will ask Brother Willows if he
 19 accepts his nomination.
 20 DELEGATE WILLOWS: I accept the
 21 nomination and I would like to thank my nominator and
 22 seconder.
 23 PRESIDENT HALLÉ: Thank you, Brother
 24 Bruce. I will ask Brother Able if you accept your
 25 nomination.

1 BROTHER ABLE, Div. 322: I proudly
 2 accept the nomination.
 3 PRESIDENT HALLÉ: I will ask Brother
 4 Arnold if you accept your nomination.
 5 BROTHER ARNOLD: I am proud and
 6 honoured to accept nomination as a trustee to the TCRC
 7 executive board. Thank you.
 8 PRESIDENT HALLÉ: Thank you. Brother
 9 Daniel Généreux?
 10 DELEGATE GÉNÉREUX: Daniel Généreux,
 11 very proud to accept nomination for trustee.
 12 PRESIDENT HALLÉ: Merci Beaucoup,
 13 Mr. Généreux -- Brother Généreux -- confrère Généreux.
 14 PRESIDENT HALLÉ: Paul White?
 15 DELEGATE WHITE, Div. 510: Paul
 16 White, division 510. I am glad to accept the
 17 nomination and I would like to thank my nominators.
 18 PRESIDENT HALLÉ: Thank you, Paul.
 19 Glen McDonald? Brother McDonald?
 20 DELEGATE MCDONALD, Div. 852: Glen
 21 McDonald, division 852. I'm proud to accept the
 22 nomination.
 23 PRESIDENT HALLÉ: Thank you Brother
 24 McDonald. Okay. We have taken care of this, now we
 25 will move to the position of alternate Teamsters Canada

1 Rail Conference officers. We need three alternate as
 2 in section 1F, so I will the nominations for the
 3 alternate TCRC officers. Microphone number 2, Brother
 4 Mike?
 5 DELEGATE FORTIN, Div. 319: Mike
 6 Fortin, division 319. I would like to nominate Brother
 7 Bill Cormier, locomotive engineers division 319.
 8 PRESIDENT HALLÉ: Thank you.
 9 Microphone 4?
 10 DELEGATE MARKEWICH, Div. 631: Terry
 11 Markewich, Division 631, Thunder Bay Locomotive
 12 Engineers. I rise to nominate Mike King for the
 13 position of alternate.
 14 PRESIDENT HALLÉ: Thank you very
 15 much. Microphone 3, Brother Donovan.
 16 DELEGATE DONOVAN, Div. 381: I would
 17 like to second the nomination of Bill Cormier as an
 18 alternate officer.
 19 PRESIDENT HALLÉ: Thank you, Brother
 20 Art. Microphone 2.
 21 DELEGATE ABLE, Div. 322: Dave
 22 Able, 322, engineers. I nominate Al Singer to be the
 23 alternate.
 24 PRESIDENT HALLÉ: Thank you.
 25 Microphone 3.

1 DELEGATE ERMET, Div. 898: Bob Ermet,
2 division 898. I second the nomination for Brother
3 King.

4 PRESIDENT HALLÉ: Thank you, Bob.
5 Microphone number 2.

6 DELEGATE FRASER, Div. 821: Ron
7 Fraser, 821, Camels Conductors. I would like to second
8 the nomination for Al Singer, loco 563, for alternate.

9 PRESIDENT HALLÉ: Thank you very
10 much. Microphone 1.

11 DELEGATE CURRAN, Div. 240: Dan
12 Curran, Sarnia, division 240. I would like to nominate
13 Randy Caldwell for alternate.

14 PRESIDENT HALLÉ: Thank you.
15 Microphone number 2?

16 DELEGATE ORR, Div. 914: Ken Orr,
17 904, Hornepayne Engineers. I would like to second that
18 nomination for Brother Caldwell.

19 PRESIDENT HALLÉ: Thank you, Brother
20 Ken. Is there any nomination for the position of
21 alternate? Is there any other nomination for position
22 of alternate TCRC officers? Is there any other
23 nomination for the position of alternate TCRC officers?

24 Hearing none, I will declare the
25 nomination closed. And I will ask Brother Cormier if

1 he accepts his nomination.

2 DELEGATE CORMIER, Div. 319: Brother
3 Phillip Cormier, division 319 locomotive engineers. I
4 accept the nomination.

5 PRESIDENT HALLÉ: Thank you. Brother
6 Mike King?

7 DELEGATE KING, Div. 843: Mike King,
8 Division 843, Prince George. I'm proud to accept
9 nomination.

10 PRESIDENT HALLÉ: Thank you, Mike.
11 Brother Singer?

12 DELEGATE SINGER, Div. 563: Brother
13 Singer, Division 563, Cranbrook locomotive engineers
14 and I proudly accept the nomination with thanks to my
15 nominators.

16 PRESIDENT HALLÉ: Brother Caldwell.

17 DELEGATE CALDWELL, Div. 189: I am
18 proud to accept the nomination.

19 PRESIDENT HALLÉ: Thank you.

20 That will close the nomination for
21 the position of alternate.

22 I will now open the nomination for
23 the position of National Legislative Director.

24 Microphone 2.

25 DELEGATE ASHLEY, Div. 529: Don

1 Ashley, Division 529, Engineers, Hamilton.

2 I would like to nominate Brother
3 Wheten, Brother Mike Wheten, for the position of
4 National Legislative Director.

5 PRESIDENT HALLÉ: Thank you.
6 Microphone 2.

7 DELEGATE GALLAHER, Div. 821: Bob
8 Gallaher, Division 821.

9 I proudly nominate Brother Don
10 Anderson to the position of National Legislative
11 Director.

12 Brother Don has been involved with
13 the union since 1980. He was the alternate Legislative
14 Rep for Division 898 in 1986 and was elected to the
15 position of Legislative Rep in 1987, a position he
16 still maintains.

17 From 1989 to 2004 Don was Chairman of
18 the Provincial Legislative Board of Alberta. From 1995
19 to 2004 he was the Vice Chairman of the National
20 Legislative Board. He was also on the Arrangements
21 Committee for the International Brotherhood of
22 Locomotive Engineers Convention in 1991, 1995 and 2001.

23 Some of his accomplishments: he was
24 involved with the National Legislative Board Budgets
25 Committee; onboard train regulations; railway safety

1 act crossing regulations; railway safety act and
2 medical regulations; Operation Lifesaver direction
3 2006; WESTAC which is the Western Transportation
4 Advisory Committee; the Railway Safety Act Hours of
5 Service which is a big one and it affects us all; the
6 merger discussions of the BMWE as signed by the IBLE
7 President; and also merger discussions with the UTU as
8 signed by IBLE President; and the merger with the
9 Teamsters Canada.

10 And I proudly nominate Don Anderson
11 to this position.

12 PRESIDENT HALLÉ: Thank you, Brother
13 Gallaher.

14 Microphone 3.

15 DELEGATE TYMKIN, Div. 749: Rick
16 Tymkin, Division 749, Fort Frances.

17 I would like to second the nomination
18 for Mike Wheten.

19 PRESIDENT HALLÉ: Microphone 3.

20 DELEGATE ANGUS, Div. 737: Don Angus,
21 737, Engineers.

22 I would like to second the nomination
23 for Don Anderson.

24 PRESIDENT HALLÉ: Thank you, brother.
25 Is there any other nomination?

1 --- Pause
 2 PRESIDENT HALLÉ: Is there any other
 3 nomination?
 4 --- Pause
 5 PRESIDENT HALLÉ: Is there any other
 6 nomination?
 7 --- Pause
 8 PRESIDENT HALLÉ: Seeing not, I will
 9 declare nomination for the position of National
 10 Legislative Director closed.
 11 PRESIDENT HALLÉ: Now we will, and I
 12 will have to step down in a minute.
 13 VICE PRESIDENT (NLA) HUCKER: I don't
 14 think that they accepted.
 15 PRESIDENT HALLÉ: Oh, yes, that's
 16 true. Sorry about that.
 17 Okay, Brother Wheten, do you accept
 18 your nomination as the position of NLD?
 19 TRUSTEE WHETEN, Div. 728: Mike
 20 Wheten, Division 728.
 21 I am proud to accept the nomination
 22 of the National Legislative Director for the CTCRC and I
 23 thank my nominator and my seconder.
 24 PRESIDENT HALLÉ: Okay.
 25 Brother Don Anderson.

1 DELEGATE ANDERSON, Div. 898: Don
 2 Anderson, Division 898.
 3 I proudly accept the nomination for
 4 TCRC National Legislative Director (...off mic).
 5 PRESIDENT HALLÉ: thank you, Brother
 6 Don.
 7 Now, as I said earlier we will get
 8 the 5 percent rules. And what we will do, I think, for
 9 the officer present, I will let Brother Dyon come to
 10 the podium and we will proceed with the vote.
 11 SEC TREASURER DYON: We will start
 12 with Brother Sewchuk and have --
 13 PRESIDENT HALLÉ: No. No. (... off
 14 mic)
 15 SEC TREASURER DYON: Oh they don't
 16 have that.
 17 Brother Sewchuk and Brother Hallé on
 18 the screen.
 19 Okay, delegates, please vote. The
 20 question is if you support the nomination of Dan
 21 Sewchuk, Gilles Hallé.
 22 --- Election for President vote
 23 --- VOTING
 24 SEC TREASURER DYON: 74, 38.
 25 PRESIDENT HALLÉ: Thank you very

1 much. So both have the 5 percent required under the
 2 initiative.
 3 We will move to --
 4 --- Pause
 5 PRESIDENT HALLÉ: Did we, because I
 6 was going to give the paper to Richard, did we apply
 7 the rules?
 8 If you support the nomination of X
 9 you press 1, if you support the nomination of the
 10 person, because... The next one has more than 2, the
 11 position of Vice president.
 12 So, for the rules, you will have the
 13 name and if you support nomination of the number you
 14 press 1, you will see the name, press 1. For the other
 15 one you will see the name, if you support that name you
 16 press 2. The other one if you see the name, you
 17 support the name, you press 3.
 18 So, can we have the vote for the Vice
 19 President with the names of Brother Finnson, Ranson and
 20 Tofflemire.
 21 Okay. Please start the vote.
 22 --- Election for Vice President vote
 23 --- VOTING
 24 PRESIDENT HALLÉ: Yes, it is coming.
 25 All the candidates have the

1 percentage required to be in the ballot.
 2 We will move to vote for the
 3 Secretary Treasurer position, with four names:
 4 Brothers Brunet, Dyon, Flegel and Toole.
 5 We will proceed with the vote. Let's
 6 start the vote.
 7 --- Election for Secretary Treasurer Vote
 8 PRESIDENT HALLÉ: Can we get the
 9 percentage, please.
 10 The numbers are back there. Can we
 11 get the percentage now.
 12 Twenty-two, 21, 51 and 6 percent.
 13 So all the candidates have received
 14 enough percentage to be on the ballot.
 15 --- Pause
 16 So that will close the nomination and
 17 the process for the five percent to be on the ballot
 18 for the membership vote. We will now resume with the
 19 Bylaws Committee.
 20 --- Pause
 21 PRESIDENT HALLÉ: Brother Smith, are
 22 you ready?
 23 CC-BLC SMITH, Div. 162: Brothers and
 24 Sisters, we'll get started again.
 25 PRESIDENT HALLÉ: Order, please.

1 CC-BLC SMITH, Div. 162: Since we
2 have put that motion related to the National
3 Legislative Director on the table, there is a number of
4 resolutions that are quasi-housekeeping items related
5 to that, so I think we will leave those alone as well.

6 Where I would like to start is
7 Division rules, Section 1(d).

8 PRESIDENT HALLÉ: What page?

9 CC-BLC SMITH, Div. 162: At page 62.

10 There is a number of resolutions that
11 are all kind of inter-related around these questions.
12 We have looked at it and we would like to start here
13 and then there are six more that are associated or
14 semi-associated with them but they are not necessarily
15 housekeeping. Some have a little more substance to
16 them.

17 Your Bylaws Committee recognizes the
18 intended purpose of the resolution submitted by
19 Division 320, however, the resolution does not take
20 into consideration the issues arising from merging
21 multiple craft local committees and, in particular,
22 representation on the respective general committees.
23 In addition, the resolution creates an appeal process
24 to the TCRC President for "final determination" and
25 such a measure would be in conflict with current appeal

1 procedures.

2 Your Bylaws Committee recommends to
3 reject the resolution submitted by Division 320 and to
4 retain present law.

5 I so move.

6 PRESIDENT HALLÉ: Thank you.

7 Mic two.

8 DELEGATE RANSON, Div. 320: I will
9 try to grasp this as best I can. It was put to me by
10 one of the members of our division from the conductors
11 ranks. He stated to me that it was something out of
12 the old UTU constitution. So I looked back at some of
13 my material and I found something similar in the UTU BL
14 merger document.

15 I guess the issues are that -- and I
16 know in my location, the trainmen and conductor's
17 committees did merge at one time when they were under
18 the UTU and that was the reference he was making. So
19 all I can do is argue that what this does is pretty
20 well provide the same kind of stipulation that we
21 currently have in our bylaws for merging general
22 committees.

23 There is a concern that what happens
24 in a case where a committee can't support itself
25 because the membership has shrunk. There is no

1 provision in our bylaws because we have never had to
2 deal with this, to deal in a situation like that. How
3 do you extinguish that committee that can't support
4 itself?

5 The other thing is this is just
6 providing a vehicle for the membership under those
7 committees to decide their own -- how they want to be
8 represented or what is best for them. I don't really
9 understand what the fear is here. Each committee would
10 have to decide themselves if they wanted to go down
11 this road and put it through. It would not affect
12 jurisdiction or anything like that or you are not
13 taking away from anything that members would not want.

14 I suggest that we reject the Bylaws
15 Committee recommendations and discuss the motion in
16 full.

17 --- Pause

18 PRESIDENT HALLÉ: Microphone number
19 2.

20 DELEGATE SINGER, Div. 563: A1
21 Singer, Division 563. I know one of the things we
22 discussed on the committee was that some of the
23 committees now meet concurrently and how could the
24 committee be represented concurrently by the same
25 person that you have a merged local committee of

1 adjustment?

2 So that is one example of where this
3 proposal to merge local committees of adjustment could
4 conflict with the duties and responsibilities of the
5 people on those committees.

6 PRESIDENT HALLÉ: Thank you.

7 Microphone 2, Brother Gallop.

8 DELEGATE GALLOP, Div. 295: I guess
9 you are getting to know me. Division 295, Ray Gallop.

10 I just want to voice my opinion on
11 this. I totally disagree with this resolution. I am
12 against it. I don't believe that the divisions like
13 the local committee of adjustments should be allowed to
14 merge into one. I believe that they are totally
15 separate and you can't have them fighting for people's
16 concerns and everything if they are two different
17 crafts or whatever to be combined into one.

18 Combining these local committee of
19 adjustments, I am just totally against it.

20 PRESIDENT HALLÉ: Thank you, Brother.

21 DELEGATE NELLIGAN, Div. 068: Steve
22 Nelligan, Division 068, London, Locomotive Engineers.
23 I support Brother Ranson's motion here because I come
24 from a small terminal myself where if we did in fact
25 have the tail end join the TCRC it would be a perfect

1 example of where this would work.
 2 Right now we can barely support
 3 ourselves we are such a small terminal, 19 members at
 4 times. You know, it being such a small terminal there
 5 is quite a bit of cooperation between the head end and
 6 the tail end and it would be a perfect fit in that
 7 terminal.
 8 PRESIDENT HALLÉ: Thank you, Brother.
 9 Microphone 1, Brother Caldwell.
 10 DELEGATE CALDWELL, Division 189:
 11 Randy Caldwell, Division 189, Belleville. I think that
 12 there isn't any doubt that we are promoting craft
 13 autonomy here through this whole convention. To me,
 14 this resolution would be the first crack in that
 15 armour. I don't think we should go anywhere near it.
 16 Thank you.
 17 PRESIDENT HALLÉ: Thank you.
 18 --- Applause / Applaudissements
 19 PRESIDENT HALLÉ: There is no more
 20 delegates at the microphones, so we should be.
 21 UNIDENTIFIED DELEGATE: Once again, I
 22 support Brother Ranson's position on this because
 23 coming from a small terminal, a potential for us to
 24 have two groups unite in the future and give us more
 25 strength and one voice is there and I cannot see why

1 not -- why would you not give the local people an
 2 opportunity to do that if they so choose, not deny them
 3 that opportunity on a broad basis.
 4 If the people in the larger terminals
 5 choose not to, they would have that opportunity to say
 6 no. They are two-thirds of the majority in each group
 7 and those who wanted to could, so that is my position.
 8 Thank you.
 9 PRESIDENT HALLÉ: Thank you, Brother.
 10 Microphone 2.
 11 DELEGATE HOULE, Div. 308: Tim Houle,
 12 Division 308, Trainmen. We are against -- well, I am
 13 against the motion because we were guaranteed craft
 14 autonomy and it is going to totally go right against
 15 the craft autonomy that we were guaranteed.
 16 As an example, we are in a division
 17 in Sudbury and we are a very small terminal also, but I
 18 think that the craft, the local committees must be
 19 separate. Thank you.
 20 PRESIDENT HALLÉ: Thank you.
 21 Okay, there is no delegate at the
 22 microphone, so we will vote on the recommendation of
 23 the Bylaws Committee to reject the resolution submitted
 24 by Division 320 and to retain the present law. There
 25 is no present law, I am sorry about that. Sorry about

1 that.
 2 Okay, to vote let us start the
 3 vote. --- Adopt Bylaws Committee Recommendation
 4 --- VOTING
 5 PRESIDENT HALLÉ: 86 in favour;
 6 25 against. Recommendation is adopted.
 7 --- CARRIED
 8 PRESIDENT HALLÉ: Brother Smith.
 9 CC-BLC SMITH, Div. 162: Okay, we
 10 will proceed now with Division -- Section 1(a), which
 11 again is semi-related. But I have to make some
 12 comments here.
 13 From what I am hearing at the
 14 microphone the delegates don't seem to have captured
 15 the concept that is being advanced, whether it is by
 16 the Bylaws Committee or by Division 320 or any other
 17 submissions within this section. It is like nobody
 18 read the book.
 19 There is a concept here within this
 20 Section 1 dealing with craft autonomy, dealing with
 21 divisions and how they operate, you know, within
 22 themselves. To look at one paragraph alone and make
 23 your judgments -- it has to be looked at more global,
 24 so you get the whole picture.
 25 We assumed when we sent things out

1 two months ago that you guys were going to read it.
 2 And what I am seeing here today, wasn't too many read
 3 it. So read that page, the next page, the next page
 4 and get a sense of where the resolutions are going.
 5 Like I say, not necessarily ours, everybody's. Get a
 6 sense of the global picture.
 7 I can tell by the comments in the
 8 last, you are looking at it with blinders on. It is
 9 Division Section 1(a), it is on page 58.
 10 "The Bylaws Committee agrees
 11 with the general principle
 12 advanced in all three
 13 resolutions, but prefers the
 14 exact wording and structure in
 15 the resolution proposed by
 16 Division 356. Your Bylaws
 17 Committee recommends to reject
 18 the resolution submitted by
 19 Division 728 and the TCRC
 20 precedent as it applies to
 21 Section 1(a)(i) and to accept
 22 the resolution submitted by
 23 Division 356." (As read)
 24 I so move.
 25 --- Pause

1 PRESIDENT HALLÉ: Microphone 2, okay.
 2 Microphone 2?
 3 DELEGATE GALLAHER, Div. 821: Yes. A
 4 point of information, I'm just wondering if I would be
 5 able to make an amendment to recommendations here in
 6 the paragraph A. Resolution submitted by division 356.
 7 PRESIDENT HALLÉ: Can you identify
 8 yourself first, with the division.
 9 DELEGATE GALLAHER, Div. 821: Pardon
 10 me?
 11 PRESIDENT HALLÉ: Identify yourself
 12 for the record.
 13 DELEGATE GALLAHER, Div. 821: Oh, Bob
 14 Gallaher, division 821 locomotive engineers.
 15 PRESIDENT HALLÉ: Okay.
 16 DELEGATE GALLAHER, Div. 821: And I
 17 just want a point of order here, a point of
 18 clarification if I can make an amendment to the
 19 paragraph A1 and insert something in there. Would it
 20 be out of order for that?
 21 PRESIDENT HALLÉ: No. You can make
 22 an amendment.
 23 DELEGATE GALLAHER, Div. 821: Okay.
 24 I think they have what I wanted to amend over there on
 25 the -- over on the table.

1 And what I would like to put in there
 2 is -- in the first section is, "The officers of each
 3 division shall consist of a president, vice president,
 4 secretary, treasurer, and alternate, Chapman, three
 5 trustees, auditing committee, delegate to the real
 6 conference and first and second alternate, legislative
 7 representative who shall be the delegate to the
 8 legislative board and divisions representing more than
 9 one craft of vice legislative representatives for each
 10 craft forming a local legislative committee."
 11 The reason for -- for wanting this in
 12 there is to give everybody on the -- on the legislative
 13 side for each craft a voice and then the people on this
 14 committee work together as a committee.
 15 PRESIDENT HALLÉ: Okay, sir. Do you
 16 have -- do you have an amendment to --
 17 DELEGATE GALLAHER, Div. 821: I'm
 18 asking if I can put this is as an -- as an amendment.
 19 PRESIDENT HALLÉ: Yes. I said yes.
 20 CC-BLC SMITH, Div. 162: I thought --
 21 I thought we have -- I thought we have one already that
 22 says basically the same thing on -- on the next page.
 23 --- Pause
 24 CC-BLC SMITH, Div. 162: Page 60 for
 25 the rest of you. Brother Gallaher, you still --

1 DELEGATE GALLAHER, Div. 821: So my
 2 recommendation here would be to reject the
 3 recommendations from the committee so we can deal with
 4 the submissions by these other divisions with the
 5 amendment.
 6 PRESIDENT HALLÉ: What you have to
 7 do -- if you want to make an amendment, make a motion
 8 to make an amendment to resolution from division 356
 9 and get somebody to second it and we can deal with that
 10 amendment.
 11 DELEGATE GALLAHER, Div. 821: Okay.
 12 I make the motion to amend the resolution submitted by
 13 division 356, as I submitted to the table over there
 14 and read out previously, the amendment.
 15 PRESIDENT HALLÉ: Can we have the
 16 amendment? Is there a second to the motion to amend?
 17 DELEGATE RANSON, Div. 320: Ranson,
 18 division 320, I second that motion.
 19 PRESIDENT HALLÉ: Thank you. Now we
 20 will debate the motion to amend and we will try to get
 21 it correct on the screen.
 22 Brother Gallaher, is that the
 23 amendment you want to make? Towards the -- you see
 24 there?
 25 DELEGATE GALLAHER, Div. 821: That is

1 correct.
 2 PRESIDENT HALLÉ: That is correct so
 3 we will debate on the amendment, the motion made by
 4 Brother Gallaher. Microphone number 2.
 5 DELEGATE FORTIN, Div. 319: Mike
 6 Fortin, division 319 Chapleau, just a point of
 7 clarification. What I'm reading here is there is one
 8 delegate for one -- per division, to the real
 9 conference?
 10 Shouldn't that read one delegate for
 11 each craft?
 12 CC-BLC SMITH, Div. 162: Well, now
 13 you are asking something completely outside of what we
 14 are dealing with now.
 15 PRESIDENT HALLÉ: This is -- this
 16 is --
 17 BROTHER FORTIN, Div. 319: All right.
 18 We will vote amending that then.
 19 PRESIDENT HALLÉ: We are dealing with
 20 the amendment, Brother Mike. That is the -- the motion
 21 made to amend this. This is the debate on -- you are
 22 coming with a total different subject.
 23 --- Off the record discussion
 24 PRESIDENT HALLÉ: Do you want to come
 25 with another amendment after we are finished dealing

1 with this one?
 2 DELEGATE FORTIN, Div. 319: Yes, I
 3 would.
 4 PRESIDENT HALLÉ: Okay.
 5 DELEGATE FORTIN, Div. 319: Thank
 6 you. Brother Ranson, microphone two.
 7 DELEGATE RANSON, Div. 320: Division
 8 320, Ranson. What brother Gallaher is trying to do
 9 is -- his concern was that there was some resolutions
 10 put in throughout here to create two legislative reps
 11 in the division.
 12 The Bylaws committee seemed fit that
 13 that wasn't necessary.
 14 CC-BLC SMITH, Div. 162: Right.
 15 DELEGATE RANSON, Div. 320: He is not
 16 disagreeing with that. I don't disagree with that.
 17 What he is trying to do is set up
 18 proper -- an equal representation under a similar type
 19 of committee as a committee of adjustment, having an
 20 LR, but insuring that there is equal representation in
 21 that committee so that they can divide up the work or
 22 discuss the work. That is what this is about. That is
 23 all it is.
 24 CC-BLC SMITH, Div. 162: Thank you.
 25 PRESIDENT HALLÉ: Brother Smith,

1 microphone 1.
 2 DELEGATE SMITH, Div. 667: Tim Smith,
 3 Brandon, 667, call for question.
 4 PRESIDENT HALLÉ: There was nobody at
 5 the microphone, there is a call for the question.
 6 Okay. We are going to -- can we have the amendment
 7 again in yellow so the -- so we will now vote on the
 8 amendment. Get ready to vote. Okay. Let's start the
 9 vote. Okay.
 10 --- Pause
 11 PRESIDENT HALLÉ: Okay. I just want
 12 to clarify so that we all understand. We are not
 13 voting on the call for the question because there was
 14 nobody at the microphone when the call was made.
 15 I just want to be dead clear so we
 16 don't have to revote on the call for the questions.
 17 The microphones were all clear.
 18 So now we vote on the motion made by
 19 Brother Gallaher to insert the wording in yellow in the
 20 main motion. Okay.
 21 --- VOTING
 22 PRESIDENT HALLÉ: ... the main
 23 motion. Right?
 24 Okay. Let's start the vote.
 25 --- Amend Bylaws Committee Recommendation

1 --- VOTING
 2 PRESIDENT HALLÉ: 57 to 48. So the
 3 motion to amend failed. We go back to the main motion
 4 from the Bylaws Committee.
 5 --- DEFEATED
 6 Brother Able, microphone 2.
 7 DELEGATE ABLE, Div. 322: Dave Able,
 8 322, Engineer.
 9 Brother Hallé, may we have about
 10 10 minutes to get something -- you guys can carry on --
 11 to do an amendment on what was just turned down, offer
 12 another amendment. Like, we don't have to stop the
 13 session, just table this or something for a few
 14 minutes.
 15 PRESIDENT HALLÉ: Do you want a
 16 motion to table this one --
 17 DELEGATE ABLE, Div. 322: Yes, sure,
 18 and then we will work on something here so that we're
 19 not holding up the place. Yes, about 10, 15 minutes if
 20 it's all right with the members.
 21 PRESIDENT HALLÉ: Well, do you want
 22 to table --
 23 DELEGATE ABLE, Div. 322: I will make
 24 a motion --
 25 PRESIDENT HALLÉ: Do you want to

1 table the motion or --
 2 DELEGATE ABLE, Div. 322: Yes. I'll
 3 make a motion --
 4 PRESIDENT HALLÉ: -- to recess?
 5 DELEGATE ABLE, Div. 322: I will make
 6 a motion to table this for a little while.
 7 PRESIDENT HALLÉ: And we will
 8 continue with something else.
 9 DELEGATE ABLE, Div. 322: Yes, just
 10 in the interests of time.
 11 UNIDENTIFIED DELEGATE: Yes. We are
 12 starting to get nothing else to deal with.
 13 PRESIDENT HALLÉ: Okay.
 14 UNIDENTIFIED DELEGATE: These are
 15 interrelated with others. We have put the NLD on the
 16 table which is interrelated to a whole lot of others.
 17 So, we are getting to the point where
 18 we are tying our hands. We are not going to be able
 19 to -- if the meeting is 10 minutes, I would say take a
 20 break 10 or 15 minutes and come back and go at it would
 21 be better than tabling it.
 22 PRESIDENT HALLÉ: Well, it is 4:30.
 23 DELEGATE ABLE, Div. 322: We feel
 24 this is important, Brother. We would like to confer
 25 with the Bylaws Committee on it as well if possible.

1 PRESIDENT HALLÉ: Okay. If you agree
2 we might go on a little more than 5 o'clock to, not to
3 lose the pace of this one then.

4 DELEGATE ABLE, Div. 322: Yes.

5 PRESIDENT HALLÉ: Okay, we will
6 recess until 16:45. Please be on time and we will...

7 CC-BLC FINNISON: Brothers and
8 sisters, if I can have your attention for a minute. If
9 you are going to have a break, please, the resolution
10 we are dealing on, if you look at the next page that is
11 tied to the resolutions on page 65, 66 and 108.

12 The brother then came to the
13 microphone and asked about the delegate issue is on
14 page 39. Please take the time to read that. Those are
15 important things.

16 Thank you.

17 --- Upon recessing at 1633 / Suspension à 1633

18 --- Upon resuming at 1652 / Reprise à 1652

19 PRESIDENT HALLÉ: All right. We are
20 ready to proceed.

21 Brother Able.

22 DELEGATE ABLE, Div. 322: Can we put
23 that on the screen and then we will move right along.
24 Is that all right?

25 PRESIDENT HALLÉ: Hold on, it's

1 --- Pause

2 PRESIDENT HALLÉ: Microphone No. 2.
3 DELEGATE GALLAHER, Div. 821: Bob
4 Gallaher, Locomotive Engineers, Division 821.

5 I would like to make another
6 amendment here. They have it over on the board there.
7 The Legislative Board and alternate
8 for each craft represented.

9 My reason behind this is our Health
10 and Safety Committees, we need people on these
11 committees and representation from each craft and right
12 now our legislative representatives are our health and
13 safety members.

14 So I would like this inserted so we
15 can maintain the continuity with the conductors and
16 locomotive engineers and have separate crafts on our
17 Health and Safety Committee. I don't want the company
18 going we only want one member there.

19 DELEGATE ABLE, Div. 322: Dave Able,
20 322.

21 I will second that.

22 PRESIDENT HALLÉ: All right. There
23 is a motion to amend and a seconder. It is to amend
24 the main motion as amended previously.

25 You are voting on the amendment to

1 coming.

2 DELEGATE ABLE, Div. 322: What this
3 was, guys, it looked like you have two Committees of
4 Adjustment but only three members. So we made this
5 change here: just each of the local Committees of
6 Adjustment will consist of three members. It was just
7 to separate it.

8 I move that it be amended.

9 DELEGATE GALLAHER, Div. 821: Bob
10 Gallaher, Division 821, Locomotive Engineers.

11 I second the amendment.

12 PRESIDENT HALLÉ: We have an
13 amendment and a second to the amendment on the main
14 motion.

15 We have an amendment to the main
16 motion. Everybody is ready to vote on the amendment to
17 the main motion?

18 Please vote.

19 --- Amend Bylaws Committee Recommendation Vote

20 PRESIDENT HALLÉ: Eight-one yes;

21 30 no.

22 The amendment is adopted.

23 --- CARRIED

24 PRESIDENT HALLÉ: We will now go back
25 to the main motion.

1 the main motion that was previously amended. Let's
2 start the vote.

3 --- Amend Bylaws Committee Recommendation Vote

4 PRESIDENT HALLÉ: Ninety-one in
5 favour, 20 against. The amendment is adopted.

6 --- CARRIED

7 PRESIDENT HALLÉ: We will go back to
8 the main motion as amended twice for debate.

9 Any debate on the main motion as
10 amended twice?

11 --- Pause

12 PRESIDENT HALLÉ: All right. Nobody
13 at the microphone.

14 Microphone No. 2.

15 DELEGATE FRASER, Div. 821: Ron
16 Fraser, 821, Conductors.

17 There is just a spelling thing there.
18 It says "consisting". It should have been taken out.
19 It has been amended. It should be
20 gone.

21 UNIDENTIFIED SPEAKER: It is struck
22 through.

23 PRESIDENT HALLÉ: All right. We are
24 ready to vote. Let's start the vote.

25 --- Adopt Bylaws Committee Recommendations

1 --- VOTING
 2 PRESIDENT HALLÉ: 104 in favour,
 3 8 against, so it is adopted.
 4 --- CARRIED
 5 CC-BLC SMITH, Div. 162: Okay,
 6 Division Section 1(a)(i).
 7 "Your Bylaws Committee rejects
 8 the notion that effective
 9 representation can only be
 10 achieve by subdividing
 11 conductors, trainmen and yardmen
 12 and establishing three separate
 13 and exclusive representatives
 14 for each of those groups within
 15 a division.
 16 Subdividing perhaps into smaller
 17 groups will not benefit the
 18 membership at large and will
 19 only promote to unnecessarily
 20 duplicate representation at the
 21 division level. Your Bylaws
 22 Committee recommends to reject
 23 the resolutions submitted by
 24 Division 076, Division 510 and
 25 Division 832 and to retain

1 present law." (As read)
 2 I so move.
 3 PRESIDENT HALLÉ: Microphone 2.
 4 DELEGATE GALLAHER, Div. 821: Bob
 5 Gallaher, Locomotive Engineering, 821. I would like to
 6 make an amendment to that resolution there by -- I
 7 recommend that we reject the present law and amend the
 8 resolution submitted by Division 075, Division 510 and
 9 Division 832 to reflect the amendments we made in the
 10 previous motion.
 11 CC-BLC SMITH, Div. 162: Well, then
 12 why not just agree with the committee's
 13 recommendation then?
 14 DELEGATE GALLAHER, Div. 821: I move
 15 to reject. I recommend we reject.
 16 CC-BLC SMITH, Div. 162: Everybody is
 17 getting tire now.
 18 --- Laughter / Rires
 19 PRESIDENT HALLÉ: Microphone 2.
 20 DELEGATE GALLOP, Div. 295: Yes, Ray
 21 Gallop, 295. I disagree with the Bylaw Committee's
 22 recommendation and, if I am doing this right, I would
 23 like to amend it, and to save a lot of work, to the
 24 resolution submitted by Divisions 076, 510 and 832. If
 25 that is the correct way to do it.

1 PRESIDENT HALLÉ: You are against the
 2 recommendation of the Bylaws Committee?
 3 DELEGATE GALLOP, Div. 295: I would
 4 like to amend it to reflect the resolution submitted by
 5 Divisions 076, 510 and 832. I don't know if I am doing
 6 this right. That is why I am double checking.
 7 CC-BLC SMITH, Div. 162: So are you
 8 in favour of what has been submitted by Divisions 075,
 9 510 and 832?
 10 DELEGATE GALLOP, Div. 295: Yes.
 11 CC-BLC SMITH, Div. 162: Then vote
 12 against the committee recommendation --
 13 DELEGATE GALLOP, Div. 295: Okay.
 14 CC-BLC SMITH, Div. 162: -- if that
 15 is your position.
 16 DELEGATE GALLOP, Div. 295: And if
 17 that is defeated, then that is automatically...? Okay,
 18 then I have to redo it.
 19 CC-BLC SMITH, Div. 162: No, then you
 20 would have to get up, as I under stand it --
 21 PRESIDENT HALLÉ: Yes, that is okay.
 22 You vote against --
 23 CC-BLC SMITH, Div. 162: -- and then
 24 it is back on the floor.
 25 PRESIDENT HALLÉ: -- it goes back on

1 the floor.
 2 Microphone 2.
 3 DELEGATE ROPCHAN, Div. 356: I am
 4 Morley Ropchan, Division 356, Locomotive Engineers. I
 5 am in favour of striking down this resolution because
 6 exactly what they say in here, it is too onerous on
 7 divisions to have local committees for trainmen,
 8 conductors and yardmen within one division in a lot of
 9 places because, quite frankly, you have a hard enough
 10 time getting people to run for certain jobs in some of
 11 these places.
 12 And the smaller divisions you get,
 13 you are going to have a very hard time filling these
 14 positions and you are creating a lot of extra local
 15 committees. It is rather onerous on the costs of
 16 divisions and running things on a daily basis.
 17 PRESIDENT HALLÉ: Thank you.
 18 I see no more delegates at the
 19 microphone. We will now vote on the recommendation of
 20 the Bylaws Committee to reject the resolution submitted
 21 by Division 076, Division 510 and Division 832 and to
 22 retain present law.
 23 All ready to vote, please start the
 24 vote.
 25 --- Adopt Bylaws Committee Recommendation

1 --- VOTING
 2 PRESIDENT HALLÉ: 98 in favour,
 3 14 against, the recommendation is accepted.
 4 --- CARRIED
 5 PRESIDENT HALLÉ: Brother Smith.
 6 CC-BLC SMITH, Div. 162: Next we will
 7 go to Division Section 2(b), there is -- related
 8 directly to that last resolution there is five
 9 housekeeping resolutions related.
 10 So we will go to the first one, which
 11 is Division Rules, Section 2(b) on page 65. You will
 12 see it was just adding an "s" to provide for delegates.
 13 I won't bother reading the whole thing. Bylaws
 14 Committee recommends to reject the resolution submitted
 15 by Division 076, 510, 832 and to retain present law.
 16 I so move.
 17 PRESIDENT HALLÉ: Page 65?
 18 CC-BLC SMITH, Div. 162: It is page
 19 65.
 20 PRESIDENT HALLÉ: Okay, we all
 21 understand? I see nobody at the microphone. We will
 22 go for the vote.
 23 Okay the vote is to -- the Bylaws
 24 Committee recommends to reject resolution submitted by
 25 Division 076, 510 and 832 and to retain present law.

1 Please start the vote.
 2 --- Adopt Bylaws Committee Recommendation
 3 --- VOTING
 4 PRESIDENT HALLÉ: 109 in favour, 3
 5 against, motion carried.
 6 --- CARRIED
 7 PRESIDENT HALLÉ: Thank you.
 8 CC-BLC SMITH, Div. 162: On the very
 9 next page Division Section 3(a) exactly the same issue,
 10 purely housekeeping issue, Bylaws Committee recommends
 11 to reject the resolution submitted by Division 076,
 12 510, 832 and to retain present law.
 13 I so move.
 14 PRESIDENT HALLÉ: We have the main
 15 motion. It seems that everybody understands. So we
 16 will vote on the recommendation of the Bylaws Committee
 17 to reject resolution submitted by Division 076, 510,
 18 832 and to retain present law.
 19 Please start the vote.
 20 --- Adopt Bylaws Committee Recommendation
 21 --- VOTING
 22 PRESIDENT HALLÉ: 109 in favour, 2
 23 against, resolution adopted.
 24 --- CARRIED
 25 CC-BLC SMITH, Div. 162: Division

1 Section 17(c), it is the one on page 75, exactly the
 2 same situation.
 3 The Bylaws Committee recommends to
 4 reject the resolution submitted by Division 76, 510 and
 5 832 and to retain present law.
 6 I so move.
 7 PRESIDENT HALLÉ: Okay. Nobody at
 8 the microphone, we will go for the vote.
 9 The Bylaws Committee recommends to
 10 reject the resolution submitted by Divisions 76, 510
 11 and 832 and to retain present law.
 12 Let's start the vote.
 13 --- Adopt Bylaws Committee Recommendation Vote
 14 --- VOTING
 15 PRESIDENT HALLÉ: 106 for, 5 against.
 16 It is adopted.
 17 --- CARRIED
 18 PRESIDENT HALLÉ: Brother Smith.
 19 CC-BLC SMITH, Div. 162: Legislative
 20 rules now, Section 1, paragraph (i) on page 108.
 21 Exactly the same issue.
 22 The Bylaws Committee recommends to
 23 reject the resolution submitted by Division 76, 510 and
 24 832 and to retain present law.
 25 I so move.

1 PRESIDENT HALLÉ: We all understand
 2 the question.
 3 Nobody at the microphone, so we will
 4 have the vote.
 5 The vote is to accept the Bylaws
 6 Committee recommendation to reject the resolution
 7 submitted by Divisions 76, 510, 832 and to retain
 8 present law.
 9 Let's vote.
 10 --- Adopt Bylaws Committee Recommendation Vote
 11 --- VOTING
 12 PRESIDENT HALLÉ: 104 in favour,
 13 6 against.
 14 Carried.
 15 --- CARRIED
 16 CC-BLC SMITH, Div. 162: Legislative
 17 Rules, Section 3, paragraph (c), on page 121. Again
 18 the same issue.
 19 The Bylaws Committee recommends to
 20 reject the resolution submitted by Divisions 76, 510
 21 and 832 and to retain present law.
 22 I so move.
 23 PRESIDENT HALLÉ: It seems that we
 24 all understand.
 25 Nobody at the microphone, let's vote.

1 The recommendation of the
2 Bylaws Committee is to reject the resolution submitted
3 by Divisions 76, 510 and 832 and to retain the present
4 law.

5 Please vote.
6 --- Adopt Bylaws Committee Recommendation Vote
7 --- VOTING

8 PRESIDENT HALLÉ: 106 in favour,
9 5 against.

10 It's adopted.

11 --- CARRIED

12 PRESIDENT HALLÉ: Brother Smith,
13 CC-BLC SMITH, Div. 162: Okay, we
14 will go next, Division Section 1, paragraph (a),
15 sub-paragraph (ii). It is on page 61.

16 The Bylaws Committee recommends to
17 accept the resolution submitted by Division 356 on the
18 TCRC President as it applies to Section 1(a)(ii).

19 I so move.

20 PRESIDENT HALLÉ: I think it is all
21 well understood now.

22 We will vote on the Bylaws Committee
23 recommendation to accept the resolution submitted by
24 Division 356 on the TCRC President as it applies to
25 S1(a)(ii).

1 PRESIDENT HALLÉ: 107 in favour,
2 2 against.

3 Motion adopted.

4 --- CARRIED

5 CC-BLC SMITH, Div. 162: Division
6 Rules, Section 8, paragraph (e), page 67.

7 The Bylaws Committee believes the
8 electing of Division officers should be the will of the
9 division members without undue artificial constraints.

10 Obviously some conditions must be
11 attached to eligibility to run for office such as
12 holding seniority in the craft. But generally
13 constraints should not be employed which inhibit
14 members from being able to choose who, in their
15 opinion, is best qualified for the position.

16 Your Bylaws Committee recommends to
17 reject the resolution submitted by Division 728 and to
18 retain present law.

19 I so move.

20 PRESIDENT HALLÉ: And again it seems
21 well understood.

22 We will vote on the recommendation of
23 the Bylaws Committee, the rejection of resolution
24 submitted by Division 728 to retain present law.

25 Please vote.

1 Let's start the vote.
2 --- Adopt Bylaws Committee Recommendation vote
3 --- VOTING

4 PRESIDENT HALLÉ: 107 in favour,
5 5 against.

6 Adopted.

7 --- CARRIED

8 CC-BLC SMITH, Div. 162: Brothers and
9 sisters, Division Rules, Section 2, paragraph (b) on
10 page 64.

11 The TCRC Bylaws already govern, as
12 per Section 6.6 IBLE, IBT Merger Agreement. Your
13 Bylaws Committee recommends to reject the resolution
14 submitted by Division 356 and retain present law.

15 I so move.

16 PRESIDENT HALLÉ: It seems that it is
17 well understood too.

18 Seeing nobody at the microphone, we
19 will go for the vote.

20 The Bylaws Committee recommends to
21 reject the resolution submitted by Division 356 and
22 retain present law.

23 Please vote.

24 --- Adopt Bylaws Committee Recommendation Vote
25 --- VOTING

1 --- Adopt Bylaws Committee Recommendation Vote

2 PRESIDENT HALLÉ: One hundred and
3 eight in favour, four against. Motion adopted.

4 --- CARRIED

5 CC-BLC SMITH, Div. 162: Divisions
6 Rules Section 8, paragraph (h) on page 69.

7 The resolutions submitted are
8 variations of the interim measures. The resolution
9 submitted by Division 728 is specific to the office of
10 Local Chairman, while the resolutions of Division 356
11 and the TCRC President address the local Committee of
12 Adjustment as a whole.

13 The resolution submitted by Division
14 728 and the TCRC President would restrict eligibility
15 for office to those members who hold seniority in the
16 craft and who are also working in the craft.

17 The resolution submitted by Division
18 356 proposes that eligibility to hold office on the
19 local Committee of Adjustment be open to all members
20 holding seniority in that craft, but that only those
21 members actually working in the craft would be eligible
22 to vote.

23 The resolution submitted by Division
24 356 reflects the reality of the day. There are many
25 current instances of officers on local Committees of

1 Adjustment holding seniority but not actually working
2 in that craft. Nevertheless, they have been elected by
3 the members in that democratic process.

4 In keeping with previous rationale of
5 allowing members, to the extent possible, to make their
6 own determinations, your Bylaws Committee recommends to
7 reject the resolution submitted by Division 728 and the
8 TCRC President and accept the resolution submitted by
9 Division 356.

10 I so move.
11 PRESIDENT HALLÉ: Microphone 4.
12 DELEGATE WHETEN, Div. 728: Mike
13 Wheten, Division 728.

14 When we discussed this resolution at
15 the division, what we had foremost in our mind was
16 craft autonomy. By adding the grandfathering clause,
17 we felt that that gave any conductor or trainman
18 elected to hold office until either defeated or
19 resigning.

20 Our idea wasn't to restrict anybody's
21 ability to run for office but really to maintain craft
22 autonomy.

23 I would just like to speak on that.
24 Thank you very much.
25 PRESIDENT HALLÉ: Thank you.

1 Microphone 2.
2 DELEGATE GALLOP, Div. 295: Division
3 295, Ray Gallop.

4 I just want to voice very strongly
5 against this and that I am for the TCRC President's
6 resolution.

7 This deals a lot with craft autonomy
8 as far as I am concerned, which is very close at heart
9 with me, and everybody can appreciate that. I have
10 seen Brother Benoit up there -- excuse me; I've blanked
11 out here.

12 Anyway, he was up there and a lot of
13 you guys were up there talking about how important
14 craft autonomy is to everybody here. What the TCRC
15 President put in there is close to our heart because it
16 is protecting craft autonomy. It is not taking
17 anything away from anybody who is here presently
18 representing members. They are grandfathered into it.

19 I just want to voice very strongly
20 that I wish hopefully that it would be defeated, 356's,
21 and then I believe I can come up and pursue resolution
22 by the TCRC President. If I am correct, it has to be
23 turned down first before I can come up and ask this one
24 to be adopted.

25 Is that correct?

1 PRESIDENT HALLÉ: You are correct,
2 Brother.

3 DELEGATE GALLOP, Div. 295: Okay.
4 I just want to voice very strongly
5 against this. Again, craft autonomy is all we have
6 right now.

7 I can't run as a local chairman for
8 an engineer, you know, because I don't know those
9 things, what is confined in their collective agreement.
10 And people right now who are local chairmen were
11 engineers. Usually they come up through the ranks.
12 They have been in there for a while and they understand
13 that.

14 It is either yes or no for both
15 sides. I strongly, strongly am against this one.
16 Again, craft autonomy is all we have here. I would
17 like to see this defeated.

18 PRESIDENT HALLÉ: Thank you, Brother.
19 Microphone 4.

20 DELEGATE HAMEL, Div. 319: I would
21 like to make an amendment.

22 I would like to add at the end of
23 resolution (h) from 356: "No member will be allowed to
24 run for local chairman in more than one craft."

25 I will have it over in a second.

1 PRESIDENT HALLÉ: I think it is like
2 the previous one. You have to turn this one down if
3 you want to deal with the motion after.

4 DELEGATE HAMEL, Div. 319: Correct me
5 if I am wrong, Mr. Chair, but they are recommending
6 that we accept 356's, and 356's does not have that in
7 there.

8 PRESIDENT HALLÉ: Okay.
9 DELEGATE HAMEL, Div. 319: I want to
10 amend it.

11 PRESIDENT HALLÉ: Okay. You want to
12 amend the 356 resolution.

13 DELEGATE HAMEL, Div. 319: That is
14 correct.

15 PRESIDENT HALLÉ: Sorry.
16 DELEGATE HAMEL, Div. 319: Thank you.
17 PRESIDENT HALLÉ: Is there a seconder
18 to the amendment?
19 --- Pause

20 CC-BLC SMITH, Div. 162: Gilles, can
21 I clarify something?

22 PRESIDENT HALLÉ: Brothers, just a
23 second. The Chairman of the Bylaws Committee wants to
24 clarify something.

25 CC-BLC SMITH, Div. 162: I just want

1 to clarify. I am hearing people say craft autonomy and
2 they don't want that disturbed. But I understand what
3 356 is saying is if you are a locomotive engineer
4 working on the working list and there is an ESE who
5 holds seniority, the ESE would be eligible to run for
6 local chairman. But only the local, the fellows on the
7 working list, are allowed to vote.

8 I just want to make that clear.

9 PRESIDENT HALLÉ: Are you ready with
10 your amendment?

11 DELEGATE HAMEL, Div. 319: Yes.

12 Mark Hamel, 319. I would just like
13 to clarify my amendment.

14 What this amendment would do is
15 ensure that the locomotive engineers' local chairman
16 would not also be the conductors' chairman. I think it
17 is a good thing.

18 PRESIDENT HALLÉ: Can you read the
19 amendment?

20 DELEGATE HAMEL, Div. 319: Read the
21 whole thing again?

22 DELEGATE HAMEL, Div. 319: Resolution
23 submitted by Division 356 and amended, it would read:

24 "In elections for local
25 committees of adjustment only

1 members holding seniority in the
2 craft end of the jurisdiction of
3 the local committee of
4 adjustments shall be eligible
5 for election from the local
6 committee of adjustments.
7 Members working under the
8 jurisdiction of such committee
9 will be notified of such
10 election and permitted to file
11 or sign nomination papers and
12 vote. No member will be allowed
13 to run for local chairman in
14 more than one craft." (As read)

15 DELEGATE HAMEL, Div. 319: Do I need
16 a seconder before I put it up on the board or...?

17 PRESIDENT HALLÉ: Yes.

18 DELEGATE HAMEL, Div. 319: Okay.

19 PRESIDENT HALLÉ: Is there a seconder
20 to that motion?

21 DELEGATE KIENGENSKY, Div. 657: John
22 Kiengersky, Local 657, Conductor Trainmen. I will
23 second that.

24 PRESIDENT HALLÉ: Okay. Now we will
25 debate on the amendment to the resolution submitted by

1 Division 356.

2 Microphone 2.

3 DELEGATE ROPCHAN, Div. 356: Morley
4 Ropchan, Division 356, Locomotive Engineer. The whole
5 purpose of our division submitting this as a whole, and
6 I am speaking to the amendment, is that we wanted to
7 make this union a union of inclusion and a union that
8 is open to other crafts to join and not have
9 restrictions when they do join.

10 Now, when you start putting in
11 amendments like this you are limiting the democratic
12 process of the division. Let the division and the
13 membership decide who they want as local chairman. Let
14 the division and the membership decide who they want to
15 represent them and they will pick the best people out
16 of everybody you have to choose from.

17 When you start limiting the people
18 that can run for office you are limiting the local
19 division's ability to decide who they want to represent
20 them.

21 --- Applause / Applaudissements

22 PRESIDENT HALLÉ: Microphone number
23 4.

24 DELEGATE MCGUNIGAL, Div. 355:
25 Brother Al McGunigal, Division 355, Locomotive

1 Engineers. Well, I also speak against the
2 recommendation and also speak in favour of the
3 recommendations of the Bylaws Committee. I also
4 believe this is the reality of the day and I believe
5 the Bylaws Committee has captured this specifically
6 through the submission of Division 356. Thank you.

7 PRESIDENT HALLÉ: You are limited to
8 speak on the amendment, Brothers, okay. That is what
9 we are dealing on. Thank you, Al.

10 DELEGATE MCGUNIGAL, Div. 355: Didn't
11 I do that?

12 PRESIDENT HALLÉ: It is okay.

13 DELEGATE MCGUNIGAL, Div. 355: Good.

14 CC-BLC SMITH, Div. 162: But we make
15 sure that the amendment says what it is supposed to
16 say. My understanding was that no member will be
17 allowed to hold office or was it run?

18 PRESIDENT HALLÉ: To run.

19 DELEGATE MCGUNIGAL, Div. 355: To run
20 for -- run for local chairman (inaudible). That is
21 correct. Yes, that is correct. (off mic)

22 CC-BLC SMITH, Div. 162: That is the
23 correct language, okay.

24 PRESIDENT HALLÉ: If I may, brother,
25 I mean I don't think it is permissible to hold two

1 similar offices at the same time and...
 2 Microphone 2.
 3 DELEGATE FRASER, Div. 821: Just as
 4 clarification. It is my understanding that the local
 5 chairman is not an officer of the local and it would
 6 not be out of order to run for both chairman's jobs.
 7 Saying that though, I am against this
 8 amendment. I am local chairman for conductors at
 9 Kamloops, 821. God forbid I would have to local
 10 chairman for engineers at the same time.
 11 Saying that, as Brother Ropchan
 12 states, the last thing I would want to do would be
 13 restrict that ability if I have -- especially in a
 14 small local, it is hard to recruit people for these
 15 jobs. If you had a representative that was doing a
 16 good job for one and the membership felt that they
 17 could do that good job for all, then that would be the
 18 way to go. I would suggest most locals would not have
 19 a joint local chairman, but why restrict that
 20 possibility. Thank you.
 21 PRESIDENT HALLÉ: Did you identify
 22 yourself, Brother Fraser when you got to the
 23 microphone?
 24 DELEGATE FRASER, Div. 821: Ron
 25 Fraser, 821, Conductors, Kamloops.

1 PRESIDENT HALLÉ: Just for point
 2 information, the local chairman are officers of the
 3 division. In UTU rules -- constitution they were not.
 4 In our bylaws they are officers of our division. Just
 5 to make sure everybody understands that.
 6 Microphone number 3.
 7 TRUSTEE WHETEN: Just a further point
 8 of information along the same lines. But I was going
 9 to make a statement myself, Brother Chairman. In our
 10 discussions earlier today it was stated that the
 11 position of a national legislative director would not
 12 be an officer of the union. I would like to state that
 13 the national legislative director is an officer of the
 14 union. Anybody that is elected to a position in the
 15 union is an officer in the union, whether it be at the
 16 division level, the legislative level, the general
 17 committee level or at the national level. I think when
 18 we consider that question or when the Resolution
 19 Committee considers that question tonight under the two
 20 separate sections in the bylaws, what they will be
 21 deciding is whether -- if you decide on Section 4, it
 22 will be whether that national legislative director --
 23 PRESIDENT HALLÉ: You are out of
 24 order, Mike. We are talking about the amendment.
 25 TRUSTEE WHETEN: Okay. The point is,

1 anybody that is elected to a union office in this union
 2 is not --
 3 PRESIDENT HALLÉ: Mike, please.
 4 Brother Mike, we talk about the amendment. It is a
 5 different subject. You talk about national legislative
 6 director, this and that. We are talking to the
 7 amendment made by the brother over there.
 8 Microphone 4.
 9 DELEGATE HAMEL, Div. 319: Mark
 10 Hamel, 319. The reason why I put that amendment in is
 11 because I am a qualified engineer and I shouldn't be
 12 able to hold the office as a local chairman for the
 13 engineers and the conductors, because if there is a
 14 conductor that is not qualified as an engineer then he
 15 can't hold my office, because he is not qualified as an
 16 engineer. That is the only reason why I put it in and
 17 I think it is a good thing. Thank you.
 18 PRESIDENT HALLÉ: Microphone 3,
 19 Brother Swales.
 20 DELEGATE SWALES, Div. 900: Dave
 21 Swales, Division 900, Locomotive Engineers. I am on a
 22 short line where it is the hope of the management that
 23 all conductors become locomotive engineers. I
 24 represent the conductors. As I have heard some of my
 25 brothers say, it is hard to get anybody to run for any

1 of these positions and I have told my members step up
 2 to the plate, because it has come to the point where I
 3 have gotten very tired over the years.
 4 However, nobody wants to step up.
 5 Who is going to represent them? I can't understand why
 6 you would want to take this ability from us. There is
 7 absolutely no way are we going to get two local
 8 chairmen. And we had talks that maybe the MOW wants to
 9 join with very few members. How are we going to get
 10 three local chairmen? It is just not going to happen.
 11 So I am dead set against the amendment that is up
 12 there.
 13 PRESIDENT HALLÉ: Thank you, Brother.
 14 Microphone 2, Brother Gallop.
 15 DELEGATE GALLOP, Div. 295: I guess
 16 I am not going to speak on the amendment. I will wait
 17 until you are done with this one and then I will speak
 18 again, sorry.
 19 PRESIDENT HALLÉ: Okay, just stay
 20 away from the microphone, so I don't..
 21 --- Applause / Applaudissements
 22 PRESIDENT HALLÉ: Okay. See no more
 23 debate on the amendment as proposed. We will vote on
 24 the amendment. Please let us start the vote.
 25 --- VOTING

1 --- Amend Bylaws Committee Recommendation vote
 2 PRESIDENT HALLÉ: 18. No, 19, I
 3 think 19. 19 in favour.
 4 --- DEFEATED
 5 PRESIDENT HALLÉ: And 93 against. So
 6 it failed so we will go debate the information of
 7 Bylaws committee to accept resolution submitted by
 8 division 356. Microphone number 3?
 9 DELEGATE BOURGEOIS, Div. 258: André
 10 Bourgeois, locomotive engineer 258. Okay. Me, I'm
 11 against the resolution submitted by division 356 for
 12 the reason -- we are a merged division, we have got
 13 trainmen and engineers.
 14 If I take the example of my brother,
 15 Paul Leduc from division 258 representing trainmen, so
 16 now we are in the process for election. So if Mr. Paul
 17 Leduc wants to be re-elected and so far his is set up
 18 as locomotive engineer. So where is the democracy on
 19 doing that?
 20 So if he is doing a good job as a
 21 local chairman representing the trainmen, so why won't
 22 he have a chance? So that is why I support the
 23 resolution submitted by the TCRC president. Thank you.
 24 CC-BLC SMITH, Div. 162: Okay.
 25 PRESIDENT HALLÉ: Microphone two,

1 Ropchan.
 2 DELEGATE ROPCHAN, Div. 356: Just a
 3 point of information to the brother who just spoke, the
 4 resolution submitted by our division, 356, would allow
 5 him to run as a conductor.
 6 If you adopted the submission of the
 7 president, he would not be allowed because the
 8 submission of the president says you must be working in
 9 a craft. The submission we put in --
 10 --- Off record discussion / Discussion officieuse
 11 DELEGATE ROPCHAN, Div. 356: Oh,
 12 okay. But anyways, the submission presented by our
 13 division allows him to run for that position. All he
 14 has to do is hold seniority in a craft and not be
 15 working in a craft, but he can't vote for himself.
 16 Only the people working in the craft can vote for it.
 17 And why we put this in is part to do
 18 with the banner that is above the front there about
 19 moving forward together. And we are in the 21st
 20 century, and if we want to include other unions and
 21 other groups to come forward, we want to keep the doors
 22 open for the democratic process to move through all the
 23 division and have the best people run in these
 24 positions, and everyone elect them democratically and
 25 there be no restrictions on who can run for these

1 positions, because like it was said earlier, with
 2 smaller divisions, you want the right people in there
 3 not limiting you or not allowing to run.
 4 --- Applause / Applaudissements
 5 PRESIDENT HALLÉ: Microphone No. 1,
 6 Brother Smith.
 7 DELEGATE SMITH, Div. 667: Tim Smith,
 8 division 667, trainmen conductors. Call for a
 9 question.
 10 --- Applause / Applaudissements
 11 PRESIDENT HALLÉ: Let's call for the
 12 question. And there are one, two, three, four brothers
 13 at the microphone. Is there a second?
 14 UNIDENTIFIED DELEGATE: I'm moving
 15 for a second of order.
 16 PRESIDENT HALLÉ: Now Brother
 17 Lavergne, Jacques Lavergne from 885, okay.
 18 DELEGATE LAVERGNE, Div. 885: Okay.
 19 It's already done.
 20 PRESIDENT HALLÉ: It's already done.
 21 So brother -- there are no more brothers at the
 22 microphone.
 23 DELEGATE GALLOP, Div 295: Right
 24 here.
 25 PRESIDENT HALLÉ: Brother Gallop.

1 DELEGATE GALLOP, Div. 295: I'm here.
 2 --- Laughter / Rires
 3 DELEGATE GALLOP, Div. 295: I'm not
 4 letting go of this one. I just heard the person
 5 speaking just before me. He says, "The best person for
 6 the job." You know what? I'm not going to argue that.
 7 But if I'm the best person for the job, as a local
 8 chairman, should I not be allowed to run for a local
 9 chairman as an engineer if you want the best person for
 10 the job?
 11 You talked about craft autonomy and
 12 you are shooting it down because now it has become one
 13 sided. Only an engineer can do it. This is what I'm
 14 talking about, craft autonomy.
 15 If I'm the best man for the job, I
 16 can run as a local chairman for an engineer. That is
 17 what you are saying now, but it is okay for an engineer
 18 to run as a local chairman for a tail end.
 19 That is wrong. I'm sorry; it's
 20 wrong. You say, "Moving forward." Open it up for
 21 everybody then. Maybe I will want to run for a local
 22 chairman for the RTCs or the RTCs might want to run as
 23 a local chairman for the BLE or the engineers.
 24 Moving forward, you want to go that
 25 route, this is what you are saying, but yet on the

1 second way you are denying it. You are speaking two
2 ways here. That is my personal opinion.

3 PRESIDENT HALLÉ: Hold on brother.
4 Okay. You were at the microphone and you went back to
5 your seat. You are not coming back at the microphone.

6 UNIDENTIFIED SPEAKER: Is there a
7 call for question?

8 PRESIDENT HALLÉ: Yes. There is a
9 call for question; there is a second. The rules are if
10 there is somebody, people at the microphone will speak,
11 but you went back to your --

12 --- Off record discussion / Discussion officieuse

13 PRESIDENT HALLÉ: All right. You
14 relinquish your right when you went back to your seat.
15 Okay. We will now vote on a call for the question and
16 the rules are two-thirds majority. Can we have the
17 vote on, please?

18 You understand you are voting to call
19 for the question. Please vote.

20 --- Call for the Question vote

21 PRESIDENT HALLÉ: 80 percent in
22 favour.

23 --- CARRIED

24 PRESIDENT HALLÉ: 32 against. So two
25 thirds vote. We will now vote on the Bylaws committee

1 will vote on the motion. Everybody is ready? Please
2 start the vote.

3 --- Adopt Bylaws Committee Recommendation vote

4 --- Laughter / Rires

5 PRESIDENT HALLÉ: I'm sorry, Brother.
6 103 in favour, 4 against.

7 Motion carried.

8 --- CARRIED

9 PRESIDENT HALLÉ: That was a motion
10 made by the Chairman of the Bylaws Committee that
11 tomorrow would be considered casual. He doesn't want
12 to wear his tie anymore.

13 --- Laughter / Rires

14 Brother, before, Brother Ruddick, any
15 announcements?

16 TRUSTEE RUDDICK: Just a reminder,
17 the cocktail reception is from 1800 to 2000 tonight in
18 the Laurier Salon on the lower level.

19 And I have been informed we have a
20 brother here today who is celebrating a birthday.

21 Terry Markewich, happy birthday.

22 --- Applause / Applaudissements

23 TRUSTEE RUDDICK: He is 48 years old
24 today which means you are bridgeable. That's a good
25 age to get to.

1 recommendation to reject the resolution submitted by
2 728 and the TCRC president, except the resolution
3 submitted by division 356. You have the vote on?
4 Okay. Ready to go. Let's start the vote.

5 --- Adopt Bylaws Committee Recommendation vote

6 PRESIDENT HALLÉ: 90 percent yes.

7 --- CARRIED

8 --- --- Applause / Applaudissements

9 PRESIDENT HALLÉ: Not 90 percent, 90
10 votes. 21 against. Motion carried. We will do one
11 more and we will recess.

12 --- Laughter / Rires

13 PRESIDENT HALLÉ: Brother Smith?

14 CC-BLC SMITH, Div. 162: Okay. It
15 will be division rules, section 16, paragraph A,
16 page 71.

17 The resolution submitted to amend the
18 language of paragraph A will provide proper wording to
19 facilitate multi-craft representation within divisions.
20 Your Bylaws committee recommends to accept the
21 resolution submitted by division 356, division 728, and
22 the TCRC president.

23 --- Pause

24 PRESIDENT HALLÉ: I think this one is
25 an easy one. I see no delegates at the microphone. We

1 --- Laughter / Rires

2 PRESIDENT HALLÉ: Okay, brothers we
3 will motion to -- we don't need a motion, we will
4 recess until 9 o'clock tomorrow morning.

5 And I want to thank you for your
6 patience today. And hopefully if you have some spare
7 time tonight, read the resolutions that are left in the
8 book to be handled so we can make things work better
9 tomorrow.

10 Thank you very much. Enjoy your
11 evening.

12 --- Whereupon the convention adjourned at 1752 /
13 to resume on Thursday, Septembre 22, 2006
14 at 0900 / La conférence est ajournée à 1752,
15 pour reprendre le mercredi 22 septembre 2006
16 à 0900

1 Ottawa, Ontario / Ottawa (Ontario)
 2 --- Upon resuming on Thursday, September 21, 2006
 3 at 0900 / L'audience reprend le jeudi
 4 21 septembre 2006 à 0900
 5 --- Video presentation / Présentation vidéo
 6 PRESIDENT HALLÉ: Good morning,
 7 Bonjour. I hope you all had a good evening after
 8 that recess.
 9 First we will do an attendance
 10 vote.
 11 --- Pause
 12 PRESIDENT HALLÉ: Brother Chuck,
 13 can you ask him to put the attendance vote on?
 14 --- Off microphone / Sans microphone
 15 PRESIDENT HALLÉ: We need one more
 16 machine over there. Stay there, Lorne. He's
 17 going to come there.
 18 --- Pause
 19 PRESIDENT HALLÉ: Ready to vote.
 20 Let's start the vote.
 21 --- Attendance vote
 22 --- VOTING
 23 PRESIDENT HALLÉ: 84, 27 for 111.
 24 Thank you.
 25 For the first point I might need

1 your help; I lost my reading glasses yesterday. I
 2 am working with a spare one, but they are a couple
 3 of years old so it is giving me a tough time. If
 4 anybody found a pair of Calvin Klein reading
 5 glasses, if you can return them to me, please, I
 6 would really appreciate it.
 7 The next thing, I would like to
 8 invite Brother Dyon to say a few words about this
 9 Charter that you have in front of you.
 10 --- Applause / Applaudissements
 11 PRESIDENT HALLÉ: Ah-ha, now I can
 12 read? Brother Richard, thanks a lot.
 13 SEC. TREASURER DYON: I was
 14 getting scared.
 15 Brothers and Sisters, you have
 16 certainly noticed the new Charters in front of
 17 you. We took the old wording in the old Charters
 18 and we have just done a new thing with our logo.
 19 This is the official Charter for
 20 all our divisions. Please make sure to give it to
 21 the proper Division Officer.
 22 Thank you.
 23 PRESIDENT HALLÉ: We will now
 24 resume with the Bylaws Committee.
 25 Brother Smith, whenever you are

1 ready.
 2 --- Pause
 3 CC-BLC SMITH, Div. 162: Okay.
 4 Good morning brothers and sisters.
 5 If you recall, late yesterday we
 6 started the debate on the position of the National
 7 Legislative Director. We created a National
 8 Legislative Director and then there was more
 9 debate on just how much detail would be attached
 10 to that title within the bylaws.
 11 There were two amendments
 12 proposed, both of which ended up being tabled.
 13 And the committee met last night with, I will call
 14 them the principals for lack of a better
 15 expression, Brother Wheten, Brother Ranson and
 16 Brother Fraser, who had made representations on
 17 that issue. We met with them last evening.
 18 Late Last night I developed what I
 19 hope is something that addresses the concerns that
 20 they raised. So, at this point those amendments
 21 are still tabled.
 22 This morning we haven't had an
 23 opportunity to meet with the three principals to
 24 show the language that we will be proposing.
 25 So I am going to start elsewhere

1 in the book and at the first break we have the
 2 committee will meet with Brother Fraser, Brother
 3 Ranson and Brother Wheten. And hopefully we have
 4 captured some or all of the concerns they had and
 5 we will be able to put that forward to you.
 6 I would also like to point out
 7 that in Brother Ranson's amendment there was, a
 8 portion of that referred to possibly redefining or
 9 reassessing the Vice President's position as it
 10 stands today.
 11 Brother Finnson at his request
 12 asked to be excused from the meeting last night in
 13 case our discussions moved into that area. They
 14 didn't move into that area but Brother Finnson had
 15 asked to be discussed to dissuade any perception
 16 of impropriety or conflict of interest. I just
 17 wanted to point that out.
 18 That being said, we will start
 19 back in the bylaws section and once we have had a
 20 break we will get right back to that National
 21 Legislative Director position and try and clean
 22 that up.
 23 Go to Bylaws Section 12, page 34.
 24 The special representatives as
 25 appointed by the President have a long history of

1 providing valuable service in our organization.
 2 Your Bylaws Committee is of the view that the TCRC
 3 President should continue to have the discretion
 4 to appoint special representatives primarily due
 5 to the vast and varied nature of their duties.

6 Your Bylaws Committee believes the
 7 membership of the TCRC is best served by
 8 continuing the longstanding and normal practice of
 9 excluding any and all TCRC staff from having to be
 10 "elected". Elections are for filling the officer
 11 positions within the TCRC.

12 Your Bylaws Committee recommends
 13 to reject the resolution submitted by Division 631
 14 and Division 657 and to retain present law.

15 I so move.

16 PRESIDENT HALLÉ: Thank you.

17 Microphone No. 4.

18 DELEGATE MARKEWICH, Div. 631:
 19 Markewich, Division 631.

20 I was one of the principals of
 21 the resolution. Since I was also appointed to the
 22 Bylaws Committee, I have kind of reviewed this.

23 If we were to elect six special
 24 representatives we may not get the people that we
 25 need for certain things such as, well the easiest

1 one was computers, financing, websites, et cetera,
 2 et cetera, et cetera.

3 So unfortunately I am unable to
 4 withdraw my resolution, but I do urge you to vote
 5 in favour of the Bylaw Committees recommendation.

6 Thank you.

7 PRESIDENT HALLÉ: Thank you,

8 Brother Markewich.

9 Microphone number 1, Brother Jim.

10 DELEGATE CURRAN, Div. 308: Hi,

11 Brother Hallé. I wanted to make a motion to
 12 reconsider and I was up at the microphone here
 13 earlier before you started. I just wonder if I
 14 can do it now.

15 PRESIDENT HALLÉ: Jim, I am sorry
 16 about that. I didn't see you. I'm sorry.

17 DELEGATE CURRAN, Div. 308: Okay.

18 PRESIDENT HALLÉ: Can we finish
 19 with this one.

20 DELEGATE CURRAN, Div. 308: Yes.

21 PRESIDENT HALLÉ: And right after.

22 DELEGATE CURRAN, Div. 308: No

23 problem.

24 PRESIDENT HALLÉ: If I don't see
 25 you, just yell at me.

1 Any other discussion on debate on
 2 the Bylaws Committee recommendation?

3 Seeing none, we will vote on the
 4 Bylaws Committee recommendation to reject the
 5 resolution submitted by Division 631 and 657 and
 6 to retain the present law.

7 Get the vote ready. Can we get
 8 the vote on, please?

9 Let's start the vote.

10 --- Adopt Bylaws Committee Recommendation vote

11 --- VOTING

12 PRESIDENT HALLÉ: 105 in favour,
 13 6 against.

14 Recommendation carried.

15 Thank you.

16 --- CARRIED

17 CC-BLC SMITH, Div. 162: Bylaws
 18 Section 14, page 36.

19 PRESIDENT HALLÉ: Slow down,
 20 please.

21 CC-BLC SMITH, Div. 162: Oh, I'm
 22 sorry. Sorry, brother.

23 PRESIDENT HALLÉ: Microphone
 24 No. 1.

25 DELEGATE CURRAN, Div. 308: It's

1 Jim Curran, Div. 308, Locomotive Engineer.

2 Yesterday on divisions rule
 3 Section 8(h), I voted in favour of this resolution
 4 submitted by Division 356 and I would like to
 5 reconsider this.

6 PRESIDENT HALLÉ: Do we have a
 7 second?

8 DELEGATE CAMPBELL, Div. 295: John
 9 Campbell, Division 295, Toronto, Locomotive
 10 Engineers.

11 I second the motion.

12 PRESIDENT HALLÉ: Thank you,
 13 Brother Campbell.

14 Go ahead, Brother Curran.

15 DELEGATE CURRAN, Div. 308: Yes,
 16 after reconsidering, I would like to change the,
 17 or make a, on the resolution submitted by Division
 18 358 -- or 356, change it to, "in elections for
 19 local committee of adjustment" and then change
 20 "all members of the TCR division shall be eligible
 21 for election to any local committee of adjustment"
 22 and then leave the rest of the body the same.

23 PRESIDENT HALLÉ: What you have to
 24 do first is give your reason for reconsideration.
 25 We will vote on the motion to reconsider and after

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1 if you want to make an amendment you will be
 2 allowed to do that.

3 But first of all we --

4 DELEGATE CURRAN, Div. 308: The
 5 reason for my reconsideration is you are limiting
 6 the election of these committees to members that
 7 are only at seniority in that craft.

8 And I think the best person should
 9 be eligible to run for these offices and if that
 10 means a conductor being a local chair for the
 11 engineers so be it or vice versa.

12 PRESIDENT HALLÉ: Thank you.
 13 Microphone No. 1.

14 UNIDENTIFIED DELEGATE: Excuse me,
 15 don't you have to have a vote first whether the
 16 body wants to reconsider.

17 PRESIDENT HALLÉ: That is what we
 18 are doing, Brother David.

19 Seeing no other delegates at the
 20 microphone, we will now vote on a motion to
 21 reconsider.

22 We have a motion to reconsider
 23 submissions of yesterday.

24 Please let's start the vote.

25 --- Motion to Reconsider Vote

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1 --- VOTING

2 PRESIDENT HALLÉ: Motion to
 3 reconsider failed, 60 to 51.

4 --- DEFEATED

5 PRESIDENT HALLÉ: Brother Smith?
 6 CC-BLC SMITH, Div. 162: Okay.

7 Brothers and sisters, Bylaws 14, page 36.

8 The resolution submitted by
 9 Division 631, Division 728 and the TCRC President
 10 all propose that one of the Executive Board
 11 quarterly meetings include the General Chairman's
 12 Association and the National Legislative Board.

13 The resolution of Division 728
 14 does not specify how many days will be allotted
 15 for this purpose, while Division 631 proposes that
 16 3 days and the TCRC President proposes 1 day.

17 The resolution of your Bylaws
 18 Committee proposes 2 days be allotted.

19 In addition the Bylaws Committee
 20 agrees with Division 631 that it is important to
 21 specify a time period so that principals involved
 22 can block their time well in advance of the
 23 January meeting and has incorporated that aspect
 24 into the Bylaws Committee resolution.

25 Your Bylaws Committee recommends

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1 to reject the resolution submitted by Division
 2 631, Division 728 and the TCRC President and to
 3 accept the resolution of your Bylaws Committee.

4 I so move.

5 PRESIDENT HALLÉ: Seeing nobody at
 6 the microphones and everybody looking at me, I
 7 think we are going to vote on the Bylaws Committee
 8 recommendation to reject the resolution submitted
 9 by Division 631, 728 and TCRC President and to
 10 accept the resolution of our Bylaws Committee.

11 Can we get a vote on please.
 12 Let's start the vote.

13 --- Adopt Bylaws Committee Recommendation Vote
 14 PRESIDENT HALLÉ: 110 for, 1
 15 against.

16 The motion carried.

17 --- CARRIED

18 CC-BLC SMITH, Div. 162: Bylaws
 19 Section 14, paragraph 6.

20 Your Bylaws Committee recommends
 21 to reject the resolution of Division 320 and to
 22 retain present law.

23 I so move.

24 PRESIDENT HALLÉ: That was 16.
 25 CC-BLC SMITH, Div. 162: That was

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1 16, I'm sorry. I will read that again.
 2 Bylaws Section 14, paragraph 16 on
 3 page 38.

4 The recommendation again is to
 5 reject the resolution of Division 320 and to
 6 retain present law.

7 I so move.

8 PRESIDENT HALLÉ: Seeing no
 9 delegates at the microphone, we will have the
 10 vote.

11 To recommend the rejection of the
 12 resolution submitted by Division 320 and to retain
 13 present law.

14 Let's start the vote.

15 --- Adopt Bylaws Committee Recommendation Vote
 16 --- VOTING

17 PRESIDENT HALLÉ: 106 in favour,
 18 3 against.

19 Motion carried.

20 --- CARRIED

21 CC-BLC SMITH, Div. 162: Bylaws
 22 Section 18, paragraph (a), page 39.

23 The 3 resolutions all deal with
 24 recognizing the need for each craft sector within
 25 a division to be properly represented by delegate.

1 Division 728 proposes to insert a
2 new paragraph within Section 18, while Division 76
3 and the TCRC President prefer to modify paragraph
4 (a) of Section 18.

5 The language in the resolution
6 submitted by Division 728 proposes additionally to
7 still allow a division potential additional votes
8 based on the total number of members in the
9 division.

10 The resolution submitted by
11 Division 76 and the TCRC President are almost
12 identical to each other with the exception
13 Division 76 proposes entitlement of delegates by
14 craft while the TCRC President uses the term
15 "craft sector".

16 Both submissions clearly identify
17 the craft and craft sectors being proposed.

18 Your Bylaws Committee agrees in
19 principle with the resolutions submitted by both
20 Division 76 and the TCRC President but ultimately
21 prefers the resolution of the TCRC President due
22 to the use of the term "craft sector".

23 Your Bylaws Committee recommends
24 to reject the resolution submitted by Division 76
25 and Division 728 and to accept the resolution

1 submitted by the TCRC President.

2 I so move.

3 PRESIDENT HALLÉ: Microphone
4 No. 2.

5 DELEGATE RANSON, Div. 320:
6 Division 320, Gerry Ranson.

7 This is probably a good idea. I
8 just am trying to understand how all these
9 delegates are going to be elected.

10 Is it by membership as a whole, by
11 craft-specific vote or -- and if it is a
12 craft-specific vote does that mean the delegate
13 only comes here and deals with craft-specific
14 issues?

15 CC-BLC SMITH, Div. 162: I don't
16 know. Did you want a response or were you making
17 comment, sir?

18 --- Laughter / Rires

19 CC-BLC SMITH, Div. 162: I mean we
20 are here today with a room full of delegates and
21 we don't vote only on a craft-specific basis.
22 Everybody has a vote on every issue. I don't see
23 anything in here that will change that.

24 DELEGATE RANSON, Div. 320: So,
25 then he would be elected, a delegate would be

1 elected, all the delegates would be elected as
2 they are elected today by a whole membership vote.
3 Is that how you foresee it?

4 CC-BLC SMITH, Div. 162: Just give
5 me a second.

6 --- Pause

7 DELEGATE ABLE, Div. 322: Point of
8 information. Brother Hallé, point of information.

9 PRESIDENT HALLÉ: Just hold on a
10 second, hold on a second. Okay.

11 Yes, Brother Able?

12 DELEGATE ABLE, Div. 322: Dave
13 Able, 322, Engineers. Isn't that covered on page
14 73, Chris? Page 72, 73, because I just --

15 CC-BLC SMITH, Div. 162: In the
16 bylaws or...?

17 DELEGATE ABLE, Div. 322: Yes,
18 under Division Rules.

19 CC-BLC SMITH, Div. 162: No, that
20 pertains to local working conditions and local
21 working rules within a division. You said 73?

22 DELEGATE ABLE, Div. 322: Yes, I
23 think you guys put in there your submission and
24 maybe you want to talk a little bit about it.

25 CC-BLC SMITH, Div. 162: No, but

1 that one, Brother Able, is -- that one is simply
2 for dealing with local issues within a division
3 that come up like, you know, run schedules and
4 things like that --

5 DELEGATE ABLE, Div. 322: Okay.

6 CC-BLC SMITH, Div. 162: -- and
7 for doing local business.

8 PRESIDENT HALLÉ: Microphone 4.

9 DELEGATE HAMEL, Div. 319: Yes,
10 Mark Hamel, 319. Maybe I can help this out.

11 Delegates are elected here and I don't vote for
12 section men, I don't vote for conductors, I vote
13 for engineers. So those would be the delegate
14 that I am voting for to come here, so I would only
15 get the one vote.

16 CC-BLC SMITH, Div. 162: But the
17 question that is asked is how do you select the
18 delegate? Do you vote along craft lines? Is the
19 vote restricted if you are electing a conductor
20 delegate within a multi-craft division? Is it
21 only the conductors who vote for that delegate?
22 As I understand the question, if that is the
23 question.

24 PRESIDENT HALLÉ: Brother Ranson.

25 DELEGATE RANSON, Div. 320: Let me

1 explain. A delegate -- and it always has been
2 this way -- that comes to this body, he represents
3 the division, he doesn't represent a craft. He
4 represents his division. This was the issue that
5 came up when the delegates for the conductor
6 trainmen were appointed and Brother Finnson
7 allowed that appointment to take place in the most
8 democratically way possible and I commend him for
9 that.

10 But then the issue came who gets
11 to vote on that guy? The delegate for the
12 conductor trainmen from Division 320 was elected
13 by a body of the whole. I am not too sure --
14 other divisions did it, but that is the way it
15 should be done. He represents the division just
16 like I do, in the same manner. If we start
17 electing delegates by craft that is fine, but --
18 or to represent, are coming from a specific craft,
19 then he still should be elected by the whole,
20 because he comes here to represent the division.

21 CC-BLC SMITH, Div. 162: I don't
22 see anything that changes that, Brother Ranson, in
23 what is being proposed.

24 DELEGATE RANSON, Div. 320: If
25 that is what we understand. Because there is

1 still a lot of -- just like what Brother Hamel
2 just said, he is trying to bring the working
3 conditions in it because he says he is only
4 elected by locomotive engineers. Well, I just
5 want it understood that when these people go up
6 for election, that it is the whole membership they
7 elect to.

8 CC-BLC SMITH, Div. 162: At this
9 point we have only dealt with the local committee
10 of adjustment within a multi-craft division. To
11 this point, the language would allow for delegate
12 by craft, but the voting would not be restricted
13 to craft voting, it is division voting and it is
14 the allocation of a delegate for each craft.

15 PRESIDENT HALLÉ: Brother Singer,
16 microphone 2.

17 DELEGATE SINGER, Div. 563: Al
18 Singer, Division 563, Locomotive Engineers. As a
19 member of the committee, you know, I have to say
20 that we responded to a resolution that was
21 presented, one from the TCRC President and I
22 believe one from a division. In any case, we
23 dealt with the resolution that was before us and I
24 think, as Brother Smith has said, there is no
25 change to the voting process nor was there any

1 change proposed to the voting process. So I fail
2 to see what the issue is unless there is --

3 PRESIDENT HALLÉ: Thank you.

4 DELEGATE SINGER, Div. 563: --
5 another resolution that we are not aware of or an
6 amendment.

7 DELEGATE BEAVER, Div. 288: Hi, I
8 am Tim Beaver from Division 288, Locomotive
9 Engineers. If we adopt the resolution proposed by
10 the Bylaws Committee, Chris, perhaps you could
11 answer this, explain exactly how this would work
12 if a division next time. Would there be a
13 locomotive engineer nominated, a conductor
14 nominated and then the whole division would vote
15 on it or how would it actually work?

16 CC-BLC SMITH, Div. 162: That is
17 exactly how it would work.

18 DELEGATE BEAVER, Div. 288: But
19 who would nominate the locomotive engineer
20 representative? Would it be the people that are
21 only working in the craft or would it be anybody?

22 CC-BLC SMITH, Div. 162: Now we
23 have to go back to Section 1 again.

24 DELEGATE BEAVER, Div. 288: Yes.
25 CC-BLC SMITH, Div. 162: The

1 nominating and voting within the division is
2 generic. It is not split along craft lines. We
3 did not change anything from the original division
4 voting. So the answer to your question is there
5 is no lines there, it is simply a tool to ensure
6 that there is an opportunity for each craft to
7 have a delegate. That is the thrust of the
8 motion.

9 DELEGATE BEAVER, Div. 288: So
10 because this is new language, you know, it must be
11 because now we have conductors here. So therefore
12 you would only have to have seniority in the
13 craft. Doesn't matter, you wouldn't have to be
14 working. In other words, you may have two
15 conductors here, one representing locomotive
16 engineers and one representing conductors.

17 CC-BLC SMITH, Div. 162: Well now
18 you are going back into the changes that we made
19 in the local committee of adjustment. We are
20 talking about the delegate now.

21 DELEGATE BEAVER, Div. 288: Okay.
22 PRESIDENT HALLÉ: Thank you.

23 There is a brother at microphone 2.

24 DELEGATE GALLOP, Div. 295: Yes,
25 Ray Gallop, 295. So you are saying that, again,

1 it is not going to be voted on by craft? Is that
2 what I am understanding?
3 CC-BLC SMITH, Div. 162: That is
4 what the language, as it exists right now, is it
5 the members of the division vote. Then
6 entitlement --
7 DELEGATE GALLOP, Div. 295: Well,
8 I mean --
9 CC-BLC SMITH, Div. 162: You asked
10 me a question, you know --
11 DELEGATE GALLOP, Div. 295: Yes.
12 CC-BLC SMITH, Div. 162: I am just
13 giving you the answer. I am not saying it is
14 right or it is wrong. The thrust of that
15 resolution was to ensure that the craft got a
16 delegate. The business that we dealt with earlier
17 on division elections tells us how you conduct
18 your elections within the division and that is
19 when we got into discussion and resolutions
20 yesterday regarding local committees of
21 adjustment. There is no companion language for
22 the delegate, so it is a division vote, but there
23 is a delegate by craft.
24 DELEGATE GALLOP, Div. 295: I just
25 feel that it should be voted by craft.

1 PRESIDENT HALLÉ: Microphone 2,
2 Brother Fortin.
3 DELEGATE FORTIN, Div. 319: Good
4 morning, Mike Fortin, Division 319, Trainmen
5 Conductors. I guess the easiest solution here
6 probably would be to put an amendment in there if
7 I could?
8 CC-BLC SMITH, Div. 162: I don't
9 want to answer whether that would be the easiest
10 thing.
11 --- Laughter / Rires
12 DELEGATE FORTIN, Div. 319: Well
13 no, but we will see I guess. Okay, I would like
14 to move that it be tabled so the next break maybe
15 the committee can review it and..
16 DELEGATE SINGER, Div. 563: I will
17 second Brother Fortin's motion.
18 PRESIDENT HALLÉ: Just a second.
19 Tabled until when?
20 DELEGATE FORTIN, Div. 319: To
21 refer it to the committee at the next break I
22 guess.
23 CC-BLC SMITH, Div. 162: Well what
24 do you want the committee to do with it?
25 DELEGATE FORTIN, Div. 319: Well,

1 look at the issues.
2 CC-BLC SMITH, Div. 162: We have
3 made a recommendation. If there is changes sought
4 to our recommendation, in my view, they have to
5 come from the floor. I am happy with it, not that
6 that matters.
7 PRESIDENT HALLÉ: Brothers,
8 Brothers listen, this is the third day and please
9 let us not go on a sliding hill here, because if
10 we start doing this and that and the next question
11 will be are we going to restrict the delegates
12 coming to vote only issues of their craft? I
13 mean, if we go like this it might take until next
14 week. They spend two full weeks on these bylaws.
15 And if we start going this, the next issue will
16 be, and I am sure they will come, they will be
17 restricted when they come here, because if you
18 come on one restriction you will have another
19 restriction. So think about this please.
20 DELEGATE FORTIN, Div. 319: Okay,
21 well could I -- until 1330, could we have it
22 tabled until then?
23 PRESIDENT HALLÉ: Yes, there is a
24 motion to table them. I am just chairing here.
25 DELEGATE SINGER, Div. 563: Then I

1 will --
2 PRESIDENT HALLÉ: Okay, there is a
3 second.
4 Do you motion to second until
5 1330, Brother Singer?
6 There is a motion to second.
7 PRESIDENT HALLÉ: Any debate on
8 the motion? No. Let us have a vote to table. Get
9 ready to vote.
10 Let's vote to table this motion
11 until 1330.
12 --- Motion to Table Vote
13 --- VOTING
14 PRESIDENT HALLÉ: 81 against, 23
15 in favour, so the motion to table is defeated.
16 --- DEFEATED
17 PRESIDENT HALLÉ: Let us go back
18 to the main motion.
19 Microphone 2.
20 DELEGATE McNALLY, Div. 715: Roy
21 McNally, Division 715, Locomotive Engineers. I
22 would like to speak on this issue. I agree with
23 what Gilles said and with what the Bylaws
24 Committee recommends for the simple reason,
25 exactly what you said Gilles, when delegates come

1 to this floor they vote on every issue, not
2 locomotive engineers issues, not conductors issues
3 separately. They vote on every issue, so they
4 should be elected the same way as they are going
5 to vote.

6 --- Applause / Applaudissements

7 PRESIDENT HALLÉ: Microphone 4.

8 TRUSTEE WHETEN: Mike Wheten,
9 Division 728, Locomotive Engineer. I would like
10 to add the amendment that only members working in
11 the craft will vote for the delegate to the
12 convention in that craft.

13 PRESIDENT HALLÉ: Proposed
14 amendment to the main motion.

15 TRUSTEE WHETEN: Gilles, perhaps
16 we should add that at the time of the election.

17 PRESIDENT HALLÉ: Okay, we need
18 the exact wording, Brother Wheten, and you will
19 need a second to do that.

20 Microphone 2.

21 DELEGATE FORTIN, Div. 319: Okay,
22 well I will second Brother Wheten's motion.

23 PRESIDENT HALLÉ: We need the
24 wording, what is your exact motion, Brother
25 Wheten?

1 TRUSTEE WHETEN: I would like to
2 add it into that section, right at the very end of
3 the section for number 4. The wording is, "Only
4 members working in the craft will vote for the
5 delegate to the convention from their craft."

6 PRESIDENT HALLÉ: Okay, can you
7 say it again, because I was just getting a glass
8 of water.

9 TRUSTEE WHETEN: "Only members
10 working in the craft at the time of election will
11 vote for the delegate from their craft to the
12 convention."

13 UNIDENTIFIED DELEGATE: I need it
14 on paper. (...off microphone)

15 PRESIDENT HALLÉ: She needs it on
16 paper. Do you have it on paper?

17 TRUSTEE WHETEN: Yes.

18 --- Pause

19 PRESIDENT HALLÉ: Is it the
20 wording you want, Brother Wheten? Brothers,
21 please. Brothers, please.

22 TRUSTEE WHETEN: Yes, that wording
23 is good.

24 PRESIDENT HALLÉ: Okay, Brother
25 Fortin, is that the wording you want to second?

1 TRUSTEE WHETEN: Only add an
2 amendment saying that, "Only members in the
3 division working in their craft will vote for the
4 delegate of the convention."

5 PRESIDENT HALLÉ: Where do you
6 want to put these words?

7 TRUSTEE WHETEN: Well, I can't
8 tell you from here.

9 PRESIDENT HALLÉ: Okay.

10 TRUSTEE WHETEN: If you want me to
11 write it up and bring it over --

12 PRESIDENT HALLÉ: That is the way
13 we said it, Brother Wheten, we should have that in
14 writing so people over there can write on the
15 screen so everybody can see it.

16 TRUSTEE WHETEN: Okay, I will take
17 a minute and write it out.

18 PRESIDENT HALLÉ: Brother Fortin,
19 can you wait until we know exactly what he wants
20 to do with this? Okay.

21 --- Pause

22 TRUSTEE WHETEN: Brother Chairman,
23 I have the amendment.

24 PRESIDENT HALLÉ: Okay, brothers.
25 Brothers, please...

1 DELEGATE FORTIN, Div. 319: Yes.

2 PRESIDENT HALLÉ: Okay, there is a
3 motion to amend and it is seconded by adding the
4 words "only members working in the craft will vote
5 for the delegate in that craft".

6 Any debate?

7 Microphone No. 3.

8 DELEGATE EDWARDS, Div. 657: Greg
9 Edwards, 657, Locomotive Engineers.

10 I would like to speak against the
11 amendment. This is the wrong place for putting in
12 voting rules for the divisions in the Bylaws. It
13 doesn't belong in this section. The whole debate
14 and the question about how we select delegates to
15 this convention is set out in Section 8 of the
16 Division Rules.

17 Should we pass this amendment, we
18 are putting the Division Rules in the wrong
19 section of the Bylaws. Not only that, the whole
20 resolution itself, if we want to clarify it later,
21 there are a couple of items on the agenda later.
22 I am not sure where would be the appropriate
23 place.

24 There is Reading of Resolutions
25 and Petitions. Maybe a delegate could bring it up

1 there, or in New Business, whichever is
2 appropriate -- I am not sure where -- and try and
3 bring about something in Section 8 of the Division
4 Bylaws that would deal with how we select it. And
5 let's get on with this resolution and get it over
6 with.

7 PRESIDENT HALLÉ: Brother Edward,
8 I agree. Please read also Section 2(b) which
9 talks about qualifications for office.

10 Any other?

11 Brother Grieve?

12 DELEGATE GRIEVE, Div. 747: Mike
13 Grieve, Division 747, Toronto Engineers.

14 As we are all well aware, the
15 division elections are within two weeks of this
16 Bylaws Committee recommendation or any other
17 recommendation is adopted. Would this new
18 delegate or delegates' position be on the ballot
19 immediately with the next month's elections?

20 CC-BLC SMITH, Div. 162: What we
21 were waiting to do was get back to the main
22 motion. The Brother in the front row was going to
23 make an amendment for retroactive application so
24 it would be effective immediately and be
25 applicable for the elections.

1 PRESIDENT HALLÉ: Microphone 3.
2 DELEGATE ANGUS, Div. 737: Don
3 Angus, 737 Engineers.

4 This might be fine for the large
5 terminals, but small terminals like ours, it is
6 not going to work. A lot of times we have more
7 guys cut off than we have set up, so you are going
8 to end up having three guys at a meeting that are
9 set up, or four guys, and that's it. That is all
10 you have to deal with.

11 It is just not going to work in
12 the small terminals.

13 PRESIDENT HALLÉ: Thank you.

14 Seeing no more delegates at the
15 microphone, we will vote on the motion to amend
16 the main resolution that reads: "Only members
17 working in the craft will vote for the delegate in
18 that craft."

19 Can we have the vote, please.
20 Let's start the vote.

21 --- Amend Bylaws Committee Recommendation vote

22 --- VOTING

23 PRESIDENT HALLÉ: Motion to amend
24 has been defeated, 79 to 29.

25 --- DEFEATED

1 PRESIDENT HALLÉ: Let's go back to
2 the main motion and the recommendation of the
3 Bylaws Committee.

4 Microphone No. 2.

5 DELEGATE GALLAHER, Div. 821: Bob
6 Gallaher, Division 821, Locomotive Engineers.

7 I would like to make an amendment
8 to this 18(a) to be effective immediately so that
9 it is in place for our upcoming division
10 elections.

11 PRESIDENT HALLÉ: An amendment by
12 Brother Gallaher to make the change effective
13 immediately, to advise the division.

14 Is there a second?

15 Brother Ken Orr from Division 904,
16 I recognize, seconds the motion.

17 Microphone 2.

18 DELEGATE NIJJAR, Div. 320: Gord
19 Nijjar, 320, Trainmen.

20 I will second that motion.

21 PRESIDENT HALLÉ: It is already
22 seconded. Brother Orr did it.

23 There is a motion to make this
24 thing retroactive.

25 Any debate?

1 Seeing no debate, let's start the
2 vote.

3 --- Amend Bylaws Committee Recommendation vote

4 PRESIDENT HALLÉ: Let's start the
5 vote.

6 --- VOTING

7 PRESIDENT HALLÉ: 100 yes;
8 10 against.

9 The amendment is carried. So it
10 will be retroactive.

11 --- CARRIED

12 PRESIDENT HALLÉ: Let's go back to
13 the main motion, recommendation of the Bylaws
14 Committee.

15 I think we are getting there.

16 Seeing nobody at the microphone,
17 we will vote on the resolution of the Bylaws
18 Committee that has been amended to make it
19 retroactive that we reject resolution submitted by
20 Division 76 and 728 and accept the resolution
21 submitted by the TCRC President, as amended, to be
22 retroactive.

23 Does everybody understand the
24 motion?

25 --- Adopt Bylaws Committee Recommendation as

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1 Amended
 2 vote
 3 PRESIDENT HALLÉ: Let's start the
 4 vote. We are ready to vote. Let's vote.
 5 --- VOTING
 6 PRESIDENT HALLÉ: 102 in favour;
 7 9 against.
 8 The motion is carried.
 9 --- CARRIED
 10 PRESIDENT HALLÉ: Brother Smith.
 11 CC-BLC SMITH, Div. 162: Bylaws
 12 Section 18(b), page 41.
 13 "Your Bylaws Committee
 14 believes that the principle
 15 of one delegate one vote is
 16 preferential.
 17 Your Bylaws Committee recommends to reject the
 18 resolution submitted by Division 76 and to accept
 19 the resolution submitted by the Bylaws Committee."
 20 PRESIDENT HALLÉ: Seeing no
 21 delegates at the microphone, no delegate, we will
 22 prepare to vote, which is the recommendation to
 23 reject the resolution submitted by Division 76 and
 24 to accept the resolution submitted by the Bylaws
 25 Committee.

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1 --- Adopt Bylaws Committee Recommendation vote
 2 PRESIDENT HALLÉ: Let's start the
 3 vote.
 4 --- VOTING
 5 PRESIDENT HALLÉ: 104 in favour;
 6 7 against.
 7 The motion is carried. Thank you.
 8 --- CARRIED
 9 CC-BLC SMITH, Div. 162: Bylaws
 10 Section 18(f), page 42.
 11 "Merger Agreement Article
 12 6.29 - Correction of
 13 Inadvertent Errors, provides
 14 authority to correct errors
 15 in any document related to
 16 the merger. The TCRC Bylaws
 17 is a document related to the
 18 merger. The Bylaws Committee
 19 feels this error should be
 20 corrected under the authority
 21 of Article 6.29 so as not to
 22 give the impression delegate
 23 approval is required to
 24 correct a legitimate error
 25 within the TCRC Bylaws.

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1 Your Bylaws Committee
 2 recommends to reject the
 3 resolution submitted by both
 4 Division 563 and the TCRC
 5 President and to have the
 6 error corrected under the
 7 authority of Merger Agreement
 8 6.29."
 9 I so move.
 10 PRESIDENT HALLÉ: This should be
 11 an easy one.
 12 Prepare to vote, seeing no debate.
 13 --- Adopt Bylaws Committee Recommendation vote
 14 PRESIDENT HALLÉ: Are you ready to
 15 vote? Let's vote.
 16 --- VOTING
 17 PRESIDENT HALLÉ: 111 in favour;
 18 1 against.
 19 The motion is carried.
 20 --- CARRIED
 21 CC-BLC SMITH, Div. 162: Brothers
 22 and Sisters, the next resolution -- there are
 23 three or four that are tied together so we will go
 24 to the main one, which is a new section being
 25 proposed in the Bylaws, found on page 57.

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1 "Division 563 proposes to
 2 confer delegate status on
 3 each General Chairman by
 4 virtue of their holding that
 5 office. The democratic
 6 process within the TCRC is
 7 achieved through the election
 8 of delegates as a separate
 9 entity from all other TCRC
 10 offices. To grant delegate
 11 status to General Chairman
 12 would create an imbalance in
 13 that structure. Additionally
 14 the door would be open for
 15 other TCRC offices to seek
 16 that delegate status be
 17 attached to their positions
 18 as well.
 19 Your Bylaws Committee
 20 recommends to reject the
 21 resolution submitted by
 22 Division 563 and to retain
 23 present law."
 24 I so move.
 25 PRESIDENT HALLÉ: Seeing no

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<p>1 delegates at the microphone, prepare to vote. 2 Let's vote on the resolution of 3 the Bylaws Committee to reject the resolution 4 submitted by Division 563 and to retain present 5 law. 6 Let's start the vote. 7 --- Adopt Bylaws Committee Recommendation vote 8 --- VOTING 9 PRESIDENT HALLÉ: 107 in favour; 10 4 against. 11 The motion is carried. 12 --- CARRIED 13 CC-BLC SMITH, Div. 162: Brothers 14 and Sisters, back to Bylaws Section 19, page 43. 15 It is a related issue. 16 The Bylaws Committee 17 recommendation is exactly the same as the previous 18 one in the remarks. 19 "Your Bylaws Committee 20 recommends to reject the 21 resolution submitted by 22 Division 563 and to retain 23 present law." 24 I so move. 25 PRESIDENT HALLÉ: Seeing no</p>	<p>1 I so move. 2 PRESIDENT HALLÉ: Let's prepare to 3 vote, seeing nobody at the microphone. 4 --- Adopt Bylaws Committee Recommendation vote 5 PRESIDENT HALLÉ: Let's vote. 6 --- VOTING 7 PRESIDENT HALLÉ: 108 in favour; 8 3 against. 9 The motion is carried. 10 --- CARRIED 11 CC-BLC SMITH, Div. 162: The last 12 related issue is found in General Committee Rules, 13 Section 11, paragraph (f), on page 90. 14 "Your Bylaws Committee 15 recommends to reject the 16 resolution submitted by 17 Division 563 and to retain 18 present law." 19 I so move. 20 PRESIDENT HALLÉ: Seeing no 21 delegates at the microphone, could you please 22 prepare to vote. 23 --- Adopt Bylaws Committee Recommendation vote 24 PRESIDENT HALLÉ: Let's vote. 25 --- VOTING</p>
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<p>1 delegates, let's prepare to vote. 2 --- Adopt Bylaws Committee Recommendation vote 3 PRESIDENT HALLÉ: Votes ready? 4 Let's vote. 5 --- VOTING 6 PRESIDENT HALLÉ: 110 in favour; 7 2 against. 8 The motion is carried. 9 --- CARRIED 10 CC-BLC SMITH, Div. 162: Bylaws 11 Section 20, page 44. 12 "Housekeeping pursuant to the 13 resolution of Division 563 to 14 grant General Chairman 15 delegate status. The Bylaws 16 Committee feels it is 17 sufficient that a General 18 Chairman could be elected as 19 a delegate from their 20 respective Division. 21 Your Bylaws Committee 22 recommends to reject the 23 resolution submitted by 24 Division 563 and to retain 25 present law."</p>	<p>1 PRESIDENT HALLÉ: 110 in favour; 2 2 against. 3 The motion is carried. 4 --- CARRIED 5 CC-BLC SMITH, Div. 162: Bylaws 6 Section 27, paragraph (d), page 45. 7 "Your Bylaws Committee agrees 8 with the general rationale 9 advanced by Division 657 but 10 feels the scope should be 11 even finer. The 12 preponderance of the 13 interaction with set back 14 members is at the Division 15 level. The application of 16 s. 27(d) occurs on those 17 properties where crafts are 18 represented by separate 19 unions (i.e. CN). 20 Your Bylaws Committee 21 recommends to reject the 22 resolution submitted by 23 Division 657 and to accept 24 the resolution of your Bylaws 25 Committee."</p>

1 I so move.
 2 PRESIDENT HALLÉ: Seeing no
 3 delegates at the microphone, please prepare to
 4 vote to accept the recommendation of the Bylaws
 5 Committee to reject resolution submitted by
 6 Division 657 and to accept the resolution by the
 7 Bylaws Committee.
 8 Let's vote.
 9 --- Adopt Bylaws Committee Recommendation vote
 10 --- VOTING
 11 PRESIDENT HALLÉ: 109 in favour, 3
 12 against. The motion carried.
 13 --- CARRIED
 14 CC-BLC SMITH, Div. 162: Bylaws,
 15 Section 32, paragraph (a), page 47:
 16 "The resolution submitted by
 17 Division 728 and the TCRC
 18 President seek to establish
 19 an artificial imbalance of
 20 officers within a Division
 21 representing more than one
 22 craft.
 23 Your Bylaws Committee
 24 recommends to reject the
 25 resolutions submitted by the

1 Division 728 and the TCRC
 2 President and retain present
 3 law."
 4 I so move.
 5 PRESIDENT HALLÉ: Seeing no
 6 delegates at the microphone, prepare to vote.
 7 Let's vote.
 8 --- Adopt Bylaws Committee Recommendation vote
 9 --- VOTING
 10 PRESIDENT HALLÉ: 104 in favour, 5
 11 against. Motion carried.
 12 --- CARRIED
 13 CC-BLC SMITH, Div. 162: Bylaws,
 14 Section 32, paragraph (b), page 49:
 15 "Your Bylaws Committee
 16 recommends to accept the
 17 resolution submitted by the
 18 TCRC President."
 19 I so move.
 20 PRESIDENT HALLÉ: Being a pretty
 21 straightforward question, let's prepare to vote.
 22 Let's vote.
 23 --- Adopt Bylaws Committee Recommendation vote
 24 --- VOTING
 25 PRESIDENT HALLÉ: 106 in favour,

1 2 against. The motion carried.
 2 --- CARRIED
 3 CC-BLC SMITH, Div. 162: Bylaws,
 4 Section 32, paragraph (c), page 50:
 5 "Your Bylaws Committee
 6 recommends to accept the
 7 resolution submitted by the
 8 TCRC President."
 9 I so move.
 10 PRESIDENT HALLÉ: A pretty
 11 straightforward question, again. Nobody at the
 12 microphone. Prepare to vote. Let's vote.
 13 --- Adopt Bylaws Committee Recommendation vote
 14 --- VOTING
 15 PRESIDENT HALLÉ: 109 in favour,
 16 nobody against. Motion carried.
 17 --- CARRIED
 18 PRESIDENT HALLÉ: Okay, we are
 19 done for this part, and the plan was 10:20 to be
 20 done with this.
 21 The next Order of Business is the
 22 explanation on the voting for the officers, and
 23 after that the vote.
 24 On the agenda this morning, we
 25 were supposed to have Brother Bill Brehl as a

1 speaker, who is President, Maintenance of Way
 2 Division, but he's still in Calgary. He wants to
 3 apologize for missing this. We have the Brother
 4 Ken Deptuck, from the Maintenance of Way with us.
 5 I'm supposed to have a letter from
 6 Brother Bill Brehl. I will read it this
 7 afternoon, or Brother Ken, who can read it this
 8 afternoon.
 9 If you want to take a quick recess
 10 until 10:30, I think that will be proper, and we
 11 will give you an explanation on the vote, as well
 12 as a keypad for the vote.
 13 Please, let's try to make it for
 14 10:30, sharp.
 15 Thank you, Brothers.
 16 --- Upon recessing 1016 / Suspension à 1016
 17 --- Upon resuming at 1034 / Reprise à 1034
 18 PRESIDENT HALLÉ: Brothers, please
 19 be seated.
 20 Can we hurry up a bit? We have
 21 the election to be conducted and we have people
 22 from the IBT right after that to explain to you
 23 the IBT rules in regards to the IBT election
 24 coming next month.
 25 I think it's very important that

1 you are all seated and you listen to the
2 instruction from Mr. Shields in regard to the
3 vote, and, as well as Mr. Shepherd. He's here to
4 explain to you the confidentiality of these
5 machines.

6 So I will leave the microphone to
7 Jim Shields. Thanks.

8 PARLIAMENTARIAN SHIELDS: Thank
9 you, Mr. Chairman.

10 We just wanted to bring one thing
11 to your attention. When it comes to voting for
12 more than two candidates for a position, as you
13 know in your hand-held machine you can only vote
14 once, so, for example, for trustees, you have the
15 right to vote three times.

16 So in talking with the technical
17 people, it would appear the best way to arrange it
18 so that you can exercise your three votes is that
19 all six names will be on the first ballot. The
20 winner of the first ballot, that's the person with
21 the most votes, is then taken off for the second
22 ballot, because that name has won one of the
23 positions.

24 There will then be a second vote
25 of the remaining five. The winner of that ballot

1 will then be taken off for the third vote, and
2 then that will complete it. That way each person
3 gets to exercise three votes for the six
4 positions.

5 Any questions?

6 PRÉSIDENT HALLÉ : O.K. La manière
7 que ça va fonctionner -- c'est parce que si vous
8 avez plus que deux candidats, la machine n'était
9 pas programmée pour ça, puis le meilleur moyen de
10 donner l'opportunité de voter sur chaque candidat,
11 ce qu'on va faire s'il y a plus que deux
12 candidats, s'il y a cinq candidats, puis on a
13 trois postes -- vous allez voter.

14 La personne qui a le plus de votes
15 sur le premier vote va être enlevée de la liste.
16 Elle est élue.

17 Vous allez voter sur les gens qui
18 restent. La personne au deuxième vote qui a le
19 plus de votes va être enlevée.

20 Vous allez voter une troisième
21 fois sur les gens qui restent. La personne qui a
22 le plus de votes va être la troisième personne
23 élue.

24 Comme ça, vous allez exercer votre
25 droit de vote sur chaque individu, ce qui est la

1 totale démocratie. Merci.

2 PARLIAMENTARIAN SHIELDS:
3 Microphone four.

4 DELEGATE FLEGEL, Div. 793:
5 Mr. Shields, wouldn't be easier if we just voted
6 three times, and then add up all the votes for all
7 the people?

8 I guess my question is: if you
9 take the person that wins off the first election,
10 I may have voted for someone else, but it wouldn't
11 have worked out that that person would have won if
12 I would have -- in the second ballot if that name
13 would have been on there.

14 Do you understand what I'm saying?
15 If you take that person off, I might not have
16 voted in that context, but if you took all -- if
17 we voted three separate times, and then you just
18 add up all the votes and then display the final at
19 the end, and then take the top three at the end,
20 that that would really represent what my vote
21 would be for the trustees, and that's what I'm
22 talking about, the trustees or the alternates,
23 where we vote for three.

24 PARLIAMENTARIAN SHIELDS: Well, if
25 I understand what you are saying, the only problem

1 with that is the vote could be identical each
2 time.

3 DELEGATE FLEGEL, Div. 793: Well,
4 I guess I didn't think of that, but I --

5 PARLIAMENTARIAN SHIELDS: That's
6 why I was suggesting to you, if the candidate with
7 the most votes the first time is taken off, then
8 you do actually get a chance to exercise your
9 right for your second ballot. Because you have
10 three choices.

11 DELEGATE FLEGEL, Div. 793: But if
12 there was a concerted effort to get one person in,
13 everyone could say, "Vote for number two
14 candidate, when in fact, if you did it the normal
15 way and you put all five candidates up, and we had
16 to choose three of the five candidates, there
17 would be no way of playing around with what you
18 are proposing.

19 I'm just putting that forward as
20 discussion, because I'm wondering whether,
21 actually, what you proposed is really what's going
22 to reflect in what truly the membership wants for
23 the positions, when you have multiple positions.

24 PARLIAMENTARIAN SHIELDS: But the
25 process that you are suggesting, if you don't take

1 a candidate off of the ballot, and you vote three
2 times, you are going to have the same results
3 three straight times.

4 DELEGATE FLEGEL, Div. 763: No,
5 because the second time -- there's three
6 candidates for -- I get to choose three trustee
7 positions out of how many nominations there are.

8 PARLIAMENTARIAN SHIELDS: Right.
9 DELEGATE FLEGEL, Div. 763: So
10 vote number one, I would vote and I would vote,
11 let's say, for number two, and then vote number
12 two, I would vote for number four, and then vote
13 number three, I would vote for number six. So if
14 we all did that, and then you tallied the votes up
15 for the three votes, then there would be a total
16 for all of the trustees in that situation.

17 Are they not able to somehow
18 electronically find out whether I am voting three
19 times for No. 2?

20 PARLIAMENTARIAN SHIELDS: What
21 happens at the end of that exercise and you have
22 the same result?

23 In other words, everybody ends up
24 with the same amount of votes?

25 That's what we are trying to

1 avoid.

2 DELEGATE FLEGEL, Div. 793: I
3 guess the problem is, by going to this electronic
4 balloting, we have created a monster. In some
5 ways, being that there are three positions here,
6 we probably should have gone to a ballot vote in
7 this situation, so that there was no question
8 about whether the results were truly what the
9 delegates wished.

10 --- Applause / Applaudissements

11 PARLIAMENTARIAN SHIELDS: What is
12 your concern?

13 DELEGATE FLEGEL, Div. 793: My
14 concern is, if you take one person off the ballot
15 on Vote No. 1 --

16 Let's say, for instance, that
17 delegates want Nos. 1, 2 and 3, for the most part,
18 and a bulk of them vote for No. 1, but the
19 majority of the other guys vote for No. 4. So No.
20 4 actually comes off the list.

21 If some voted for No. 1 and some
22 voted for No. 2 and some voted for No. 3, let's
23 say, one-third, one-third, one-third, but they
24 were all going to vote for those first three
25 candidates, No. 4 could really win, and yet

1 because we put it in the wrong order -- 1, 2, 3;
2 2, 3, 1; and all of those sorts of things -- we
3 could actually have someone who is elected and off
4 the ballot, when that is not what the membership
5 really want.

6 PARLIAMENTARIAN SHIELDS: What you
7 are saying to me is, people who have organized to
8 vote for a slate, if they are not well organized,
9 they could very well not get what they wanted.

10 DELEGATE FLEGEL, Div. 793: I
11 guess what I am saying is, I came in with an
12 understanding that, in the past, when we voted for
13 multiple positions, with a number of different
14 delegates -- like at the IBT Convention, where we
15 had to vote for three or four candidates --

16 PARLIAMENTARIAN SHIELDS: Right.
17 I understand the process. That is why I got up to
18 say, because we have this technical problem where
19 you can only push the button once with each
20 ballot, we have to find a way that you can
21 exercise three votes.

22 That is what you are entitled to.
23 Each individual delegate is entitled to vote for
24 three candidates.

25 DELEGATE FLEGEL, Div. 793: I

1 understand what you are saying, I am just voicing
2 this as a possible problem.

3 I am not saying that it is a
4 problem, but I want to make sure that, whatever
5 the wishes are of this delegation, they come
6 through in the ballot.

7 I just voice it. If it is not a
8 problem, then that's fine, but that is my opinion.

9 PARLIAMENTARIAN SHIELDS: We want
10 to do the exact same thing. We want to make sure
11 that the wishes of the delegates are expressed in
12 their right to vote, particularly where it comes
13 where you have more than two candidates.

14 Two candidates, as you know, is
15 not a problem.

16 I will take that under advisement
17 and get back to you.

18 Microphone 2?

19 Let's start with Microphone 1.

20 DELEGATE ORR, Div. 904: Why can't
21 we just put up one name at a time, and if you so
22 choose to vote for that person, you vote? The
23 second name would come up, and you would vote for
24 that person.

25 That way, each guy is getting his

1 vote.

2 If we do it the way you want to do

3 it -- I have three names in my head right now that

4 I am going to support. It could come up that two

5 of them are running against each other. So, No.

6 1, he gets the vote, but I wanted No. 2 as well.

7 So I lost out on the one guy I want.

8 If you put each individual man up,

9 you will get to push the button if you want him,

10 and you don't push the button if you don't want

11 him, and the total at the end -- you take the six,

12 and the three with the most votes, they win.

13 It's straightforward. That way

14 you are not having No. 1 competing against No. 2,

15 when those are the two I want.

16 You are going to put it up here

17 where we are not, as a committee here, going to

18 end up with our people.

19 Put up one name. If you want him,

20 you vote for him. If you don't, don't vote.

21 No. 2 comes up. You want him, you

22 vote for him. If you don't want him, you don't

23 vote.

24 Each man, then, gets the votes he

25 deserves to get, and he is represented fairly.

1 PARLIAMENTARIAN SHIELDS: The only

2 problem is, you only have the right to vote three

3 times.

4 DELEGATE ORR, Div. 904: Do they

5 have the technology here to keep track of how many

6 times we vote?

7 PARLIAMENTARIAN SHIELDS: No, they

8 can't.

9 UNIDENTIFIED DELEGATE: It's a

10 secret ballot.

11 DELEGATE ORR, Div. 904: Then I

12 think we will have to go to a secret paper ballot,

13 because, the way I see it, who are you going to

14 put up first?

15 PARLIAMENTARIAN SHIELDS: I will

16 take everybody's comments, and then we will get

17 back to you.

18 Microphone No. 2?

19 UNIDENTIFIED DELEGATE: The way I

20 thought it might be done is that we vote, and

21 then, if you want to take somebody off the ballot,

22 shouldn't it be the person with the lowest amount

23 of votes, until we get three people?

24 PARLIAMENTARIAN SHIELDS: The

25 problem with that, though, is that you would have

1 to keep voting for the same people each time.

2 UNIDENTIFIED DELEGATE: If I throw

3 my vote away, I throw my vote away.

4 UNIDENTIFIED DELEGATE: Again, how

5 many people are we allowed to vote for at one

6 time?

7 Is it just two?

8 PARLIAMENTARIAN SHIELDS: If you

9 could do it, we would have one ballot and you

10 would get three votes.

11 What we are trying to do is make

12 sure you can exercise those three votes by doing

13 it one at a time.

14 So your suggestion is: all six

15 names on the ballot, low person comes off.

16 Correct?

17 UNIDENTIFIED DELEGATE: Yes.

18 PARLIAMENTARIAN SHIELDS:

19 Microphone No. 3?

20 Each of these comments I will get

21 back to you on.

22 DELEGATE SWENOR, Div. 952: I just

23 wanted to bring up the scenario where I have three

24 names -- I am entitled to vote for three names --

25 but there is one candidate in particular that I

1 want to make sure gets on.

2 So the first round goes, and I

3 vote for that one candidate. I, for sure, want

4 him there, but he doesn't get on there.

5 The second round comes, and I vote

6 for him again. He doesn't get in there.

7 So the third round comes, and I

8 vote for him again. So now I have used my three

9 votes on one person, and I never got to exercise

10 my votes for the other two.

11 PARLIAMENTARIAN SHIELDS: All

12 right.

13 Microphone No. 4?

14 DELEGATE HAMEL, Div. 319: I was

15 going to say almost the identical thing.

16 In the old elections, you got a

17 piece of paper and you had three votes, and you

18 went "check", "check", "check".

19 This way, I can vote for Mark

20 Hamel three times, and that's not fair.

21 PARLIAMENTARIAN SHIELDS: Okay.

22 Microphone No. 3?

23 DELEGATE HANDKAMER, Div. 076: Mr.

24 Chairman, I am looking at the positions that are

25 open to these votes. There are going to be

1 multiple votes, and the only two positions I see
 2 are for Trustees, and we require three, and the
 3 Alternate Officers, which are three, as well.
 4 The position of Recording
 5 Secretary and National Legislative Director --
 6 there are only two individuals running, so that is
 7 fairly simple.
 8 I would suggest, for the positions
 9 of Trustees and the Alternate Officers, that we go
 10 to a paper vote, and it's done.
 11 --- Applause / Applaudissements
 12 PARLIAMENTARIAN SHIELDS: Okay.
 13 Microphone No. 2?
 14 DELEGATE ORR, Div. 904: I put a
 15 motion on the floor, the same as the Brother, that
 16 we go to a secret paper ballot.
 17 DELEGATE ABLE, Div. 322: I second
 18 that motion.
 19 PARLIAMENTARIAN SHIELDS: Just a
 20 moment.
 21 --- Pause
 22 PARLIAMENTARIAN SHIELDS: All
 23 right, we have another proposal for you.
 24 I gave instructions to you, and I
 25 have taken back comments.

1 If you want to make a motion, wait
 2 until I am finished, and when the Chairman takes
 3 over you can bring your motion.
 4 Is that fair?
 5 The reason I gave you the
 6 explanation was because it is not technically
 7 possible to push the button three times.
 8 In my day, I operated with pen and
 9 paper, and it was very simple.
 10 I now understand that it may be
 11 possible to have one ballot, and you can push the
 12 button three times, and those three votes will be
 13 recorded.
 14 I will let Mr. Shepherd explain
 15 how that can work.
 16 MR. SHEPHERD: Hi. Me again.
 17 Okay. What we can do for the
 18 voting is, we can open up the question. You will
 19 have a choice. The six candidates' names will be
 20 on the screen, in the order that is determined by
 21 somebody else.
 22 We only have four options here,
 23 and the names that I have chosen, I am sorry if
 24 any of them match the actual candidates. I just
 25 took the two most popular French and English names

1 in Canada.
 2 Pierre, are we going to do this
 3 the way we just discussed?
 4 Okay. So what you are going to do
 5 now, for this election, is -- you have a choice of
 6 four candidates. If your first choice is Jack
 7 William, you enter 4. If your second choice is
 8 John Smith, you enter 2. If your third choice is
 9 Jean Tremblay, you enter 3.
 10 Then you press the "Enter" button.
 11 So you are going to put in --
 12 because that is the choice that you had. And,
 13 please, mix it up, so we get a good variety out of
 14 all of this.
 15 My choices would be entered as:
 16 4, 2, 3, "Enter".
 17 This is not timed?
 18 UNIDENTIFIED DELEGATE: What key
 19 is "Enter"?
 20 MR. SHEPHERD: The soft key is the
 21 "Enter" key? The middle one?
 22 I don't know what this means.
 23 --- Laughter / Rires
 24 MR. SHEPHERD: Yes, the button you
 25 push.

1 It is the middle button in back,
 2 the one with the small blue patch on it.
 3 This is not a timed vote on this
 4 one?
 5 It is timed, okay.
 6 We will go ahead with this, as
 7 such, then. We will open up the voting now.
 8 Enter three of the four candidates of your choice
 9 in this hypothetical election. You have 30
 10 seconds to vote.
 11 UNIDENTIFIED DELEGATE: What
 12 happens if I push four -- if I push 1, 2, 3, 4 and
 13 push "Enter"?
 14 MR. SHEPHERD: No. 1 will drop
 15 off, and 4 will be your final choice.
 16 Just enter the three digits that
 17 you want, in the order that you want them.
 18 UNIDENTIFIED DELEGATE: Can I push
 19 No. 2 three times?
 20 MR. SHEPHERD: No. On a
 21 single-paper ballot, would you put three check
 22 marks in one box?
 23 --- Pause
 24 MR. SHEPHERD: There are the
 25 results.

1 Congratulations. Nos. 1, 2 and 3
 2 are now elected.
 3 UNIDENTIFIED DELEGATE: (Off
 4 microphone)
 5 MR. SHEPHERD: That is because it
 6 was a timed vote.
 7 Can we re-set that without the
 8 timer, Pierre?
 9 Okay. Pierre is going to re-set
 10 that without the timer, so we can go through it a
 11 little bit slower.
 12 DELEGATE HANDKAMER, Div. 076: In
 13 regards to the gentleman's question, if I were to
 14 push 2, 2 and 2, would it record three times that
 15 I am voting for that individual?
 16 MR. SHEPHERD: Pierre, would that
 17 record three votes of No. 2?
 18 No, because on a paper ballot you
 19 wouldn't be able to do that.
 20 DELEGATE HANDKAMER, Div. 076: I
 21 know on a paper ballot, but this isn't a paper
 22 ballot, and it, in fact, records it.
 23 MR. SHEPHERD: It should only
 24 record one. It only has one placeholder for that
 25 digit.

1 UNIDENTIFIED DELEGATE: I just
 2 tried it, and it doesn't work.
 3 MR. SHEPHERD: Thank you.
 4 UNIDENTIFIED DELEGATE: When I did
 5 it, I pushed all 1s to see, and it came up
 6 "Invalid", and then I would have to wait five --
 7 DELEGATE HANDKAMER, Div. 076: Is
 8 it invalid only because we don't have a screen up?
 9 We are not voting on anything at
 10 this point, so perhaps --
 11 MR. SHEPHERD: You did it while
 12 the voting period was open, though. Okay.
 13 UNIDENTIFIED DELEGATE: I just
 14 pushed three 1s and it came up "Invalid".
 15 PRESIDENT HALLÉ: Brother, we will
 16 test it.
 17 MR. SHEPHERD: We will test it
 18 again. We will run the question again.
 19 Pierre is re-setting the question
 20 now.
 21 Microphone No. 4, go ahead.
 22 DELEGATE HAMEL, Div. 319: Just to
 23 make sure, maybe we could get the questions up and
 24 just have one person push one number three times,
 25 just to make sure that it doesn't work like that.

1 MR. SHEPHERD: We could do that.
 2 DELEGATE HAMEL, Div. 319: Just
 3 have one person, so if there are three votes, we
 4 know it is not working properly.
 5 MR. SHEPHERD: Brothers and
 6 Sisters, we have a voting machine up here.
 7 We are going to run this again,
 8 and we will do exactly that experiment. We will
 9 press the same button three times, and then
 10 "Enter".
 11 It will take us a second to have
 12 the question re-set.
 13 DELEGATE HAMEL, Div. 319: Thank
 14 you.
 15 MR. SHEPHERD: And it is only this
 16 keypad. Please, nobody else vote. Just this
 17 keypad is going to vote.
 18 So there should only be one vote
 19 showing up for Candidate No. 2. We will use No. 2
 20 as a good example.
 21 --- Pause
 22 MR. SHEPHERD: Are we ready to go
 23 ahead with this, Pierre?
 24 My keypad only.
 25 I have pressed 2 three times.

1 "Enter." It says "Invalid."
 2 Let's see what the result of the
 3 vote is.
 4 Close the vote.
 5 I was "Invalid" because I had
 6 entered the same number three times. So it does
 7 not count any of your votes for No. 2.
 8 UNIDENTIFIED DELEGATE: Now pick
 9 3.
 10 MR. SHEPHERD: Re-open the
 11 question, if you could, Pierre.
 12 --- Pause
 13 MR. SHEPHERD: Just bear with us,
 14 we will have this up and ready to go in just a
 15 moment.
 16 Just so you all know, this is not
 17 the first time we have done this. We have dealt
 18 with most of these questions before. You guys
 19 have thrown a couple of curve balls, but this is a
 20 very proven technology and a very sound
 21 technology.
 22 I will be addressing the
 23 confidentiality aspect of it in a moment, once we
 24 get this mechanical issue resolved.
 25 --- Pause

1 UNIDENTIFIED DELEGATE: It will
2 only accept three numbers?
3 MR. SHEPHERD: It will only accept
4 three numbers. We have told it to only accept
5 three.
6 UNIDENTIFIED DELEGATE: (Off
7 microphone)
8 MR. SHEPHERD: You would have to
9 enter -- if you do one "Enter", it should accept
10 one "Enter".
11 Is anybody planning on voting for
12 just one --
13 I can't ask that. Never mind.
14 --- Laughter / Rires
15 MR. SHEPHERD: Sorry.
16 All right, here we go.
17 What are we trying this time? We
18 are going to try to enter just one number. Okay?
19 So I press "Open", I press "1",
20 and it says "Valid". I press "1", "1", and it
21 says "Invalid".
22 Leave it open, Pierre.
23 You can all try this on yours.
24 Hit "Clear". Press two of the
25 same digits. The first time you press it it's

1 valid, the second time you press it it's invalid.
2 Now, if you press three numbers,
3 where you press No. 1, No. 2 and No. 3, it should
4 say "Valid".
5 Press "Clear" again.
6 I'm sorry, it is the "C" letter.
7 Now, press "1", "2", "1". It will
8 tell you "Invalid", because if you double hit No.
9 1 it won't give you that.
10 What that does is, it spoils
11 your ballot.
12 So, if you only want to vote for
13 one candidate, just enter one number. If you want
14 to vote for two candidates, enter two. If you
15 want to spoil your ballot, enter an "Invalid"
16 number and your vote will not be counted.
17 Does this work for people?
18 Okay.
19 Are there any other questions
20 about the voting technology at this point?
21 I am going to talk about
22 confidentiality now, if not.
23 I love this. Seeing no questions
24 on the floor --
25 Oh, sorry.

1 Go ahead.
2 UNIDENTIFIED DELEGATE: I have a
3 question. Let's say we were voting for -- there
4 are only two people, or three people, or whatever,
5 and we need one.
6 MR. SHEPHERD: Right.
7 UNIDENTIFIED DELEGATE: We
8 accidentally hit the key twice.
9 Okay? Say that it's one of four,
10 and you hit 1 and 2, and you accidentally hit 3.
11 How do you get rid of --
12 MR. SHEPHERD: "Clear." "C."
13 The question was, if you have hit
14 a number in error, how do you remove it from the
15 display. Before the vote closes, you press "C"
16 for "Clear", and you re-enter the number you want.
17 UNIDENTIFIED DELEGATE: How long
18 are we going to have to vote -- the voting time
19 for this? Especially multiple --
20 MR. SHEPHERD: That's up to you.
21 PRESIDENT HALLÉ: We have been
22 voting with 30 seconds most of the time. I think,
23 maybe, this one, we will make it a minute.
24 Would you all agree with a minute?
25 If you agree, say "Yes".

1 UNIDENTIFIED DELEGATE: (Off
2 microphone)
3 PRESIDENT HALLÉ: Watch your
4 language, Brother Beaver, please.
5 All right. For one minute. If
6 you agree say "Yea".
7 SOME DELEGATES: Yea.
8 PRESIDENT HALLÉ: Opposed?
9 We will go for one minute. Thank
10 you.
11 O.K. La durée du vote va être
12 d'une minute.
13 Les instructions, si vous avez
14 bien compris, vous choisissez... c'est un vote qui
15 a trois candidats, puis il va en avoir six.
16 Mettons que vous en choisissiez
17 trois, vous votez pour le candidat numéro 4,
18 numéro 2 et numéro 1, en rotation, faites 4, 3,
19 vous choisissiez, puis après ça, vous faites enter,
20 le bouton du milieu.
21 Vous avez compris? Y a-t-il des
22 problèmes avec ça?
23 Le premier vote, de toute façon,
24 il va avoir deux personnes seulement. Vous en
25 choisissiez une des deux.

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1 Est-ce qu'il y a des problèmes?
2 Puis la durée du vote va être
3 d'une minute.
4 Is there any problem with that,
5 the way it was explained?
6 UNIDENTIFIED DELEGATE: (Off
7 microphone)
8 PRESIDENT HALLÉ: Smitty! The
9 next time I will sit you next to Beaver -- and he
10 is not on the ballot!
11 --- Laughter / Rires
12 PRESIDENT HALLÉ: Now he will
13 explain to you one more time how this is
14 confidential.
15 MR. SHEPHERD: This is
16 confidential. Any questions?
17 I always liken this to a paper
18 ballot. If we were to do this election by a paper
19 ballot, as has been done for years and years,
20 there is a way. If you use fingerprint powder and
21 forensic science, there is a way that I can tie
22 you to your vote and you to your vote and you to
23 your vote. There is a way it can be done. It is
24 not likely and that is why we ask at the end of
25 the election that the ballots be destroyed.

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1 With this system, you all have a
2 smart card ID card, whatever, that authorizes your
3 machine to vote. Your keypad becomes your conduit
4 or your ballot, if you like, your paper ballot.
5 When the information is sent to
6 the computer, the computer sends a signal back
7 saying "valid" or "invalid", which means you know
8 that your vote has counted; that the computer has
9 recorded your vote. According to what we talked
10 about before in terms of how you enter that vote
11 is up to you. If you want to enter an invalid
12 choice -- i.e., to abstain or to spoil your
13 ballot -- you are entitled to do that as well.
14 The confidentiality issue comes
15 from these cards. We know that you have these
16 cards. We know you have these cards, and when the
17 voting takes place there is a file that is created
18 on the computer that says Card No. 1049 -- and I'm
19 sorry if I am singling anybody out. Card No. 1049
20 voted.
21 It creates another file that says
22 this is how many votes were for the first person,
23 second person, third person, fourth person. That
24 is how the files are created, separately.
25 If we were to reconstruct the vote

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1 after the fact, it is theoretically possible for
2 us to tag the answer of one vote to one card.
3 We don't do that. We won't do
4 that. In fact, we never do that. We keep those
5 files separate. Once the vote is over, those
6 files are destroyed.
7 When I say "destroyed", I am not
8 sure how many of you are familiar with computer
9 encryption systems. We use the Level 3 encryption
10 erasing program -- it is by the NSA; it is
11 approved by the NSA in the States -- to wipe all
12 of our machines. After this vote is over, our
13 machine is wiped. The record of the vote is, in
14 my mind, absolutely unretrievable without a super
15 computer to reconstruct it.
16 So in terms of confidentiality,
17 you can have absolute confidence that when you
18 vote, your vote is held in confidence and is not
19 recorded in any way tied to your name. It is a
20 completely anonymous and confidential vote.
21 Are there any questions about
22 that?
23 No?
24 Thank you all, and have a nice
25 rest of the day.

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1 PRESIDENT HALLÉ: By Jesus!
2 --- Applause / Applaudissements
3 PRESIDENT HALLÉ: Thank you,
4 Mr. Shepherd. I thought we were going back to
5 DaVinci Code. For a minute, I thought it was like
6 Dan Brown.
7 Okay, Brothers, Sisters, just to
8 make sure you understand, under Section 37 of our
9 Bylaws, Article (f) of Section 37 -- and I will
10 read it to you:
11 "In the election of officers,
12 a paper or electronic ballot
13 will be used. A majority of
14 the votes cast will be
15 necessary to elect; if there
16 be no election on the first
17 ballot, only the two (2)
18 leading candidates shall be
19 eligible on the second
20 ballot."
21 So we have the right to use the
22 electronic ballot.
23 Section 37(f), page 17.
24 --- Pause
25 PRESIDENT HALLÉ: I was just asked

1 by one of the Brothers whether there was a motion
 2 on the floor when Mr. Shepherd was explaining,
 3 That was not really a motion because Mr. Shepherd
 4 was not the Chair. He was just explaining.
 5 So we will not entertain that
 6 motion.
 7 Is that okay with the people who
 8 put the motion on the floor? Do we all understand
 9 the process?
 10 Confrères francophones, tout le
 11 monde comprend bien?
 12 S'il y a des choix multiples, s'il
 13 y a plus que deux personnes, puis comme l'élection
 14 3, vous en choisissez trois, faites 1, 2, 3, à
 15 votre choix, celui que vous voulez, enter. C'est
 16 beau?
 17 O.K. On va procéder.
 18 Okay, we will proceed with the
 19 election of the Recording Secretary.
 20 Would you please put the people on
 21 and don't start the vote until I tell you.
 22 On this ballot you only have one
 23 vote. It is not a multiple one.
 24 You have the two candidates for
 25 the election of Recording Secretary for Teamsters

1 Canada Rail Conference. Tom Handkamer is number
 2 one and Paul Vickers is number two.
 3 --- Election for Recording Secretary vote
 4 PRESIDENT HALLÉ: You look all set
 5 to vote. You will have a minute to vote. Let's
 6 start the vote.
 7 --- VOTING
 8 PRESIDENT HALLÉ: Brother Vickers
 9 received 78 votes; Brother Handkamer received 34
 10 votes.
 11 Brother Vickers is elected
 12 Recording Secretary.
 13 --- Applause / Applaudissements
 14 PRESIDENT HALLÉ: If you don't
 15 mind, Brothers, we will move on with the election
 16 and later on we will have speeches from the
 17 elected people and people that were running. So
 18 we will carry on with the voting machine because
 19 we have people from IBT at the back door.
 20 Now we will get ready for the
 21 election of the Trustees for the TCRC.
 22 Would you please put the names on
 23 the screen.
 24 You all remember the rule. You
 25 pick your three numbers, you push them in and you

1 push "Enter" after.
 2 Vous choisissez les trois
 3 candidats de votre choix, et ensuite de ça, vous
 4 poussez la clé enter.
 5 Tout le monde est prêt à voter?
 6 Let's start the vote.
 7 --- Election for Trustees vote
 8 --- VOTING
 9 PRESIDENT HALLÉ: We have Brother
 10 Able with 81 votes; Brother Généreux with 77 votes
 11 and Brother Bruce Willows with 57 votes.
 12 They are the three elected
 13 trustees.
 14 --- Applause / Applaudissements
 15 PRESIDENT HALLÉ: We will now move
 16 on for the election of the three Alternates
 17 position to the Rail Conference Officers.
 18 You are voting for three
 19 Alternates for Rail Conference Officers.
 20 Vous votez pour trois alternates
 21 personnes. Donc, vous prenez trois choix.
 22 You have to pick three names, and
 23 after you pick them you will push "Enter".
 24 Faites votre choix, et après ça,
 25 vous poussez sur la clé enter.

1 Tout le monde semble prêt?
 2 Everybody's okay?
 3 Let's start the vote.
 4 --- Election for Alternate Officers vote
 5 --- VOTING
 6 PRESIDENT HALLÉ: We have 88 votes
 7 for Brother Singer, 83 votes for Brother Caldwell,
 8 78 votes for Brother Cormier and 68 votes for
 9 Brother King.
 10 So Brothers Singer, Caldwell and
 11 Cormier are elected Alternates to the TCRC
 12 Officers.
 13 --- Applause / Applaudissements
 14 PRESIDENT HALLÉ: We will now
 15 proceed for the election of the newly created job
 16 of National Legislative Director.
 17 We have two candidates. That
 18 should be easy.
 19 Would you please put the names on:
 20 Brother Henderson, number one; Brother Mike
 21 Wheten, number two.
 22 --- Election for National Legislative Director
 23 vote
 24 PRESIDENT HALLÉ: Everybody is
 25 ready to vote? Let's start the vote.

1 --- VOTING

2 PRESIDENT HALLÉ: Brother Wheten
3 has 76 votes and Brother Henderson has 37.

4 Brother Wheten is elected National
5 Legislative Director.

6 --- Applause / Applaudissements

7 PRESIDENT HALLÉ: Thank you very
8 much. Congratulations to all the elected
9 officers. If we have time later on, we will try
10 to have a little speech for the elected ones, and
11 the candidates defeated, if they want to speak.

12 Just before we move to the
13 election officers from the IBT, I think I would
14 like to say a huge, huge thanks to Brothers Jim
15 Roddick, Dennis Curtis and Mike and Dan, because
16 we sat on this Executive Board now. We will be in
17 a transition period. And especially to Jim and
18 Dennis for all the effort we put together, the
19 good and the bad times we had on this Board. I
20 certainly appreciate your help and dedication to
21 this organization.

22 It was a pleasure to work with
23 you, Brothers.

24 --- Applause / Applaudissements

25 PRESIDENT HALLÉ: I would like to

1 introduce the representatives of the Office of the
2 Election Supervisor. They are with us today to
3 explain the procedures relative to the upcoming
4 Teamsters Officers election.

5 Understand that this vote is
6 separate and apart from our vote to elect the
7 three officers of the TCRC Board.

8 With us today is Matthew Fitch of
9 Merriman River. He is the Director of Eligibility
10 and Data. He will give us a brief overview of our
11 role in the upcoming IBT election, which is a
12 precursor to our TCRC election.

13 With Matt and Maria Ho and
14 Nathaniel Decker of the Election Office, if you
15 have any questions regarding eligibility or the
16 election process, you can speak to them on the
17 side and they will be glad to answer all of your
18 questions.

19 Please go ahead.

20 BROTHER FITCH: Thank you,
21 Mr. President. Thank you for welcoming us to your
22 inaugural convention. I do promise to be brief.
23 I know you have a very full agenda.

24 As the President suggested, I am
25 here to talk about the IBT election which is

1 upcoming, which is a different election than what
2 you are working on here. It comes first. It is
3 somewhat of a precursor, however, because the data
4 that we are going to need to collect, although it
5 is not the same standards of eligibility, the act
6 of getting the mailing list updated and accurate
7 and collecting user data and dues data will be
8 helpful for your process as well. So I will give
9 you a brief overview.

10 I guess it would be helpful to
11 explain why we are doing this and why we are
12 asking for this information. I know some of you
13 are a little bit lost as to why we are coming here
14 and saying that we need certain things.

15 For most of you, this is your
16 first participation in the Teamsters Canada Rail
17 Conference. Many of you were the Locomotive
18 Engineers previously. With the merger with the
19 Teamsters came a certain set of obligations dating
20 back to 1989 with the Teamsters when they in a
21 reform effort signed a consent order in the United
22 States with the United States government to remove
23 elements of corruption within the union. It is
24 largely a self-policing effort now with an
25 independent review board and an election office

1 that handles rank and file voting. I know that
2 you are in the process of moving to a rank and
3 file system as well.

4 With that rank and file voting
5 comes an obligation and it's a mutual obligation
6 for the election office and for TCRC and all
7 Teamster's members to enfranchise as many Teamster
8 members as possible. And to do that we have
9 to do a couple of things.

10 First and foremost, obviously we
11 have to collect mailing lists so we can get
12 members their ballots and that process is actually
13 underway now. The ballots are going to be mailed
14 on Friday, October 6th, and many lists are still
15 at the mail house, are already at the mail house,
16 and they are going to be mailed for Canada out of
17 Calgary on Friday, October 6th.

18 And our Teamster election will
19 start on November 14th and finish on November
20 17th. So, our Teamster election will be done
21 presumably before you start your election.

22 In addition to the mailing list
23 information that we are going to need your help
24 collecting from employers and TCRC's, and the
25 GCA's are working with us on that, we also are

1 going to need dues information because again we
2 have to determine who is eligible to vote.

3 And the standards of who is
4 eligible to vote in the Teamster election will
5 probably be somewhat different than the standard
6 for your election. But in any case we are going
7 to need to collect that, we are going to need to
8 collect that data.

9 And so we encourage you to stay in
10 regular contact with your employers who tend to
11 have better membership information. Members, rank
12 and file members, often will notify their employer
13 about a new address before they will notify their
14 union because typically their paycheque gets
15 mailed to them.

16 And so that is something that is,
17 they may forget to notify the union but they
18 rarely forget to notify the employer. In working
19 with the union and working with the employer we
20 can get the best possible list available.

21 A word about how the TITAN System
22 operates with the Teamsters. The TITAN stands for
23 the Teamster's Information Terminal Accounting
24 Network.

25 So, the vast majority of

1 Teamsters, about 1.3 out of 1.5 million Teamsters
2 are on one centralized real time accounting
3 network where the dues are entered at the local
4 level, the GC level, whatever the entity that's
5 handling dues payment information, and it's
6 available in real time to the Teamsters and their
7 conferences so they can see who is active, where
8 they live, when the employer remitted the last
9 dues.

10 It's a very efficient way of
11 managing member dues. The problem is that with
12 their merger the TCRC the Teamsters haven't quite
13 gotten around to getting you folks on the system
14 yet.

15 I mean I know it's something they
16 are going to do. They haven't done it yet. And
17 so we are dealing with the TCRC on a case by case
18 basis. And that's why we are here.

19 We had the privilege of speaking
20 to Mr. Vickers, Mr. Leclair and Mr. Sewchuk last
21 week. And they have been very helpful to us as
22 well.

23 So that's basically why we are
24 here. As promised I didn't want to take up a lot
25 of time.

1 But where are Nathaniel and
2 Maria -- over there. If you have any questions
3 regarding eligibility for the Teamster process or
4 information about the election, they are here and
5 I am here to answer any questions off to the side.
6 So I will let you get back to your agenda.

7 But if you have any questions now
8 that you think would pertain to everybody, I would
9 be glad to answer any questions.

10 All right. Easy crowd. Not bad.

11 Okay, we will be over there until
12 you break for lunch and thank you very much for
13 your time.

14 --- Applause / Applaudissements

15 PRESIDENT HALLÉ: Okay. Where is
16 Brother Deptuck? Is Brother Deptuck at the back?

17 Okay. Where is Mark Robb?

18 BROTHER ROBB, Div. 945: Here.

19 PRESIDENT HALLÉ: Mark, do you
20 want to do your draw now? We have a couple, we
21 have maybe 5 minutes. We can do that.

22 What we will do, Mark Robb, the
23 President of BRCF will have a draw for this
24 beautiful picture there. And if we can do that
25 now and if somebody can find Brother Ken Deptuck

1 there are two things that we have to do.

2 And because we are not going back
3 to the Bylaws Committee we have to recess at
4 11:30. Unless you want to do a little more
5 bylaws, but we should recess and come back for 1
6 o'clock.

7 So, if Brother Mark is coming for
8 the draw of his picture. And explain what this
9 picture is all about, Mark. Come on up. The
10 Vancouver guy.

11 --- Laughter / Rires

12 BROTHER ROBB, Div. 945: It is a
13 Vancouver engine. Thank you, Gilles.

14 We have a picture here that is by
15 a Canadian artist. Unfortunately he is deceased
16 now but it makes the limited edition print that
17 much more valuable.

18 It is of a Canadian steam
19 locomotive currently in use on the west coast.

20 The draw is restricted to the
21 delegates here. So, one of you will be taking
22 this home with you and I hope you enjoy it through
23 the years ahead.

24 Get one here.

25 And the winner is me. No.

1 --- Laughter / Rires
 2 BROTHER ROBB, Div. 945: Eric
 3 MacKinnon, Division 128. Where's Eric?
 4 --- Applause / Applaudissements
 5 DELEGATE MacKINNON, Div. 128:
 6 Thank you.
 7 PRESIDENT HALLÉ: Do you want to
 8 present it to him so we can...
 9 BROTHER ROBB, Div. 945: Sure,
 10 okay. All right, I will get that.
 11 DELEGATE MacKINNON, Div. 128: I
 12 don't know if I would remember how to run one of
 13 those things.
 14 UNIDENTIFIED DELEGATE: It's not
 15 that old.
 16 PRESIDENT HALLÉ: It's not a VIA,
 17 you see. It's an old steam.
 18 --- Applause / Applaudissements
 19 PRESIDENT HALLÉ: So, Brother Ken
 20 is just coming down. I just saw him coming.
 21 So this afternoon we will go back
 22 to the Bylaws Committee and do you have, how many
 23 rules do you have to deal with?
 24 CC-BLC SMITH, Div. 128: 23 to 30.
 25 We have some that we will propose to withdraw as

1 business continues they become irrelevant, the
 2 most of which we are keeping a list.
 3 So if we are going to resume after
 4 dinner I think we will probably jump right in to
 5 where we left off yesterday with the National
 6 Legislative Director and try and put that to bed
 7 because there's a lot of things that fall in with
 8 that issue that we can get clicked off pretty
 9 quick once we get by that main portion.
 10 PRESIDENT HALLÉ: Thank you.
 11 Now I will introduce Brother Ken
 12 Deptuck from Teamsters Canada attached to the
 13 Maintenance and Way Division. He will read a
 14 letter from Brother Bill Brehl.
 15 --- Applause / Applaudissements
 16 DELEGATE DEPTUCK, MWED: Thank you
 17 all. Thank you Brother Hallé. And thank you for
 18 the invitation.
 19 I have been here all week and I
 20 applaud you all for running a very good smooth,
 21 orderly convention. I have been to many in my
 22 career and they haven't been pretty.
 23 I salute you all for being very
 24 professional and orderly in what you do and still
 25 getting your point across. I applaud you all.

1 Brother Bill Brehl, President of
 2 the TCRC MWED sends his sincere apologies for not
 3 being in attendance today. He thought he would be
 4 back for this morning from the west and something
 5 delayed him.
 6 And he called me last night and
 7 asked me if Brother Gilles could let me just say a
 8 few words on his behalf. I know you have got a
 9 full agenda still but he would really like to
 10 express a few words to all of you that, a number
 11 of you he knows, as well as I, and the number of
 12 people that I have met this week, it is very
 13 important.
 14 So it is a short letter:
 15 "Brothers and sisters,
 16 I would like to take this
 17 moment to congratulate you on
 18 your first Teamsters Canada
 19 Rail Conference convention.
 20 This is a gigantic step and
 21 an historic moment for both
 22 your divisions and for all of
 23 rail labour. I wish you
 24 every success and
 25 congratulate you on making it

1 happen.
 2 I would also like to
 3 thank you and your President,
 4 Gilles Hallé, for inviting me
 5 and I am extremely sorry that
 6 I was unable to attend this
 7 momentous occasion. I had
 8 been looking forward to
 9 seeing all of my friends in
 10 your conference and meeting
 11 the rest of the delegates,
 12 but other priorities and
 13 commitments made this
 14 impossible. I was still
 15 hoping to get back in time to
 16 see you today, but fate and
 17 travel arrangements made that
 18 impossible.
 19 When I heard that you had
 20 passed the resolution in
 21 favour of rank and file
 22 elections for your principle
 23 officers I was truly
 24 impressed.
 25 Within my bargaining

<p style="text-align: right;">Page 541</p> <p>1 unit, this was always a 2 contentious issue, one that I 3 had fought hard in favour of 4 for years. We had to have a 5 major civil war to accomplish 6 it, but finally, by becoming 7 Teamsters, we managed to 8 bring it about. 9 The TCRC MWED had direct 10 elections for all positions 11 on our executive board last 12 year for the first time ever 13 and it was by far one of the 14 greatest changes that we had 15 embraced. 16 I believe that a Union 17 must be the embodiment of 18 democracy. It must be 19 transparent and it must be 20 fair and it must be 21 accountable. Direct 22 elections give you this. 23 One member, one vote. 24 Involving the rank and 25 file, and being accountable</p>	<p style="text-align: right;">Page 543</p> <p>1 possible when you arrived. 2 So I won't go on too long, 3 but I do have one more thing 4 to say. 5 I just want to say that I 6 truly do believe in united 7 rail labour. I believe that 8 the Rail Conference should be 9 united, with autonomy, as all 10 Teamsters ... strong and 11 proud. I believe that this 12 is not only possible ... it 13 is necessary. Look how far 14 we have come in such a short 15 while, but also look how far 16 we still have to go. 17 I believe that together 18 at work, united at the 19 bargaining table and allied 20 in our conference ... we will 21 be at our strongest ... and 22 that unified we will be 23 unbeatable. 24 Let's look to the future 25 with a plan and a strategy to</p>
<p style="text-align: right;">Page 542</p> <p>1 to them, is the only way any 2 Union can thrive. This is 3 because the rank and file are 4 the Union. And the rank and 5 file should own the right to 6 elect. 7 This is your membership's 8 election. No other local or 9 division can or should 10 involve themselves. But you 11 must ensure that your own 12 membership gets involved. 13 You are the elected delegates 14 of your membership and so are 15 leaders to a great degree. 16 And as leaders you must work 17 hard to get the vote out, to 18 ensure that your membership 19 exercises this hard won 20 right. 21 Brothers, I know that it 22 has been a long week for you 23 and that you have 24 accomplished a lot. Probably 25 more than you felt was</p>	<p style="text-align: right;">Page 544</p> <p>1 unite all railway workers. 2 To bring all of us together 3 ... as we should be ... as we 4 must be ... as we will be. 5 Let's end the "pattern 6 bargaining" that the carriers 7 use against us ... let's end 8 the petty differences and the 9 playground politics that keep 10 Unions at each other's 11 throats Let us dare to 12 be the Union that our 13 forefathers dreamed of. 14 With the combined 15 strength and talent of all 16 railroaders (in our 17 organizations) we can change 18 the face of rail labour ... 19 let's be the leaders that 20 bring this dream to fruition. 21 You are trade unionists 22 ... you are the people who 23 truly care about the way 24 things are and the way that 25 they can be ... and in that</p>

1 we are already united. You
 2 have my respect and my
 3 friendship and my pledge that
 4 I will continue to work
 5 towards a common goal of
 6 United rail labour ... for
 7 now ... forever.
 8 Good luck and god bless.
 9 William Brehl
 10 President
 11 TCRC MWED."
 12 --- Applause / Applaudissements
 13 PRESIDENT HALLÉ: Okay. Brother
 14 Jim, any announcements? I have to put my piece of
 15 paper, sorry.
 16 Okay, we will recess until 1
 17 o'clock. And let's try to be on time, we might
 18 have a long afternoon. So we will see you at 1
 19 o'clock.
 20 And where is Brother Ellerbeck?
 21 Rick, I need to talk to you.
 22 Thank you. I will see you at
 23 1 o'clock.
 24 --- Upon recessing at 1135 / Suspension à 1135
 25 --- Upon resuming at 1303 / Reprise à 1303

1 PRESIDENT HALLÉ: Brothers, please
 2 be seated.
 3 Can we prepare a vote for an
 4 attendance call, please, an attendance vote?
 5 Okay. We have the vote on the
 6 screen, if you have your cards in. We will wait a
 7 few seconds so everybody can put their cards in.
 8 Okay. Let's start the vote.
 9 --- Attendance Vote
 10 --- VOTING
 11 PRESIDENT HALLÉ: 77 -- 107
 12 members seated.
 13 Okay. Before we go right back to
 14 the Bylaws Committee, we still have one speaker
 15 and he said he will be short. We had one speaker
 16 on the agenda, as I call a "floating speaker".
 17 --- Laughter / Rires
 18 PRESIDENT HALLÉ: We had him
 19 yesterday morning to introduce the guest speaker
 20 at breakfast. This is a lobbyist, Teamsters
 21 Canada lobbyist in Ottawa, that opened a lot of
 22 doors for us when we need to get to the government
 23 people. He has been a great asset. It is one of
 24 the great assets we got out of a merger with IBT,
 25 and especially becoming part of Teamster Canada,

1 and we have used Phil a lot since that merger.
 2 I would like to introduce Phil
 3 Benson. As soon as he starts lobbying he will
 4 come.
 5 --- Laughter / Rires
 6 BROTHER BENSON: Thanks, Brother.
 7 --- Applause / Applaudissements
 8 BROTHER BENSON: Good afternoon,
 9 bonjour tout le monde.
 10 It's great to be here. It's great
 11 to see you all. I'm sort of a new teamster, too.
 12 I came onboard the same time as you did. But just
 13 to put your mind at ease, 2006 is my twentieth
 14 year working on these streets and blocks for first
 15 the Canadian Federation of Labour, Building
 16 Trades, the AFL-CIL and now very, very proud to be
 17 a Teamsterist.
 18 To be short, some people have
 19 asked me how do we access me for issues and it's
 20 really simple. You can talk to your Chair or your
 21 local -- pass it up to, I guess it would be
 22 Brother Wheaten now, or whoever, or you can just
 23 send me an email. We deal with every issue. When
 24 President Bouvier said we were a service
 25 organization we are.

1 When I came onboard they gave me
 2 two marching orders. The second one I will keep
 3 to myself but the first one was really simple,
 4 that anywhere anytime a Teamster organization, any
 5 of our locals, divisions, chairs; whoever call
 6 that's priority.
 7 And I really got to know you guys
 8 going through your triennial meetings. The
 9 information you gave to me allowed me to be a
 10 little bit more than a talking head to understand
 11 a little bit of how your work is going. It's
 12 really important for me to get out of this bubble.
 13 The bubble in Ottawa is you come here and you go,
 14 "How is it going?" "Who is winning?" "Who is going
 15 in the next election?" "Did you read the poll
 16 yesterday in the Globe?" So you have been here
 17 for 20 minutes and people ask me that.
 18 Inside the bubble here, you know,
 19 a little sliver is a telephone poll. Every
 20 last -- every poll has to be mulled over. Any
 21 word that is said has to be crazy. Once you get
 22 out of the bubble you realize nobody gives a shit.
 23 What counts is Teamsters on the
 24 job, their work relationship with their companies,
 25 health and safety, safety issues.

1 We are non-partisan. We deal with
2 every party. We have friends in every party. For
3 people who saw Brian Jean would you say he is an
4 anti-union guy? So what if we were going to say,
5 "Oh, God, he is a Conservative. He is from
6 Alberta. He is a right-wing something or other."
7 He is not. He meant it when he has an open door
8 policy. He meant it.

9 Second, from the Conservatives, to
10 be blunt about it they made it very clear they
11 want the Teamsters onsite and on bills. They
12 recognize that we are the choice of transportation
13 workers in Canada. They recognize the importance.
14 It has made a subtle change in Transport Canada
15 which, if I had more time I would talk to you, but
16 I think it is moving ahead.

17 Stuff I have on the agenda right
18 now. We have Bill C-6 which is the trucks --
19 sorry, not trucks. It is tunnels, bridges, roads
20 going to the United States. We appeared on that
21 bill. It does have an impact on rail. Bill C-11
22 Railway Act is going somewhere to second reading.
23 I have already contacted the Transport Committee
24 chair to get her name on the list. I will be
25 working very closely with TCRC Locomotive

1 Engineers on that bill as well as Maintenance of
2 Way. Bill C-20 we have the Aeronautics Act
3 keeping us busy; PIPEDA, Privacy Act; CIPA; the
4 Environmental Protection Act; TTGA. I will tell
5 you a story about that in a minute, but the
6 Transportation Goods Act is coming. The TTGA is
7 an interesting one.

8 I want to talk about the synergy
9 of Teamsters Canada; Teamsters Canada rail freight
10 division, how we all fit together. The very first
11 thing I lobbied for Teamsters was a little thing
12 called the meal allowance for transportation
13 workers and we are the only union doing that,
14 believe it or not. Here are the unions saying we
15 care about transport workers. We are kind of
16 lonely on that one.

17 To be honest with you, when I went
18 to the file it was a done deal. We were going to
19 get money and a raise, but there is two kickers.
20 Obviously, we were talking trucks at the time
21 because this is just before you came in, and the
22 two kickers were we wanted in American money when
23 in America and; two, which we argued for, was a
24 COLA clause. We didn't want to have to wait for
25 20 years for a new review of it. Both were

1 accepted. That went through.

2 The second thing started was the
3 Dangerous Goods Act. It started to be reviewed
4 and, I think at the time it was Donny -- where is
5 Donny Anderson here? We went for a six and a half
6 hour trip up to Sudbury for a 20-minute meeting.

7 It turned out to be a really
8 important 20-minute meeting, because in the middle
9 of the meeting they mentioned something called a
10 council.

11 I asked Don, "Did you hear
12 'council'? What's this council?". I had been
13 hearing that you guys, and lots of people, there
14 have been changes to rules, handling of dangers
15 goods, et cetera, and nobody had a clue where they
16 came from. They came from this council, a little
17 advisory council tucked away in the middle of
18 nowhere.

19 A few phone calls later, we are on
20 the advisory council. And I loved it. I'm going
21 to assume that it was Benny or George, I don't
22 know if we walked in -- but we walked into this
23 council and sat down, and the railway guys all
24 turned and looked -- Mr. Reed was the chair.
25 "What are these strangers doing here? They are

1 not on the council", and he said, "Well, they are
2 here by invitation of the minister".

3 "But you need a regulation to do
4 that". He said, "Well, the minister told me it
5 would take six to eight months, and if you really
6 wanted to do that, Red, he would do it".

7 Just to show the importance of
8 that, anything to do with dangerous goods,
9 Teamsters Canada Rail Conference, Teamsters
10 Canada, sits on that committee with all the
11 companies' reps, rail associations, trucking
12 companies, and I will just give you an example of
13 the most recent one.

14 They did a report on derailments,
15 a study on derailments, it was a very nice report,
16 and I asked a question: is Teamsters Canada Rail
17 Conference there?

18 "Well, no, we called the Railway
19 Association of Canada and they just gave us CN and
20 CP".

21 I said, "Well, gosh, darn, I think
22 we have something to say".

23 So I'm really glad to say that
24 Teamsters Canada Rail Conference of Locomotive
25 Engineers and Maintenance of Way now sit on that

1 committee. It's very important to Maintenance of
2 Way, because one thing I was lobbying for with
3 them was the issue of derailment near their
4 sleeper bunks. So, again, this sort of synergy
5 and linkages.

6 A current issue has been the
7 regulations to revise the federal code on
8 pensions, how they are going to fund them. We did
9 put a submission, and the best new about that was,
10 again -- we are one of the few unions that did --
11 is that I had an opportunity to meet the chief
12 person in Finance Canada responsible for
13 stick-handling it through.

14 I met him before our presentation,
15 he called me afterwards, and he wants to meet
16 again, so hopefully we will push that through.

17 One thing I face, I go from air to
18 rail to road to ports to mass transit. A big
19 issue is security. There's something coming
20 called the -- I'm not sure what they are going to
21 call it, but it's going to be a Transportation
22 Canada card with a security issue to it.

23 Just so you know, those security
24 briefings were done last year. There was only one
25 union, one organization, on every single mode, and

1 that's Teamsters Canada. TCRC did two, and I
2 handled three, for the other divisions.

3 I'm always asked, especially
4 trucking -- not trucking, rail. Trucking and
5 rail, they always get this thing that, "You guys,
6 how come you are rail guys? You guys are trucks".

7 "Ah, we are dairy and beverage,
8 and if you like the suits, they are made by
9 Peerless, Ralph Lauren's. They are nice. If you
10 come the factory, you get a price if you are a
11 Teamster. Come out at some time".

12 But the answer is, with the
13 intermodal world coming, the rising price of fuel,
14 resources, what it has done. When a conservative
15 person -- or a government -- right in the
16 minister's office tells me we want to Teamsters on
17 side on bills, when we are the go-to
18 organization -- I got a call from somebody who's
19 doing a study for seafarers and going to ports.
20 "You guys got anything to do with that?"

21 This is really important is the
22 power it gives us. The greater the density we
23 have, the greater power we have, power from my end
24 of it and our end of it to work together, to
25 affect bills, affect things that affect our

1 membership ever single day of their life, to stop
2 things we don't like, to get better contracts,
3 better working conditions, better retirement for
4 members.

5 Because I'm going to tell you, in
6 all of labour, put all the labour -- I was down
7 for the AFL-CIO -- and I'm almost wrapped here,
8 because I had five minutes -- but AFL-CIO, and
9 they said, "Do you get together with all the
10 lobbyists from labour?".

11 I said, "I do that every week".
12 Because they have a meeting like this ever week
13 where they go through what they are doing. I
14 said, "I do it ever week. I go to the Chateau
15 Laurier".

16 "So what do you do?".

17 I said, "I sit there for
18 breakfast, I have a coffee and I talk to myself".

19 There's perhaps one or two people
20 that kinda do a little bit of what Teamsters
21 Canada's committed to. I will also tell you that
22 I couldn't do my job without you and I can't do my
23 job without the support I get from the various
24 division in conferences.

25 It is a joy. It is a joy to get

1 up in the morning every single day, because I
2 haven't a God damn clue what I'm going to do
3 today.

4 Today, I was supposed to be at a
5 road meeting; I got a call from an MP, a critical
6 call, I had to go and deal with a bill we got
7 before the House today; I have come to speak to
8 you; I have calls on my phone I have to answer
9 this afternoon.

10 What gets me up every morning --
11 and I don't sleep much. I was tested, I only
12 sleep four hours a day, and that's perfectly
13 normal for me, and one of you guys said, "Do you
14 want to be a railway locomotive engineers? CN
15 wants you and you make 100K a year".

16 I said, "Oh, maybe. If I don't
17 like my job, I will do it".

18 What drives me every day is I'm
19 thrilled, I am absolutely thrilled, that I work
20 for -- I am a teamster, a member of Local 91 here
21 in Ottawa. I am a teamster. I have been a union
22 member all my life. I'm thrilled every day, cause
23 when I get up, I'm not trying to make money for
24 some company, I'm not trying to screw somebody out
25 of money.

1 Every day I get up, just like you
2 do on the property every single day, when you are
3 doing your job, fighting for what we have, what we
4 can have and what we can be.

5 For me, the Teamsters is just the
6 best damn union in the world for doing it. We are
7 the biggest union, we are the best union, and I'm
8 really, really pleased to be here.

9 Anything I can do to help you,
10 call. I can't promise you that it's going to be
11 first on the list, but what I found is the same
12 problems you are having with Transport Canada,
13 every division's having with Transport Canada. It
14 all fits together in a nice little package.

15 I do promise you it will be
16 answered, in time it will be done. Same thing, if
17 you want me out at meetings, I will try to get
18 out. Sometimes it's impossible, but if I can
19 shuffle it, I will be there.

20 God bless you. Have a great
21 meeting, and grab me any time to talk to me.

22 Thank you very much for having me.

23 --- Applause / Applaudissements

24 PRESIDENT HALLÉ: Thanks, Phil.

25 You have to restrict Phil when he

1 a right to vote on both crafts, not on the right
2 to run.

3 The right to run seems to be left
4 quite open and I don't know if what we wanted was
5 made clear. Is what you wanted exactly what you
6 stated in here, because in (d):

7 "Reason for change:

8 To ensure that all crafts are
9 given proper representation
10 at the Rail Conference
11 convention and to bring into
12 the Bylaws the representation
13 methodology used for this
14 2006 Rail Conference
15 convention as enacted by the
16 Rail Conference Executive
17 Board."

18 I'm not sure we have the right
19 passage in here, because for this convention each
20 craft, locomotive engineers craft, conductors,
21 trainmen, yardmen, yardmasters, switchtenders
22 craft, rail traffic controllers, have been
23 represented. That's not necessarily the case here:

24 "Each division as recorded in
25 Rail Conference Office on

1 starts talking. I said five. I knew he was going
2 to be 10, but if I would have said 10, it would
3 have been 20.

4 --- Laughter / Rires

5 PRESIDENT HALLÉ: That's the way
6 he is.

7 Just one important point -- have a
8 good day -- for those persons who intend to leave
9 the convention early, make sure -- make sure --
10 that you bring your chip back to the table and
11 your voting machine, too. So we will leave the
12 machine here and bring the chip back there, but
13 they need these things back to them.

14 Now, we will go back to the Bylaws
15 Committee and try to finish it.

16 --- Pause

17 PRESIDENT HALLÉ: Microphone 2.

18 DELEGATE McNALLY, Div. 715: Roy
19 McNally, Division 715.

20 A point of clarification.

21 This morning we were discussing
22 and voted on Section 18.(a), page 39. I'm not
23 sure that -- well, myself, I don't think I spoke
24 on the right portion of that submission. I spoke
25 on the right to vote, that each member should have

1 April 1 prior to the opening
2 date of the convention will
3 be entitled to one delegate
4 for each craft sector
5 represented by such dat each
6 Rail Conference Convention."

7 That would be four. That doesn't
8 mean that you will have a hoghead running for a
9 hoghead's position, or a conductor running for a
10 conductor's position.

11 Am I correct?

12 PRESIDENT HALLÉ: We have voted on
13 this issue.

14 DELEGATE McNALLY, Div. 715: I am
15 only looking for a point of clarification.

16 --- Pause

17 PRESIDENT HALLÉ: The motion is
18 carried. People have already voted.

19 You can make a motion to
20 reconsider it, to re-open it for debate, but the
21 question of clarification, you can handle that
22 after the convention, with the Executive Board.
23 This is not the proper process to do it.

24 If you want to make a motion to
25 reconsider the rationale, and if we have a

1 seconder, we could re-open that after the vote.
 2 That's fine, but right now we cannot deal with
 3 this issue until it is open for reconsideration.
 4 DELEGATE McNALLY, Div. 715: Okay.
 5 At any time, can I step back up and have it
 6 reconsidered?
 7 Parliamentarian, I guess that's a
 8 question for you.
 9 PRESIDENT HALLÉ: Yes.
 10 DELEGATE McNALLY, Div. 715: Thank
 11 you.
 12 PRESIDENT HALLÉ: Are you ready,
 13 Chris?
 14 CC-BLC SMITH, Div. 162: Brother
 15 Gilles, on that last question, if it does clarify
 16 something, the way I read it -- there was an
 17 amendment when we dealt with that. I just have a
 18 note, I don't have it word-for-word, that only
 19 members working in the craft will vote for the
 20 delegate in that craft.
 21 That amendment failed.
 22 So if that puts any clarity to
 23 your question -- maybe you are trying to put it to
 24 bed, but...
 25 DELEGATE McNALLY, Div. 715: I

1 think that is, maybe, what clouded it, the fact
 2 that --
 3 I only have part of it written
 4 down, as well.
 5 Only members working in the craft
 6 at the time of election will be eligible to vote
 7 for the person in that craft. It is not who is
 8 eligible to run for the position in that craft.
 9 CC-BLC SMITH, Div. 162: My point
 10 is, regardless of what the individual were to say,
 11 somebody has already addressed that point as an
 12 amendment, and it failed.
 13 PRESIDENT HALLÉ: It is another
 14 debate.
 15 We cannot debate it if it has been
 16 carried.
 17 If there is a motion to
 18 reconsider, make it.
 19 But if we start doing this, we
 20 will start a debate on something that has been
 21 voted on.
 22 That is the point. That's the
 23 problem.
 24 DELEGATE McNALLY, Div. 715: Okay.
 25 I think there is a little too much room for error

1 here.
 2 I make a motion to reconsider
 3 Bylaw Section 18(a) at page 39.
 4 PRESIDENT HALLÉ: Okay. There is
 5 a motion to reconsider by Brother McNally.
 6 Is there a seconder?
 7 DELEGATE TYMKIN, Div. 749: I will
 8 second it.
 9 PRESIDENT HALLÉ: Okay. There is
 10 a seconder.
 11 Can we put the vote on the motion
 12 to reconsider?
 13 Microphone 2?
 14 DELEGATE SINGER, Div. 563:
 15 Brother Chair, I would like to speak quickly on
 16 the motion to reconsider. I think this morning
 17 what happened was, we perhaps didn't realize that,
 18 with the adoption of this resolution, it is not
 19 exactly clear that we are going to have a delegate
 20 from each craft.
 21 When you talked about the UTU
 22 situation at CN, it is probably imperative, for
 23 that sake alone, that we recognize that these
 24 delegates have to be apportioned by craft and not
 25 just open. Otherwise, we are not going to have

1 representation from craft, potentially, at these
 2 conventions, and I would submit that that is
 3 critical.
 4 So we should reconsider the
 5 question.
 6 PRESIDENT HALLÉ: Microphone 1,
 7 Brother Smith.
 8 CC-BLC SMITH, Div. 162: Point of
 9 order. The two Brothers who put the motion forth
 10 to reconsider, did they vote in the affirmative?
 11 PRESIDENT HALLÉ: I think he said
 12 that he voted.
 13 CC-BLC SMITH, Div. 162: He might
 14 have voted, but did he vote for or against?
 15 --- Pause
 16 PRESIDENT HALLÉ: He said that he
 17 voted for.
 18 CC-BLC SMITH, Div. 162: And the
 19 seconder?
 20 --- Pause
 21 PRESIDENT HALLÉ: For.
 22 Okay. Could we have the vote on
 23 the screen?
 24 Ready to vote? Please vote on the
 25 motion to reconsider.

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1 --- Pause
 2 PRESIDENT HALLÉ: No, 58; Yes, 52.
 3 Motion failed.
 4 --- DEFEATED
 5 CC-BLC SMITH, Div. 162: Brothers
 6 and Sisters, if we could get started, we will go
 7 to Legislative Rules, Section 4, page 122.
 8 The Bylaws Committee recommends to
 9 reject the resolution submitted by Division 320
 10 and retain the present law.
 11 I so move.
 12 --- Pause
 13 PRESIDENT HALLÉ: Seeing no
 14 delegates at the microphones, would you please put
 15 the vote on the screen.
 16 --- Pause
 17 PRESIDENT HALLÉ: We are voting on
 18 the recommendation of the Bylaws Committee to
 19 reject the resolution submitted by Division 320
 20 and to retain the present law.
 21 Please vote.
 22 --- Pause
 23 PRESIDENT HALLÉ: In favour, 104;
 24 against, 7.
 25 Motion carried.

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1 --- CARRIED
 2 CC-BLC SMITH, Div. 162: Brothers
 3 and Sisters, you will remember yesterday, when we
 4 started into the National Legislative Director
 5 position, we got it created, and then there was
 6 some question regarding what were some of the
 7 details associated with that position. We got a
 8 bit bogged down at that point.
 9 Brother Ranson proposed an
 10 amendment, which ended up being tabled.
 11 Brother Fraser also proposed an
 12 amendment that ended up being tabled.
 13 Last night the Bylaws Committee
 14 portion of the Bylaws Committee met with Brother
 15 Ranson, Brother Fraser and Brother Wheten, who had
 16 also raised an issue at that same time.
 17 Through our discussion work last
 18 night on a resolution to deal with the concerns
 19 that had been expressed, we took that, we had a
 20 few-minute meeting early this morning and those
 21 principles are satisfied with the Section 4 that
 22 we have come up with. I checked with each
 23 individually. The Bylaws Committee is also
 24 satisfied.
 25 So at this point I would like to

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1 propose a new Section 4 in its entirety to address
 2 the issues where we had got bogged down yesterday
 3 with the National Legislative Director.
 4 I will read it out loud.
 5 It is Legislative Rule Section 4
 6 and replaces the existing language in its entirety
 7 with 4, paragraph (a):
 8 "Compensation for the
 9 services of officers and
 10 members of the national
 11 legislative board shall be
 12 the responsibility of that
 13 board."
 14 Paragraph (b):
 15 "The position of National
 16 Legislative Director will be
 17 a fulltime position with a
 18 salary of \$130,000 per year,
 19 with such salary adjusted by
 20 using monetary
 21 allowances/increases or other
 22 applicable adjustments
 23 negotiated nationally for
 24 Rail Conference members."
 25 Paragraph (c):

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1 "Compensation for the
 2 services of all other
 3 officers and members of the
 4 National Legislative Board
 5 shall be fixed by that board
 6 at their regular triennial
 7 meeting."
 8 That is the language of the new
 9 Section 4, and the Bylaws Committee moves for its
 10 adoption.
 11 PRESIDENT HALLÉ: Microphone 4.
 12 DELEGATE HAMEL, Div. 319: Mark
 13 Hamel, 319 Chapleau.
 14 I just have one issue with that
 15 and that's (c). You have the National Legislative
 16 Board shall be fixed by that board. So they are
 17 going to sit every third year and discuss how much
 18 money they are going to make?
 19 CC-BLC SMITH, Div. 162: That is
 20 from existing language. That is not my creation.
 21 DELEGATE HAMEL, Div. 319: Okay.
 22 CC-BLC SMITH, Div. 162: If you
 23 check the language in that, check the original
 24 language of Section 4, that is basically what it
 25 said. I just made that to separate the National

1 Legislative Director from the other officers.
 2 DELEGATE HAMEL, Div. 319: Okay.
 3 I would like to make an amendment to that.
 4 PRESIDENT HALLÉ: What is your
 5 amendment, Brother?
 6 DELEGATE HAMEL, Div. 319: At the
 7 end: "And subject to the approval of the TCRC
 8 Executive Board".
 9 PRESIDENT HALLÉ: At the end of
 10 paragraph (c)?
 11 DELEGATE HAMEL, Div. 319: Yes,
 12 that is correct.
 13 PRESIDENT HALLÉ: "Subject to the
 14 approval of the TCRC Executive Board".
 15 DELEGATE HAMEL, Div. 319: That is
 16 correct.
 17 CC-BLC SMITH, Div. 162: Point of
 18 Order.
 19 Is that appropriate? We just
 20 defeated exactly the same measure?
 21 PRESIDENT HALLÉ: I don't know.
 22 Were the exact same words defeated?
 23 DELEGATE HAMEL, Div. 319: I
 24 didn't think they were the exact same wording.
 25 CC-BLC SMITH, Div. 162: Well, how

1 about this: "And subject to being approved by the
 2 TCRC Executive Board".
 3 PRESIDENT HALLÉ: You are right.
 4 CC-BLC SMITH, Div. 162: The
 5 point -- and I don't want to stifle anybody's
 6 ability to come and make amendments. But the
 7 whole point of me saying that we had met last
 8 night, worked until 4 o'clock in the morning on my
 9 part, to come up with something that was suitable
 10 for everybody, I thought it might carry some
 11 weight.
 12 DELEGATE HAMEL, Div. 319: Okay,
 13 that's fine. I will reject that amendment, then.
 14 PRESIDENT HALLÉ: Okay. You
 15 withdraw your amendment.
 16 Thank you very much.
 17 Microphone 1.
 18 UNIDENTIFIED DELEGATE: I am just
 19 a little confused about (c), so help me out here.
 20 I don't understand why somebody
 21 wants to change it, so correct me if I am wrong.
 22 It says:
 23 "Compensation for the
 24 services of all other
 25 officers and members of the

1 National Legislative Board
 2 shall be fixed by that board
 3 at their regular triennial
 4 meeting."
 5 I would understand that to mean
 6 that when the Ontario Legislative Board meets, or
 7 when one of the other provincial legislative
 8 boards meet, their wages for the Chairman are
 9 fixed at that meeting and it really doesn't have
 10 anything to do with the national or with us today.
 11 Do I understand this right?
 12 CC-BLC SMITH, Div. 162: The
 13 present language of Section 4 says exactly what
 14 (c) says, with the exception of one word:
 15 "other".
 16 The reason we had to put "other"
 17 in is because we separated -- we have said what
 18 the compensation is for the National Legislative
 19 Director.
 20 UNIDENTIFIED DELEGATE: I
 21 understand that, but I am talking about the other
 22 people.
 23 Do I understand --
 24 PRESIDENT HALLÉ: Let me clarify
 25 for you so we can carry on.

1 When the Board meets, they said
 2 they are going to have a salary per day and a per
 3 diem. That is what they said when they meet every
 4 three years, the provincial board and the national
 5 board, when the officers work, they said their
 6 salary and their per diem. That is what they do.
 7 Is that clear?
 8 When they meet together, they
 9 decide if they use a provincial board chairman for
 10 the national thing, he will be paid so much dollar
 11 per day and a per diem.
 12 UNIDENTIFIED DELEGATE: For that
 13 meeting itself.
 14 Is that right?
 15 PRESIDENT HALLÉ: Not for the
 16 meeting, for a period of time. It might be
 17 revised, but usually they set their own salary.
 18 UNIDENTIFIED DELEGATE: So it's at
 19 the provincial board. The only one I really know
 20 about is the Ontario. So when they have their
 21 legislative meeting, they don't set a salary for
 22 their legislative provincial rep at that meeting?
 23 PRESIDENT HALLÉ: I was talking
 24 about national. They set the salary. That's what
 25 they do.

1 UNIDENTIFIED DELEGATE: I am still
2 confused.
3 PRESIDENT HALLÉ: It says:
4 "Compensation for the
5 services of all other
6 officers and members of the
7 National Legislative Board
8 shall be fixed by that board
9 at their regular triennial
10 meeting."
11 To me, that is what they do.
12 UNIDENTIFIED DELEGATE: Yes, I
13 understand that, but the provincial people make up
14 that, do they not, the provincial chairmen?
15 DELEGATE WELTER, Div. 132:
16 Brother Welter.
17 Each of the provincial board
18 chairmen have a different rate. So when they come
19 down to Ottawa to work for the national board,
20 when we cut the cheques we want to do it at one
21 rate. So we set a rate when they are on NLB
22 business.
23 We can't pay them all different
24 for coming down to Ottawa when they work for the
25 national board. Like New Brunswick's rate is

1 different from Quebec, Ontario, all across the
2 country.
3 So what that clause is for is when
4 they are working for us, they work at our rate.
5 At the triennial meeting what they
6 usually do is they pick -- I think it is 2 percent
7 now for the next three years, and then in three
8 years they will take a look at it and they may or
9 may not change it.
10 That is what that clause is all
11 about. It is because you have to pay the
12 provincial chairmen the same rate when they work
13 for the national board. All it does is make the
14 bookkeeping a lot easier.
15 You don't want me coming down to
16 Ottawa, when I was provincial chairman -- I still
17 am actually -- and making more money than the guy
18 from Manitoba or the guy from New Brunswick. When
19 they come to Ottawa, or wherever they go on behalf
20 of the board, we want them all to get paid the
21 same rate when they are working for us.
22 I don't know if that clarifies it
23 for you or not.
24 PRESIDENT HALLÉ: Microphone 2.
25 DELEGATE ASHLEY, Div. 529: Don

1 Ashley, 529 Hamilton Engineers.
2 Just a point of information. I
3 might be a little confused here.
4 I thought Section 4 was applicable
5 to more than just the national board; it was
6 applicable to the provincial boards when they met
7 as well.
8 The language as it exists now
9 says:
10 "Compensation for the
11 services of officers and
12 members of legislative boards
13 and legislative
14 representatives shall be
15 fixed by the board at the
16 regular triennial session..."
17 Which would apply to a provincial
18 board when they had their triennial session as
19 well, to fix those expenses for that triennial
20 board.
21 The way it is worded here with
22 "national legislative board" there, it is only
23 dealing with the national legislative board.
24 If it was meant to say what the
25 existing, it should say "members of legislative

1 boards and legislative representatives", and then
2 it would encompass the national board and all the
3 provincial legislative boards when they met. I
4 thought Section 4 was to address all the
5 legislative boards. This is just kind of
6 handcuffing it to the national legislative board.
7 I guess my question is: is it
8 applicable to the provincial boards and the
9 national or just to the national? Like, maybe
10 national shouldn't be there, that's...
11 UNIDENTIFIED DELEGATE: Just the
12 national, Don.
13 CC-BLC SMITH, Division 162: The
14 intent was just the national because we are making
15 the national responsible for the position of the
16 National Legislative Director, clearly. So the
17 language had to narrow to the point where it was
18 strictly with regard to the national board, even
19 if it meant, as Brother Mike explained, that maybe
20 a provincial board chairman on national board
21 business. That does mean, there's a...
22 DELEGATE ASHLEY, Div. 529: But
23 then there is no language for the provincial
24 boards. I mean, if it was left alone, it would
25 encompass all, but we are going to have to make a

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1 new section now maybe.
 2 PRESIDENT HALLÉ: No, no,
 3 provincial legislative boards -- correct me if I'm
 4 wrong, Brother Mike -- have their own bylaws.
 5 They can set their own salary through their
 6 bylaws. Let's carry on.
 7 DELEGATE ASHLEY, Div. 529: Okay,
 8 then that answers that.
 9 PRESIDENT HALLÉ: Let's carry on.
 10 Yes, okay.
 11 --- Pause
 12 PRESIDENT HALLÉ: Okay, there's no
 13 other debate on the submission of the Bylaws
 14 Committee. Let's put the vote on.
 15 Okay, you are all set. Let's
 16 start the vote.
 17 --- Adopt Bylaws Committee Recommendation vote
 18 --- VOTING
 19 PRESIDENT HALLÉ: 100 in favour;
 20 9 against. Motion carried.
 21 --- CARRIED
 22 PRESIDENT HALLÉ: Brother Smith,
 23 next one.
 24 CC-BLC SMITH, Division 162: Okay,
 25 now that we have dealt with one of the more major

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1 parts, again, of the National Legislative
 2 Director, I would like to go back to Bylaws,
 3 Section 7, paragraph (j), on page 24:
 4 "Your Bylaws Committee
 5 recommends to accept the
 6 resolution of the Bylaws
 7 Committee."
 8 I so move.
 9 PRESIDENT HALLÉ: Microphone No.
 10 2.
 11 UNIDENTIFIED DELEGATE: Just a
 12 question. What's a craft director?
 13 CC-BLC SMITH, Division 162: I
 14 have no idea. The language was there before I got
 15 here.
 16 PRESIDENT HALLÉ: There's none
 17 right now. The language was put in the TCRC
 18 bylaws that were submitted to the membership for
 19 ratification. It was ratified with this title in,
 20 period.
 21 Seeing no delegates at the
 22 microphone, can we have the vote on the screen?
 23 All set to vote. Let's start the
 24 vote.
 25 --- Adopt Bylaws Committee Recommendation vote

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1 --- VOTING
 2 PRESIDENT HALLÉ: 109 in favour, 4
 3 against. Motion carried.
 4 --- CARRIED
 5 CC-BLC SMITH, Division 162:
 6 Bylaws, Section 8, paragraph (b), page 30:
 7 "The resolution is consistent
 8 with the resolutions to
 9 create the separate position
 10 of National Legislative
 11 Director.
 12 Your Bylaws Committee
 13 recommends to accept the
 14 resolution submitted by
 15 Division 563."
 16 I so move.
 17 PRESIDENT HALLÉ: I think it's a
 18 pretty straightforward question.
 19 No delegates at the microphone.
 20 Can we have the question on the screen, please?
 21 Question's on the screen. Ready
 22 to vote. Let's vote
 23 --- Adopt Bylaws Committee Recommendation vote
 24 --- VOTING
 25 PRESIDENT HALLÉ: 112 in favour, 1

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1 against. Carried.
 2 --- CARRIED
 3 UNIDENTIFIED DELEGATE: 113.
 4 PRESIDENT HALLÉ: Yes, that's the
 5 second one with 113. We had 109 and 4, the one
 6 before. That's why I was checking all the seats.
 7 The second one. Let's do
 8 business. Next one, Brother Smith.
 9 CC-BLC SMITH, Division 162:
 10 Legislative Rules now, Section 3, paragraph (a),
 11 page 119:
 12 "Your Bylaws Committee
 13 recommends to reject the
 14 resolutions submitted by
 15 Division 320 and the
 16 Legislative Committee and to
 17 accept the resolution
 18 submitted by the Bylaws
 19 Committee."
 20 If you remember, that regional
 21 change is not there as a result of the resolution
 22 we passed yesterday. It disappears from all
 23 subsequent resolutions.
 24 PRESIDENT HALLÉ: Do you
 25 understand? Yesterday, we had a motion remove the

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1 word, "regional".

2 Okay, pretty straightforward. Can

3 we have the vote on the screen, please?

4 Let's vote.

5 --- Adopt Bylaws Committee Recommendation vote

6 --- VOTING

7 PRESIDENT HALLÉ: 110 in favour, 1

8 against. Motion carried.

9 --- CARRIED

10 CC-BLC SMITH, Division 162:

11 Legislative Rules, 8, paragraph (b), page 132:

12 "Your Bylaws Committee

13 recommends to accept the

14 resolution submitted by the

15 Bylaws Committee."

16 I so move.

17 PRESIDENT HALLÉ: Again, quite

18 straightforward.

19 No delegates at the microphone.

20 Please put the vote on the screen.

21 Brothers, let's vote.

22 --- Adopt Bylaws Committee Recommendation vote

23 --- VOTING

24 PRESIDENT HALLÉ: 109 in favour, 2

25 against, motion carried.

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1 --- CARRIED

2 CC-BLC SMITH, Div. 162: In the

3 miscellaneous section now, page 142.

4 Your Bylaws Committee recommends

5 to accept the resolution submitted by Division

6 563, and I so move.

7 --- MOVED

8 PRESIDENT HALLÉ: Okay. Pretty

9 straightforward question; recommend to accept the

10 resolution submitted by Division 563.

11 Can we have the vote on the

12 screen, please? Let's vote.

13 --- Adopt Bylaws Committee Recommendation

14 --- VOTING

15 PRESIDENT HALLÉ: 109 in favour, 1

16 against; carried.

17 --- CARRIED

18 --- Laughter / Rires

19 CC-BLC SMITH, Div. 162: While we

20 are in that same miscellaneous section we might as

21 well deal with the next one on page 143:

22 "Some of the present

23 provisions of the TCRC Bylaws

24 were developed from the

25 principles contained in the

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1 Merger Agreement. Pending

2 the Merger Agreement, the

3 TCRC Bylaws will assist in

4 understanding and

5 interpreting those sections

6 of the TCRC Bylaws in

7 future."

8 Your Bylaws Committee recommends

9 to accept the resolution submitted by Division

10 563, and I so move.

11 PRESIDENT HALLÉ: Okay. On the

12 motion the Bylaws Committee to accept resolution

13 submitted by Division 563, seeing no delegates at

14 the microphone the question is there.

15 Please vote.

16 --- Adopt Bylaws Committee Recommendation

17 --- VOTING

18 PRESIDENT HALLÉ: 108 in favour, 3

19 against, the motion carried.

20 --- CARRIED

21 CC-BLC SMITH, Div. 162: Division

22 Rules, Section 16, paragraph (e), page 72:

23 "The resolution submitted by

24 Division 356, Division 728

25 and the TCRC President all

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1 recognize the need to ensure

2 autonomy when deciding local

3 issues and/or working

4 conditions." (As read)

5 Your Bylaws Committee has also

6 added "shop craft" to the list of crafts as the

7 TCRC is now the legal bargaining agent for shop

8 craft members at Eastern Railway Services in New

9 Brunswick.

10 Your Bylaws Committee recommends

11 to reject the resolution submitted by Division

12 356, Division 728 and the TCRC President, and to

13 accept the resolution submitted by the Bylaws

14 Committee. I so move.

15 --- Off microphone / Sans microphone

16 DELEGATE RANSON, Div. 320: Did

17 you consider what "affected" means, how that can

18 be interpreted?

19 I will try to give you an example.

20 Conductors have an agreement and engineers don't

21 and they cancel it and somebody claims that it's

22 going to affect our order of calling or something,

23 I don't know. How far can you stretch it out and

24 how do we get it interpreted? Do we just do the

25 normal appeal procedure?

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1 CC-BLC SMITH, Div. 162: Well, it
 2 would be impossible to say, you know, how far the
 3 elastic stretches. What we are trying to do here
 4 is make autonomous groups within the division.
 5 When they are talking specifically with working
 6 conditions and, you know, run segments and things
 7 like that, that apply only to them, then they
 8 should decide those matters alone.
 9 PRESIDENT HALLÉ: Seeing no
 10 delegates at the microphone and the vote is on the
 11 screen ready, let's have the vote.
 12 --- Adopt Bylaws Committee Recommendation
 13 --- VOTING
 14 PRESIDENT HALLÉ: 106 in favour, 6
 15 against, motion carried.
 16 --- CARRIED
 17 CC-BLC SMITH, Div. 162: The
 18 Bylaws Committee is prepared to withdraw a number
 19 of resolutions at this time, one of them being
 20 Section 17, paragraph (c) on page 76. In addition
 21 too, there will be a list put on the screen.
 22 There is the list. There is a
 23 couple of those that you may want to look at.
 24 Most of them are housekeeping, but there is a
 25 couple that you may want to look at and step to

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1 the microphone.
 2 And I would suggest, Gilles, that
 3 they have a few minutes to look on each page and
 4 see.
 5 PRESIDENT HALLÉ: Yes.
 6 CC-BLC SMITH, Div. 162: One in
 7 particular is the Section 2, paragraph (f) is one.
 8 I am withdrawing it because we made a mistake in
 9 our recommendation by not putting the language in
 10 that the Legislative Committee had recommended and
 11 then we recommended to accept our resolution.
 12 So you just might want to take
 13 a look.
 14 And Brother Ranson, there is one
 15 of yours as well that you might want to look at in
 16 that list. It's one that we are rejecting but you
 17 might want to --
 18 --- Pause
 19 --- Off microphone
 20 CC-BLC SMITH, Div. 162: Pardon
 21 me?
 22 There are two 3(c)s. One is on
 23 120 and one is on page 121.
 24 We have already dealt with the one
 25 on page 121.

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1 --- Pause
 2 PRESIDENT HALLÉ: Are we all
 3 comfortable? You have all had a chance to read
 4 them?
 5 Any discussion?
 6 Can we have the vote on the
 7 screen.
 8 The recommendation is to withdraw
 9 all these...
 10 --- Off microphone
 11 PRESIDENT HALLÉ: Okay. That is
 12 the recommendation to withdraw all of them from
 13 the Bylaws Committee. Let's start the vote.
 14 --- Motion to Withdraw vote
 15 --- VOTING
 16 PRESIDENT HALLÉ: 103 in favour;
 17 4 against.
 18 The motion is carried.
 19 --- CARRIED
 20 PRESIDENT HALLÉ: Microphone 2.
 21 DELEGATE ESSERY, Div. 954: I
 22 would like to make a motion under Legislative Rule
 23 Section 2(f) to accept the resolution submitted by
 24 the Bylaws Committee with the following
 25 amendments.

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1 PRESIDENT HALLÉ: Which one?
 2 2(f)?
 3 DELEGATE ESSERY, Div. 954: Yes,
 4 page 116-117.
 5 PRESIDENT HALLÉ: They were just
 6 withdrawn, Kari.
 7 DELEGATE ESSERY, Div. 954: Yes, I
 8 know. I was told to come here and get the changes
 9 in that you wanted.
 10 CC-BLC SMITH, Div. 162: What I
 11 was suggesting was that might be one that somebody
 12 wants to come up and breathe some life into. But
 13 because nobody came, it dies.
 14 No, I don't want anything to do
 15 with any of the ones we withdrew. It was to give
 16 the delegates an opportunity to see if there was
 17 something that they wanted to breathe some life
 18 back into.
 19 DELEGATE ESSERY, Div. 954: Can we
 20 make a motion to reconsider? I would like to make
 21 a motion to reconsider.
 22 PRESIDENT HALLÉ: On one in
 23 special?
 24 DELEGATE ESSERY, Div. 954: On
 25 Legislative Rule Section 2(f).

1 DELEGATE ABLE, Div. 322: Dave
2 Able, 322. I will second it.
3 DELEGATE RANSON, Div. 320: Point
4 of Order?
5 PRESIDENT HALLÉ: Yes. Point of
6 Order.
7 DELEGATE RANSON, Div. 320: The
8 Bylaws Committee withdrew their recommendation,
9 which basically takes that motion out unless
10 somebody gets up and brings that motion back on
11 the table.
12 Is that not correct?
13 So there is no need to reconsider.
14 The motion has to be to consider the original
15 resolution.
16 PRESIDENT HALLÉ: So we can go
17 back to the original resolution; yes. So they
18 withdrew but you want to go back to page 116?
19 DELEGATE ESSERY, Div. 954: It
20 will be on page 117.
21 PRESIDENT HALLÉ: Okay. What is
22 your point?
23 DELEGATE ESSERY, Div. 954: It was
24 just to change under (f) the duties of the
25 National Legislative Director, to put that in

1 there; still taking out Vice President /
2 Governmental Affairs, the chairman of the
3 provincial legislative boards and the National
4 Board .
5 And then under (ii), to work for
6 more healthful, safer and sanitary conditions in
7 the workplace in conjunction with the General
8 Committee.
9 PRESIDENT HALLÉ: Oh, I see your
10 point. Can you -- that is an amendment you want
11 to make?
12 --- Pause
13 PRESIDENT HALLÉ: Sister Essery.
14 DELEGATE ESSERY, Div. 954: Yes.
15 PRESIDENT HALLÉ: If you go to the
16 resolution by the Legislative Committee in (i) it
17 says workplace.
18 DELEGATE ESSERY, Div. 954: Pardon
19 me?
20 PRESIDENT HALLÉ: At page 117.
21 DELEGATE ESSERY, Div. 954: Yes,
22 page 117.
23 PRESIDENT HALLÉ: It says,
24 "Resolution submitted by Legislative Committee".
25 DELEGATE ESSERY, Div. 954: Yes.

1 PRESIDENT HALLÉ: In that one, at
2 (ii), it says there, workplace in the previous
3 one. If you want to talk about this one...
4 DELEGATE ESSERY, Div. 954: Oh,
5 and just replace that with National Legislative
6 Director under (f).
7 CC-BLC SMITH, Div. 128: If you
8 make a motion to accept the resolution submitted
9 by the Legislative Committee, all your problems
10 will go away.
11 PRESIDENT HALLÉ: No.
12 DELEGATION: No.
13 --- Laughter / Rires
14 DELEGATE ESSERY, Div. 954: Yes.
15 Because I want them to. With the amendment of,
16 instead of Vice President Government Affairs.
17 CC-BLC SMITH, Div. 128: No, I
18 wasn't lying to you. You just need that motion
19 because we took care --
20 DELEGATE ESSERY, Div. 954: Okay.
21 Yes.
22 CC-BLC SMITH, Div. 128: Remember
23 the motion that changed that language
24 automatically.
25 DELEGATE ESSERY, Div. 954: Okay.

1 CC-BLC SMITH, Div. 128: It is
2 just a straight --
3 DELEGATE ESSERY, Div. 954: All
4 right. Yes.
5 CC-BLC SMITH, Div. 128: --
6 acceptance of the Legislative Committee's
7 resolution.
8 DELEGATE ESSERY, Div. 954: So I
9 make the motion to accept the resolution submitted
10 by the Legislative Committee under legislative
11 rule, Section 2(f).
12 PRESIDENT HALLÉ: Is there a
13 second for that motion? Microphone 4.
14 DELEGATE MCGUNIGAL, Div. 355:
15 Division 355.
16 I would like to second that
17 motion.
18 PRESIDENT HALLÉ: Thank you,
19 Brother Al.
20 The motion has a seconder. Any
21 discussion on the motion?
22 Seeing none, let's have a vote.
23 --- Pause
24 PRESIDENT HALLÉ: The vote? There
25 is a problem.

1 Okay, let's vote.
 2 --- Adopt Resolution of Legislative Committee vote
 3 --- VOTING
 4 PRESIDENT HALLÉ: 107 in favour,
 5 4 against. Motion carried.
 6 --- CARRIED
 7 CC-BLC SMITH, Div. 128: Division
 8 Rules, Section 24, paragraph (a) on page 78.
 9 The resolutions of Division 356,
 10 Division 728 and the TCRC President are all aimed
 11 at incorporating the principles of the interim
 12 measure enacted to facilitate separate accounting
 13 and funding within a multi-craft Division. The
 14 resolution submitted by the TCRC President is the
 15 most specific.
 16 Your Bylaws Committee recommends
 17 to reject the resolution submitted by Division 356
 18 and Division 728 and to accept the resolution
 19 submitted by the TCRC President as it applies to
 20 Section 24(a).
 21 PRESIDENT HALLÉ: Okay. Did you
 22 put the -- seeing no debate we will vote on the
 23 motion by the Bylaws Committee recommending the
 24 rejection of the resolution submitted by Division
 25 356 and Division 728 and to accept the resolution

1 submitted by the TCRC President as it applies to
 2 Section 24(a).
 3 Let's start the vote.
 4 --- Adopt Bylaws Committee Recommendation vote
 5 --- VOTING
 6 PRESIDENT HALLÉ: 109 in favour, 2
 7 against. Motion carried.
 8 --- CARRIED
 9 CC-BLC SMITH, Div. 128: Division
 10 Section 24, paragraph (c), page 80.
 11 The resolution of Division 728 in
 12 the TCRC President both aimed at incorporating the
 13 principles of the interim measures act and to
 14 facilitate separate accounting and funding within
 15 the multi-craft division.
 16 While both resolutions essentially
 17 provide for the same change, the resolution
 18 submitted by the TCRC President is more
 19 appropriate.
 20 Your Bylaws Committee recommends
 21 to reject the resolution submitted by Division 728
 22 and to accept the resolution submitted by the TCRC
 23 President at is applies to Section 24(c).
 24 I so move.
 25 PRESIDENT HALLÉ: Seeing no

1 members at the microphone, please put the vote on
 2 the screen. Ready to vote.
 3 Let's vote.
 4 --- Adopt Bylaws Committee Recommendation vote
 5 --- VOTING
 6 PRESIDENT HALLÉ: 106 in favour,
 7 3 against. Motion carried.
 8 --- CARRIED
 9 CC-BLC SMITH, Div. 128: Division
 10 rules, new Section, 42 (b). It is on page 81.
 11 Penalties imposed by the union on
 12 a member, or members, are frequently the subject
 13 of charges before the Canadian Industrial
 14 Relations Board. One of the issues the Board
 15 examines is to determine if specific provisions
 16 for penalties are contained within the applicable
 17 collective agreement.
 18 Your Bylaws Committee is concerned
 19 that the resolution submitted by Division 319 may
 20 falsely give some divisions the impression that
 21 levying penalties is completely authorized and
 22 legal solely because it is provided for in the
 23 TCRC Bylaws. It is much more complicated than
 24 that.
 25 The most appropriate place to

1 provide for specific penalties for member
 2 infractions is in the applicable collective
 3 agreement.
 4 Your Bylaws Committee recommends
 5 to reject the resolution submitted by Division 319
 6 and to retain the present law.
 7 PRESIDENT HALLÉ: Microphone 4.
 8 DELEGATE HAMEL, Div. 319: This
 9 was a resolution that we submitted, and I am
 10 asking the floor to oppose this bylaw -- or that
 11 the committee recommends that we reject, so I can
 12 reintroduce it, and maybe you could hear 319's --
 13 If I could have five minutes of
 14 the floor, maybe, and then we could move on.
 15 Because I think this is very
 16 important. If we want to be Teamsters, we have to
 17 get some support in our constitution.
 18 We can't get it in our collective
 19 agreement if it's not in our constitution.
 20 PRESIDENT HALLÉ: You have the
 21 right to speak about this.
 22 DELEGATE HAMEL, Div. 319: Would
 23 you like me to speak about it now, sir?
 24 PRESIDENT HALLÉ: It's not if I
 25 would like you to, there is a motion on the floor

1 now for debate.
 2 DELEGATE HAMEL, Div. 319: Okay,
 3 I thought I had to get it rejected first, and then
 4 put my motion on the table.
 5 PRESIDENT HALLÉ: No, you have the
 6 right to speak about the motion.
 7 DELEGATE HAMEL, Div. 319: The
 8 thing is, right now Section 42 of our constitution
 9 states:
 10 "The charges in the Division
 11 will be handled in accordance
 12 with Article XIX, Section
 13 1(a) of the International
 14 Brotherhood of Teamsters
 15 Constitution." (As read)
 16 That is the present law. That is
 17 what we have in the TCRC Constitution.
 18 I think it is time to refine this
 19 section. Let my division, 319, be heard when our
 20 motion is reintroduced, so that, as a delegate,
 21 you can have your own opinion, and we turn this
 22 down and reintroduce it.
 23 Brothers and Sisters, the motion
 24 here is to capture the rogue members if the
 25 Teamsters want to flex their muscles, as I heard

1 President Gilles Hallé and President Bouvier say
 2 earlier this week.
 3 How can we expect to flex our
 4 muscles if we have rogue members?
 5 This would capture these rogue
 6 members.
 7 A good example is, if Mr. Hallé
 8 calls up my General Chairman, Tim Beaver, and
 9 says, "We want to shut CP Eastern down for 24
 10 hours," the chain of reaction would be that Tim
 11 would call our Local Chairman. Our Local Chairman
 12 would call everybody in Chapleau, "We are shutting
 13 down CP for 24 hours on Monday," for example.
 14 What would happen after that is
 15 that most of the members would stay home for that
 16 day, but there would always be a few.
 17 We have to capture these guys, and
 18 we have to get it in our constitution that they
 19 can be charged, and I want to be able to hold them
 20 off the list for between 24 and 48 hours.
 21 They say it is supposed to be in
 22 our collective agreement, but we have to get it in
 23 the constitution first.
 24 As for it being law, we now have a
 25 national representative, and that could be an item

1 on his agenda, but we have to get it in the
 2 constitution. We can't wait until four years from
 3 now.
 4 Thank you.
 5 PRESIDENT HALLÉ: Yes, Brother
 6 Able?
 7 DELEGATE ABLE, Div. 322: I don't
 8 think that Brother Hallé wants to go to jail that
 9 long to order a walkout like that. He is not
 10 going to be phoning anybody for a 24-hour walkout.
 11 We have been through that, and it don't work,
 12 guys.
 13 I don't understand, other than,
 14 Brother Hallé, if a guy is a strike breaker and we
 15 are on a legal strike and something happens. Then
 16 I could see this. But under XIX, I think it has
 17 been proven that a person can be held longer and
 18 have a penalty, if need be, under the trials.
 19 I don't think that a local
 20 chairman being angry at a member -- that is what
 21 that leads me to believe, that the local chairman
 22 says, "You run around somebody, I am going to hold
 23 you out for 48 hours."
 24 I don't know if that is the
 25 intent, but I can see it being abused.

1 Thanks.
 2 PRESIDENT HALLÉ: Thank you.
 3 Microphone 4.
 4 DELEGATE HAMEL, Div. 319: What
 5 would happen when you charged somebody under
 6 Section XIX, or Section 19, whichever way you want
 7 to call it, is that there would be a hearing board
 8 put in place. Your local president would set up
 9 the hearing board, and the hearing board -- a
 10 panel of three people -- would decide whether the
 11 charges should be levied or not.
 12 Then, there is also an appeal
 13 process.
 14 I am not talking about the 50-mile
 15 run-arounds, I am talking about the guys that are
 16 doing serious stuff.
 17 Like I say, if the hearing board
 18 thinks that it's important, then the three-man
 19 panel would decide on whether the member should be
 20 held.
 21 PRESIDENT HALLÉ: Thank you.
 22 Is there any other discussion?
 23 --- Pause
 24 PRESIDENT HALLÉ: Put the vote on
 25 the screen.

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<p>1 The recommendation of the Bylaws 2 Committee is to reject the resolution submitted by 3 Division 319 and to retain the present law. 4 Please vote. 5 --- Pause 6 PRESIDENT HALLÉ: In favour, 89; 7 against, 17. 8 Motion carried. 9 --- CARRIED 10 CC-BLC SMITH, Div. 162: Division 11 Rules, Section 45, paragraph (a), page 82. 12 The resolution submitted by 13 Division 076 is illegal under federal law. 14 Refusal to cross a picket line of another 15 bargaining agent must be based on threats and/or 16 fear of hazard or personal injury to self or 17 family, among other things. 18 Your Bylaws Committee recommends 19 to reject the submission of Division 076 and to 20 retain the present law. 21 I so move. 22 DELEGATE OHRYN, Div. 680: I just 23 need a clarification of that. Why would they 24 object to that language? 25 Could the Bylaws Committee explain</p>	<p>1 --- Pause 2 PRESIDENT HALLÉ: In favour, 102; 3 against, 4. 4 Motion carried. 5 --- CARRIED 6 CC-BLC SMITH, Div. 162: Division 7 Rules, Section 49 at page 83. 8 Essentially, this is to move this 9 provision out into the Bylaws section because it 10 is not specific to just the Division Rules sites, 11 it applies to the whole TCRC bylaws. 12 "Your Bylaws Committee 13 recommends to accept the 14 resolution submitted by the 15 Bylaws Committee." 16 I so move. 17 PRESIDENT HALLÉ: Microphone 3. 18 DELEGATE COLE, Div. 381: Ivan 19 Coal, Division 381, Locomotive Engineers. 20 We have in there a date. What are 21 we going to use for a date that these will 22 protect? I know some of them are specific 23 already, but there are others that aren't. 24 CC-BLC SMITH, Div. 162: Then the 25 others will be the date that they are approved</p>
Page 602	Page 604
<p>1 why they object to the additional language that 2 was added? 3 CC-BLC SMITH, Div. 162: Because 4 it is going to get somebody into trouble. 5 It is going to get some of our 6 members into trouble if we give them the false 7 impression that they have the right to simply stop 8 at a picket line and, as a matter of conscience, 9 decide not to cross. 10 We have arbitration cases already 11 where members of unions have been fired for that 12 exact thing, and the firings have been upheld. 13 It's against the law. 14 PRESIDENT HALLÉ: Microphone 2. 15 DELEGATE NIJJAR, Div. 320: Just a 16 point of information, Mr. Chairman. The Bylaws 17 Committee recommends the rejection of the 18 submission of Division 319, and it should be 076. 19 CC-BLC SMITH, Div. 162: Yes, it 20 is in there. Thank you anyway. 21 PRESIDENT HALLÉ: Good point. 22 The Bylaws Committee recommends 23 the rejection of the submission of Division 076 24 and to retain the present law. 25 Let's vote.</p>	<p>1 by -- 2 DELEGATE COAL, Div. 381: So if we 3 adopt this one today, then it's in effect today 4 and...? 5 PRESIDENT HALLÉ: No, it has to be 6 approved. 7 DELEGATE COAL, Div. 381: Oh, from 8 the -- 9 CC-BLC SMITH, Div. 162: From the 10 IBT president. 11 DELEGATE COAL, Div. 381: Okay. 12 CC-BLC SMITH, Div. 162: And we 13 don't know what that date is. That's why we have 14 been asking for those ones we need to be effective 15 immediately, so that we can write them and say we 16 need immediate approval of these ones. 17 DELEGATE COAL, Div. 381: Okay. 18 CC-BLC SMITH, Div. 162: The rest 19 will come in at that unknown date. 20 DELEGATE COAL, Div. 381: All 21 right, thank you. 22 CC-BLC SMITH, Div. 162: Okay. 23 PRESIDENT HALLÉ: Thank you. 24 Any other discussion on this one? 25 Would you please put the vote on the screen?</p>

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1 Ready to vote. Let's vote.
 2 --- Adopt Bylaws Committee Recommendation vote
 3 --- VOTING
 4 PRESIDENT HALLÉ: 107 in favour, 1
 5 against. Motion carried.
 6 --- CARRIED
 7 CC-BLC SMITH, Div. 162: GC of A
 8 Rules, Section 9, we will start with paragraph
 9 (b), page 85:
 10 "Section 9.(d) currently
 11 provides for a membership
 12 vote if the majority of the
 13 delegates are so instructed
 14 by their Divisions.
 15 Your Bylaws Committee
 16 recommends to reject the
 17 resolution submitted by
 18 Division 320 and to retain
 19 present law."
 20 I so move.
 21 PRESIDENT HALLÉ: Seeing no
 22 delegates at the microphone, could you prepare the
 23 vote?
 24 Recommendation of Bylaws Committee
 25 to reject the resolution submitted by Division 320

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1 and to retain present law.
 2 Let's start the vote.
 3 --- Adopt Bylaws Committee Recommendation vote
 4 --- VOTING
 5 PRESIDENT HALLÉ: 102 in favour,
 6 6 against. The motion carried.
 7 --- CARRIED
 8 CC-BLC SMITH, Div. 162: GC of A
 9 Rules, Section 9, paragraph (a), page 84, again,
 10 the same reasoning:
 11 "Your Bylaws Committee
 12 recommends to reject the
 13 resolution submitted by
 14 Division 320 and to retain
 15 present law."
 16 I so move.
 17 PRESIDENT HALLÉ: Seeing no
 18 delegates at the microphone, would you prepare the
 19 vote?
 20 Bylaws Committee recommends to
 21 reject the resolution. Would you please start the
 22 vote?
 23 --- Adopt Bylaws Committee Recommendation vote
 24 --- VOTING
 25 PRESIDENT HALLÉ: 107 in favour, 3

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1 against. Motion's carried.
 2 --- CARRIED
 3 CC-BLC SMITH, Div. 162: GC of A,
 4 Section 9, paragraph (c), page 87, same issue,
 5 same reason:
 6 "The Bylaws Committee
 7 recommends to reject the
 8 resolution submitted by
 9 Division 320 and to retain
 10 present law."
 11 I so move.
 12 PRESIDENT HALLÉ: Seeing no
 13 delegates at the microphone, could you prepare to
 14 vote?
 15 "The Bylaws Committee
 16 recommends to reject this
 17 resolution submitted by
 18 Division 320 and to retain
 19 present law."
 20 Please vote.
 21 --- Adopt Bylaws Committee Recommendation vote
 22 --- VOTING
 23 PRESIDENT HALLÉ: 104 in favour, 2
 24 against. The motion's carried.
 25 --- CARRIED

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1 CC-BLC SMITH, Div. 162: General
 2 Committee Rules, Section 9, paragraph (d), the
 3 last item in that related group, same reasoning:
 4 "Your Bylaws Committee
 5 recommends to reject this
 6 housekeeping resolution for
 7 Section 9.(d) submitted by
 8 Division 320 and to retain
 9 present law."
 10 I so move.
 11 --- Pause
 12 CC-BLC SMITH, Div. 162: I'm
 13 sorry, that's page 89. General Committee Rules,
 14 Section 9, paragraph (d), on page 89.
 15 PRESIDENT HALLÉ: Would you place
 16 the vote on?
 17 "Your Bylaws Committee
 18 recommends to reject this
 19 housekeeping resolution for
 20 Section 9.(d) submitted by
 21 Division 320 and to retain
 22 present law."
 23 Please vote.
 24 --- Adopt Bylaws Committee Recommendation vote
 25 --- VOTING

<p style="text-align: right;">Page 609</p> <p>1 PRESIDENT HALLÉ: 103 in favour, 2 2 against. Motion carried. 3 --- CARRIED 4 CC-BLC SMITH, Div. 162: General 5 Committee Rules, Section 34, paragraph (d), page 6 91: 7 "Upon conception of the TCRC 8 Bylaws, all General Committee 9 provisions were transferred 10 to the TCRC Bylaws at the 11 request of the General 12 Chairman so nothing would be 13 lost." (As read) 14 Since Section 24(d) specified 15 locomotive engineers, the language would operate 16 to exclude all others. The resolution submitted 17 by the TCRC President was to ensure other crafts 18 would not be inadvertently excluded. Upon closer 19 review, the provisions of Section 34(d) are dated 20 and are no longer applicable. Section 34(d) 21 relates to days when locomotive engineers were 22 assigned on yard assignments which worked six or 23 seven days per week. That is no longer the case. 24 Five-day assignments are now the norm and have 25 been for many years.</p>	<p style="text-align: right;">Page 611</p> <p>1 PRESIDENT HALLÉ: Seeing no 2 delegates at the microphone would you prepare the 3 question? Could you please vote? 4 --- Adopt Bylaws Committee Recommendation 5 --- VOTING 6 PRESIDENT HALLÉ: 102 in favour, 7 8 against, motion carried. 8 --- CARRIED 9 CC-BLC SMITH, Div. 162: 10 Legislative Rules, Section 5, paragraph (c), page 11 127. 12 Your Bylaws Committee recommends 13 to reject the resolution submitted by Division 320 14 and to retain present law. 15 PRESIDENT HALLÉ: Seeing no 16 delegates at the microphone could you prepare the 17 vote? 18 Ready to vote, let's do it. 19 --- Adopt Bylaws Committee Recommendation 20 --- VOTING 21 PRESIDENT HALLÉ: 103 in favour, 22 6 against, motion carried. 23 --- CARRIED 24 CC-BLC SMITH, Div. 162: 25 Legislative Rules, Section 5, paragraph (e), page</p>
<p style="text-align: right;">Page 610</p> <p>1 Your Bylaws Committee recommends 2 to reject the resolution submitted by the TCRC 3 President and to accept the resolution submitted 4 by your Bylaws Committee. I so move. 5 PRESIDENT HALLÉ: Seeing no 6 delegates at the microphone would you prepare the 7 vote, please? 8 All set to go. Let's start the 9 vote. 10 --- Adopt Bylaws Committee Recommendation 11 --- VOTING 12 PRESIDENT HALLÉ: 103 in favour, 13 5 against. Motion carried. 14 --- CARRIED 15 CC-BLC SMITH, Div. 162: 16 Legislative Rules, paragraph 5 -- Section 5, 17 paragraph (a)(ii), page 123. 18 The Legislative Committee 19 considered this resolution and provided 20 recommendation to reject the resolution submitted 21 by Division 510 and to retain present law. 22 Accordingly, your Bylaws Committee 23 recommends to reject the resolution submitted by 24 Division 510 and to retain present law. I so 25 move.</p>	<p style="text-align: right;">Page 612</p> <p>1 129. 2 Bylaws Committee recommends to 3 accept the resolution submitted by Division 320. 4 --- Laughter / Rires 5 --- Applause / Applaudissements 6 CC-BLC SMITH, Div. 162: I was 7 afraid it wouldn't come out right. 8 --- Laughter / Rires 9 PRESIDENT HALLÉ: Do you want to 10 go to the microphone, Gerry? 11 Nobody wants to speak on this one. 12 --- Laughter / Rires 13 PRESIDENT HALLÉ: Seeing nobody at 14 the microphone, are you prepared to vote? 15 The Bylaws Committee recommends to 16 accept the resolution submitted by Division 320. 17 Let's start the vote. 18 --- Adopt bylaws committee recommendation 19 --- VOTING 20 PRESIDENT HALLÉ: 97 in favour, 21 14 against. 22 --- CARRIED 23 --- Applause / Applaudissements 24 CC-BLC SMITH, Div. 162: 25 Legislative Rule -- strike that then.</p>

1 --- Laughter / Rires
 2 CC-BLC SMITH, Div. 162:
 3 Legislative Rules, Section 8, paragraph (a), page
 4 131.
 5 Your Bylaws Committee recommends
 6 to accept the resolution of the Bylaws Committee
 7 as submitted. I so move.
 8 PRESIDENT HALLÉ: There is no
 9 delegate at the microphone. Would you please put
 10 the vote on the screen?
 11 Ready to vote; let's vote.
 12 --- ADOPT BYLAWS COMMITTEE RECOMMENDATION
 13 --- VOTING
 14 PRESIDENT HALLÉ: 109 in favour, 1
 15 against, the motion carried.
 16 --- CARRIED
 17 CC-BLC SMITH, Div. 162:
 18 Legislative Rules, Section 10, page 134.
 19 Bylaws Committee recommends to
 20 accept the resolution submitted by the Legislative
 21 Committee. I so move.
 22 --- CARRIED
 23 CC-BLC SMITH, Div. 162: The
 24 Bylaws Committee recommends to accept the
 25 resolution submitted by the Legislative Committee.

1 I so move.
 2 --- Pause
 3 PRESIDENT HALLÉ: Seeing no
 4 delegates at the microphone, would you please put
 5 the question on the screen.
 6 We are ready to vote. Please
 7 vote.
 8 --- Adopt Bylaws Committee Recommendation vote
 9 PRESIDENT HALLÉ: 104 in favour;
 10 3 against.
 11 The motion is carried.
 12 --- CARRIED
 13 CC-BLC SMITH, Div. 162:
 14 Legislative Rule Section 14, page 138.
 15 The Bylaws Committee recommends to
 16 accept the resolution submitted by the Bylaws
 17 Committee.
 18 I so move.
 19 PRESIDENT HALLÉ: Seeing no
 20 delegates at the microphone, would you please
 21 prepare the question.
 22 The Bylaws Committee recommends to
 23 accept the resolution submitted by the Bylaws
 24 Committee.
 25 --- Pause

1 We have to vote on that. The
 2 Bylaws Committee recommends to accept the
 3 resolution submitted by the Bylaws Committee.
 4 Please vote.
 5 --- Adopt Bylaws Committee Recommendation vote
 6 --- VOTING
 7 PRESIDENT HALLÉ: 109 in favour;
 8 1 against.
 9 The motion is carried.
 10 CC-BLC SMITH, Div. 162: Brother
 11 Gilles, somebody sent a note up and it said:
 12 Don't forget to make division election rules
 13 retro.
 14 We need to know exactly which
 15 resolution you are talking about, because we have
 16 some that we are applying for immediate.
 17 Does anybody know where this came
 18 from?
 19 PRESIDENT HALLÉ: We will do that,
 20 but we need to know which one.
 21 CC-BLC SMITH, Div. 162: Yes.
 22 PRESIDENT HALLÉ: Microphone 2.
 23 DELEGATE FRASER, Div. 821: Ron
 24 Fraser, 821, Conductors.
 25 I didn't send the note but I did

1 question earlier that on page 69, Division Section
 2 8, paragraph (h) was accepted and I don't believe
 3 it was made immediate.
 4 I just wanted to make sure for
 5 these fall elections that that was in place.
 6 CC-BLC SMITH, Div. 162: Brothers
 7 and Sisters, the question relates to making sure
 8 provisions related to division elections, that we
 9 don't miss anything in relation to applying for
 10 their retroactive application.
 11 So I would move now that all
 12 resolutions in relation to division elections
 13 apply for retroactive status so that they be in
 14 place for this year's nominations.
 15 Do I have a seconder?
 16 PRESIDENT HALLÉ: Brother Rick
 17 Cerilli from Edmonton seconds it.
 18 Could you repeat it again to make
 19 sure everyone understands.
 20 CC-BLC SMITH, Div. 162: The
 21 motion is that all division election-related
 22 resolutions be included in the request for
 23 retroactive application so that they be in line
 24 for our nominations and elections this year.
 25 PRESIDENT HALLÉ: There is a

1 motion and a second.
 2 Any debate?
 3 Seeing no debate, could you put
 4 the question.
 5 --- Adopt Bylaws Committee Recommendation vote
 6 PRESIDENT HALLÉ: All right. If
 7 you are ready to vote, please vote.
 8 --- VOTING
 9 PRESIDENT HALLÉ: 96 in favour;
 10 3 against.
 11 The motion is carried.
 12 --- CARRIED
 13 PRESIDENT HALLÉ: Microphone 2.
 14 DELEGATE RANSON, Div. 320:
 15 Division 320, Gerry Ranson.
 16 In the past divisional elections,
 17 we received or the STs received all the ballots in
 18 envelopes from Cleveland. I was just wondering
 19 what the process is for this round of elections.
 20 Are we going to get the ballots
 21 from the national office or is it going to be up
 22 to the divisions to supply their own ballots and
 23 procedures, or whatever?
 24 PRESIDENT HALLÉ: I am not sure
 25 exactly. I know it went through my office before

1 they were sent, but I never dealt with it myself.
 2 So let me get back to you on this
 3 question. I am not sure. I never dealt with that
 4 personally.
 5 DELEGATE RANSON, Div. 320: Well,
 6 because the whole thing is it is going to get
 7 fairly complicated as far as these local committee
 8 elections and stuff. And there isn't that much
 9 time to deal with it.
 10 So I am just wondering if anything
 11 has been prepared or instructions to STs how they
 12 should go about it.
 13 PRESIDENT HALLÉ: Okay. We will
 14 deal with that.
 15 CC-BLC SMITH, Div. 128: Brother
 16 President, that concludes the report of the Bylaws
 17 Committee.
 18 --- Applause / Applaudissements
 19 PRESIDENT HALLÉ: Well, let me say
 20 this to you. Sure these people work hard, all the
 21 members who were appointed to that committee.
 22 I was here in Ottawa with them for
 23 the 2 weeks they spent here and they worked days
 24 and nights. I saw them, you know, working late at
 25 night and through the weekends. And I know Chris

1 has put a lot of effort on the typewriter too.
 2 So, I -- we really appreciate what
 3 you have done. I think this convention has been
 4 going extremely good. And like I said before, the
 5 biggest thing in a convention is probably the
 6 Bylaws Committee.
 7 So I, on behalf of the whole
 8 membership, I want to thank the whole Bylaws
 9 Committee and the two Co-chairs especially.
 10 Thank you very much, Chris. Well
 11 done job.
 12 --- Applause / Applaudissements
 13 CC-BLC SMITH, Div. 128: I would
 14 just like to have my comments reflect that the
 15 committee was a real hardworking committee. We
 16 didn't always see eye to eye, but we always got
 17 along.
 18 And I guess that is the only way
 19 you can get through work is just put your head
 20 down and keep going. But Brother Gilles, it was a
 21 great committee to work on. I really enjoyed it.
 22 And I thank all the committee
 23 members for just really having the goal in sight
 24 and just keeping their head down and just keep
 25 plugging until we got it done. So thank you all

1 committee members.
 2 PRESIDENT HALLÉ: Thank you,
 3 very much.
 4 CC-BLC FINNISON, Div. 793: I would
 5 also like to thank the committee members and the
 6 Co-chair, Chris and Brother Hallé and the
 7 Executive Board for any assistance we asked of
 8 them.
 9 And I also would like to express
 10 my appreciation for the delegates sticking to the
 11 book today and working through. I think you guys
 12 have made a lot of appropriate decisions and I
 13 think you did well today.
 14 And we got through all the work
 15 which is important. Thank you.
 16 PRESIDENT HALLÉ: Thank you. So,
 17 the next Order of Business, it is Report of Order
 18 Committees if any.
 19 I don't think there is any other
 20 report. There is no financial report. That was
 21 all done previously.
 22 The next Order of Business, No. 9,
 23 should be reading of resolutions and petitions.
 24 It is 3 o'clock. I would like to know if you want
 25 a quick recess or you want to go through this next

1 one, Order No. 9. We can keep on going.
 2 Brother Welter, what...
 3 DELEGATE WELTER, Div. 132: (Off
 4 microphone)
 5 PRESIDENT HALLÉ: It's okay. We
 6 will continue then. Let's go.
 7 Microphone number 1.
 8 DELEGATE WELTER, Div. 132: David
 9 Welter, Division 132, Sarnia.
 10 We have a proposal here for this
 11 committee and to be handed off to President Hallé.
 12 It is a Division 132 petition signed by most
 13 everybody on the petition.
 14 I haven't signed it because I got
 15 it, it is exactly the way I received it from the
 16 other members. But other than that 100 percent of
 17 the membership has signed it.
 18 Item 1. That Division 132 and its
 19 members immediately wish to remove itself from the
 20 jurisdiction and authority of the General Chairman
 21 and the U.S. and CSX-NRL General Committee of
 22 Adjustment.
 23 Item 2. That Division 132
 24 immediately form its own GCA Division Committee to
 25 be located in Sarnia, Ontario. This committee GC

1 of A to have all the necessary authority to
 2 bargain contractually and to resolve on-property
 3 disputes under Canadian law which is at this time
 4 being looked after by the CSX-NRL General
 5 Committee of Adjustment under the U.S. Rail Labour
 6 Act.
 7 Most important, Number 3, Items 1
 8 and 2, as above are with the understanding that
 9 all required assistance to effectuate these
 10 changes will be given to the Division 132 by the
 11 Canadian TCRC and President Hallé.
 12 PRESIDENT HALLÉ: Okay.
 13 DELEGATE WELTER, Div. 132: And I
 14 would ask that your support and maybe even a vote
 15 on it, that you support us in this endeavour.
 16 And I will give this paperwork to
 17 the President.
 18 PRESIDENT HALLÉ: You sent me that
 19 letter. I will see if I can clarify Brother
 20 Welter. You sent me the letter and I dealt with
 21 it. I talked to President --
 22 UNIDENTIFIED DELEGATE: (Off
 23 microphone)
 24 PRESIDENT HALLÉ: Right. Okay.
 25 Do you want to -- do we have to type it and put

1 that on the screen or is it okay like this?
 2 DELEGATE WELTER, Div. 132: No,
 3 it's okay. There is more information for you with
 4 it, but that was the proposal.
 5 The other proposal that I sent you
 6 proposed only about the national. This is about
 7 moving the Division.
 8 PRESIDENT HALLÉ: Okay. Do we
 9 need a second on a resolution like this?
 10 UNIDENTIFIED DELEGATE: It would
 11 be nice.
 12 PRESIDENT HALLÉ: Where is my
 13 Parliamentarian?
 14 DELEGATE WELTER, Div. 132:
 15 Brothers, can I get somebody to help me out here
 16 and second it?
 17 UNIDENTIFIED DELEGATE: There is a
 18 seconder over here.
 19 PRESIDENT HALLÉ: Okay. Brother
 20 David Swales from Division 900 seconds the motion.
 21 UNIDENTIFIED DELEGATE: Maybe you
 22 should explain what the problem is before they ...
 23 PRESIDENT HALLÉ: I don't know if
 24 it is -- we will do whatever we can to do that.
 25 And let me explain to you what it is all about.

1 Brother Welter is part of
 2 Division 132, Sarnia. Division members in 132
 3 work for CSX which is a U.S. line with
 4 headquarters in Florida.
 5 And the deal is because they are
 6 Canadian, they pay dues to us, the national dues
 7 and the legislative dues are paid to us. But this
 8 contract being with CSX, deals with General
 9 Chairman, they pay the General Chairman dues to a
 10 General Chairman in the U.S. who deals with the
 11 CSX.
 12 The thing that the members in
 13 132 want to do is to be part totally in their
 14 Canadian Division but also that their bargaining
 15 be done by Canadians. I have to talked to Brother
 16 Bouvier about that.
 17 It is quite clear in all merger
 18 agreements, it is quite clear in Section 26 of the
 19 IBT constitution that deals with the Canadian
 20 sovereignty that any member in Canada must be
 21 represented by and under the umbrella of Teamsters
 22 Canada.
 23 The part of the constitution,
 24 either the IBT Teamsters Canada or TCRC it's
 25 pretty clear. The problem will probably be with

1 CSX because the thing that we have to do, it's the
2 bargaining certificate for that group of
3 employees, if it was issued under the CIRB rules
4 or if it was issued under the U.S. rule. So --
5 and how we can deal with that.

6 I checked an example with the
7 Burlington Norton that we have in western Canada
8 but Burlington Norton Manitoba so it's a Canadian
9 company for the sake of bargaining. We had, I
10 think, CONRAIL before was located in Canada but
11 they moved south of the border. We don't have
12 that problem.

13 But I know to make a motion you
14 are fine, but to the extent that if we cannot
15 legally accomplish it, that it must be understood.
16 It is certainly the wish and I talked to Brother
17 Welter before and I said, you are more than
18 welcome to do that and even if the trainman wants
19 to do the same we can accommodate that, but to the
20 extent that it is legally feasible.

21 So, no problem if you entertain
22 the motion but we may have to deal with the legal
23 aspect of -- and I already mentioned that to
24 Brother Chuck Anderson and I mentioned that to
25 President Hahs in our discussion and I had a

1 Canada so that they can't hide under the U.S. Rail
2 Labour Act and their Section 6s, and get the stuff
3 negotiated from Canada for us Canadians.

4 You collect our dues here. We are
5 willing to give you more. For the last year and a
6 half you have been collecting them. Now it's time
7 you did something.

8 That is the feeling of the
9 division.

10 PRESIDENT HALLÉ: I understand
11 that. We will try to bring the bargaining
12 certificate back to Canada, but...

13 We will do our best.

14 DELEGATE WELTER, Div. 132: I
15 know. You have verbally given me your support,
16 and now I am asking for the support of everybody
17 in this room, which, to me, to take back to the
18 division, means something.

19 Thank you for your time.

20 Any other questions I will answer.
21 Other than that, thank you for your time.

22 PRESIDENT HALLÉ: Thank you.

23 We have a resolution, seconded,
24 from Brother Welter to vote on. Let's start the
25 vote.

1 letter from Brother Welter.

2 you are more than welcome, but
3 you must understand that there is a legal aspect
4 to deal with.

5 I just want to clarify that.

6 DELEGATE WELTER, Div. 132: You
7 have to understand that when you talk to CSX, they
8 say that we don't have an agreement, when you go
9 after something in an agreement.

10 They say that we get it out of the
11 goodness of their hearts, because we don't belong
12 to them. They make the agreements for those in
13 the U.S., under the U.S. Rail Labour Act, and just
14 because they are nice people, they give us what
15 they want out of it.

16 The problem with it is that so
17 much of it stops at the border. We have stuff
18 that is going back over ten years that they have
19 just stalled. They just sit there and do
20 absolutely nothing.

21 Our Health and Welfare is in a
22 shambles. They get it updated in the States, but
23 they won't negotiate with us, and they won't give
24 us what the Canadian stuff is.

25 What we are trying to do is get

1 --- VOTING

2 --- Pause

3 PRESIDENT HALLÉ: In favour, 102;
4 against, 1.

5 The resolution is carried.

6 --- CARRIED

7 --- Applause / Applaudissements

8 PRESIDENT HALLÉ: The next order
9 of business is No. 10, which is "New Business".
10 Microphone 2.

11 DELEGATE ABLE, Div. 322: I have a
12 motion that I would like to make.

13 Is this the place to do it, or do
14 you have to suspend the rules?

15 PRESIDENT HALLÉ: This is new
16 business.

17 DELEGATE ABLE, Div. 322: New
18 business, okay.

19 The elections of the President,
20 Vice President and General Secretary-Treasurer
21 will be counted on December 1st, 2006, and will be
22 effective January 1st, 2007.

23 I so move.

24 PRESIDENT HALLÉ: I don't know,
25 Brother Dave, if we can do that. They are

1 specific in the initiative, the timeframe, and
2 there are a lot of things to deal with in that
3 submission.

4 If you want to put handcuffs on
5 like this, there is a lot to do first in the
6 division, and there is a lot to do -- and I think
7 you have to have the time to allow the question,
8 and the membership list, et cetera.

9 DELEGATE ABLE, Div. 322: I am
10 wondering, because we did get the resolution for
11 this out very quickly, so it is possible.

12 And it says between two and four
13 months, so I think that the delegates should set
14 the timeline for that, because these are the
15 representatives of the people, and the people
16 decided on the initiative.

17 PRESIDENT HALLÉ: It says "no less
18 than two, no more than four."

19 I don't know --

20 DELEGATE ABLE, Div. 322: We are
21 within that. It is two months and two weeks.

22 We are within there.

23 PRESIDENT HALLÉ: Microphone 4?

24 DELEGATE HAMEL, Div. 319: If he
25 needs a seconder --

1 We can give him a minute for a
2 seconder, I don't know.

3 PRESIDENT HALLÉ: No, he had one
4 already, I just can't see the name of the Brother.

5 DELEGATE JONES, Div. 529: Dave
6 Jones, 529.

7 PRESIDENT HALLÉ: Okay, Dave
8 Jones, 529.

9 DELEGATE HAMEL, Div. 319: I have
10 other new business. Are we done with that one?

11 PRESIDENT HALLÉ: No, we are not
12 done with it.

13 Okay. Could you read that
14 again, Dave?

15 --- Pause

16 PRESIDENT HALLÉ: The way I look
17 at this, Dave -- honestly, I asked the IBT people
18 about the election. I think he is saying that
19 they are going to count the ballots on November
20 16th. So, to do that, all ballots will be
21 overlapping the IBT ballots, and it might create a
22 problem with them.

23 DELEGATE ABLE, Div. 322: Point of
24 order. I don't know if the Chair can argue, but I
25 think it is up to the delegates.

1 PRESIDENT HALLÉ: No, I am just
2 pointing that out to you.

3 DELEGATE ABLE, Div. 322: Yes, and
4 that's fair. That's a good reason, but --

5 PRESIDENT HALLÉ: To the extent
6 possible --

7 DELEGATE ABLE, Div. 322: I will
8 speak to this.

9 It's just time. The elections for
10 the Trustees and everyone else have been done.
11 Let's go, because four months, six months -- we
12 don't know when it will be, and I don't think that
13 the Executive Board should be deciding that. I
14 think it should be to the delegates. You are the
15 people that are here. I think you are the
16 spokesman for the Brothers and Sisters. So that's
17 my reason for presenting this.

18 PRESIDENT HALLÉ: Okay. Any
19 more...?

20 Microphone 1.

21 CC-BLC SMITH, Division 162: Chris
22 Smith, Division 162, Moncton, New Brunswick.

23 I'm concerned about the logistics
24 of mailing the ballots out and them having enough
25 time to mail back. Everybody understands, you

1 know, what "between two and not longer than four
2 months" means. I don't agree with the notion that
3 we should jump in the middle of this simply
4 because we are delegates in session.

5 This was a membership initiative.
6 If there are questions on procedure on how it
7 should be conducted or what's reasonable in it
8 being conducted within that two- and four-month
9 period, I think that's a matter of possibly the
10 IBT suggesting the timeline or whatever.

11 I don't think we jump in, as
12 delegates, and start interfering with what the
13 members, themselves, have put in motion.

14 DELEGATE ABLE, Div. 322: Dave
15 Able, 322.

16 I don't think we are interfering
17 in the initiative. It says "between two and four
18 months". I haven't seen the presenter of the
19 division come up and say that it's not correct,
20 the "between two and four months".

21 It says "the election", so when is
22 the election -- in paragraph 2, in there, it says
23 "election", so an election between two and four
24 months. December 1st is within two and four
25 months. That's why the delegates should be

1 setting the date for this because who knows how
2 long we can carry it.

3 PRESIDENT HALLÉ: If I might, we
4 discussed that at the advisory board and we
5 already discussed our timeframe, how to do that
6 properly to make sure that it was done properly.
7 If you want to make a motion like this, we already
8 discussed that between ourselves.

9 Anyway, it's Brother -- No. 2.
10 DELEGATE RANSON, Div. 322:
11 Division 322, Gerry Ranson.

12 All right, I don't know if that
13 election officer is still here, but I would
14 suggest you want to seek a clarification of him,
15 what they mean in that IBT constitution "between
16 four and six months", but it was my thought what
17 that terminology meant is the ballot cannot go out
18 before two months and it had to be returned prior
19 to four months.

20 So if you want to know my opinion,
21 you can't send that ballot out before November
22 21st. How much time you are allowed to bring it
23 back, I would suggest you go to the IBT, but it
24 has to be returned before four months.

25 PRESIDENT HALLÉ: The question was

1 asked because, if you remember the nomination for
2 Brother Offonkeega(ph) were done the last days of
3 June and the ballots will be made on October 14th
4 or 15th. So that's July, August, September,
5 three-and-a-half months, when their thing says
6 "between three and six". So they mail it after
7 three, and that was our discussion between
8 ourselves to mail it after two months.

9 Now, on top of overlapping on the
10 IBT, we might be wrong, so to do that, I would
11 like, first, to get a ruling from the IBT how they
12 would do that exactly. If we pass a motion here
13 that's against the rule.... I mean, we had enough
14 appeal on this, I think, and enough of this and
15 that. We have got to point we got 88 percent of
16 the membership that gave us the rule, we will
17 apply the rules.

18 I don't want to get into a trap
19 again. There will be appeal and appeal and
20 appeal. Let's do it properly.

21 DELEGATE SINGER, Div. 563: A
22 point of information, Brother Chair.

23 I spoke with the Brother from the
24 IBT and asked him that exact question, what
25 constituted "election", and he said it's from the

1 time the convention convenes to the time the
2 ballots are counted.

3 PRESIDENT HALLÉ: I would like to
4 get that in writing, myself, if you don't mind.

5 DELEGATE SINGER, Div. 563: Yes,
6 but that's the interpretation he gave me this
7 morning.

8 PRESIDENT HALLÉ: I would like to
9 get that in writing, because I don't want to
10 appeal and appeal and appeal. I mean, let's get
11 over this. The membership has spoken, we have
12 spoken on the guidelines.

13 Any other debate on this?
14 Okay, let's call for the question.

15 Put the vote on.
16 --- Pause

17 PRESIDENT HALLÉ: Okay, we got the
18 vote on the screen on the proposal made by Brother
19 Able, seconded by Brother Jones.

20 Okay, let's vote.
21 --- Resolution on Election Count And Effective
22 Date vote
23 --- VOTING

24 PRESIDENT HALLÉ: 58 in favour,
25 49 against. So carried.

1 --- CARRIED

2 PRESIDENT HALLÉ: Microphone 4.
3 DELEGATE HAMEL, Div. 319: Mike
4 Hamel, 319, Engineers.

5 The president of the 319 also
6 mentioned that I was supposed to pick up the
7 divisional seal down here. Do you know anything
8 about that, Mr. Chair?

9 PRESIDENT HALLÉ: I told the
10 president that we don't provide division seals.
11 We discussed that at the board meeting. I wrote
12 an answer back to him. We don't provide division
13 seals any more.

14 DELEGATE HAMEL, Div. 319: Okay,
15 cause I didn't get that information.

16 PRESIDENT HALLÉ: Okay. Well,
17 I...

18 DELEGATE HAMEL, Div. 319: Okay.
19 I would like to make a motion.

20 PRESIDENT HALLÉ: Okay.
21 DELEGATE HAMEL, Div. 319: I would
22 like to make a motion that the TCRC provide the
23 division seals.

24 PRESIDENT HALLÉ: We took that out
25 of Bylaws.

1 Microphone No. 3.
 2 DELEGATE OHRYN, Div. 680:
 3 Mr. Chairman, Mike Ohryn, Division 680, Engineers.
 4 I second that motion.
 5 PRESIDENT HALLÉ: Okay. There's a
 6 second to the motion.
 7 --- Pause
 8 PRESIDENT HALLÉ: Is that your
 9 intent, Brother Hamel, to put these things back
 10 into our bylaws?
 11 DELEGATE HAMEL, Div. 319: Well, I
 12 guess so.
 13 PRESIDENT HALLÉ: What's the
 14 answer?
 15 DELEGATE HAMEL, Div. 319: Yes. I
 16 didn't realize they were taken out of the bylaw,
 17 to tell you the truth.
 18 --- Pause
 19 PRESIDENT HALLÉ: It should have
 20 been done through the Bylaws Committee, then.
 21 --- Pause
 22 PRESIDENT HALLÉ: Microphone 3.
 23 TRUSTEE WHETEN: I would like to
 24 speak against the motion.
 25 It took us about 25 years to get

1 the seals out of the bylaws, and I think by
 2 supporting this motion we are going back about 25
 3 years.
 4 Thank you very much.
 5 PRESIDENT HALLÉ: Thank you.
 6 Any other discussion? Microphone
 7 1, Brother Smith.
 8 CC-BLC SMITH, Division 162: The
 9 member that made the motion, is there a reason you
 10 need the seals?
 11 Microphone 4.
 12 DELEGATE HAMEL, Div. 319: I'm
 13 just a delegate here, it was the president that
 14 asked that I retrieve it and bring it back. I'm
 15 here to do what I'm told and, as a delegate,
 16 that's what I was told to do.
 17 PRESIDENT HALLÉ: Microphone 3.
 18 DELEGATE OHRYN, Div. 680: Mike
 19 Ohryn, Division 680, Engineers.
 20 I believe it's a tradition of the
 21 old BLE that should be carried forward to our new
 22 organization, simply.
 23 PRESIDENT HALLÉ: Thank you.
 24 Okay, there's a motion, but they
 25 will not be in the bylaws. If you want to do a

1 motion like this, we don't want to go back into
 2 the Bylaw Committee rules.
 3 We have got a motion that we
 4 provide seals. It's seconded, and there's no more
 5 debate. Can we vote on the question?
 6 --- Pause
 7 PRESIDENT HALLÉ: Okay, there's a
 8 motion to provide division seals.
 9 Ready to vote. Let's start the
 10 vote.
 11 --- Motion to Provide Division Seals vote
 12 --- VOTE
 13 PRESIDENT HALLÉ: 17 in favour,
 14 86 against. Motion failed.
 15 --- DEFEATED
 16 PRESIDENT HALLÉ: Microphone 2.
 17 Brother Edwards.
 18 DELEGATE EDWARDS, Div. 657: Greg
 19 Edwards, 657, Locomotive Engineers.
 20 Brother Gilles, I know you just
 21 said you don't want to go back into the bylaws and
 22 I'm just about to ask if I'm allowed to make a
 23 bylaw proposal under "New Business". I have it
 24 written down ready to go, and it has to deal with
 25 the local elections, which we did a lot of things

1 to and never clarified, and I wonder if I could
 2 make this motion.
 3 PRESIDENT HALLÉ: "New Business",
 4 get to it.
 5 DELEGATE EDWARDS, Div. 657: Okay.
 6 I move that we add the following
 7 in the Division Rules Bylaws, page 25, section
 8 8.(b), right at the top of the page.
 9 My proposal is that we add the
 10 additional language at the end the sentence in
 11 (b):
 12 "In Divisions that represent
 13 more than one craft a
 14 separate ballot shall be
 15 prepared for each craft."
 16 PRESIDENT HALLÉ: Slow down, slow
 17 down, slow down, slow down, she's writing.
 18 DELEGATE EDWARDS, Div. 657: I'm
 19 going to give it to her written, if she would
 20 like.
 21 PRESIDENT HALLÉ: Okay. Go ahead.
 22 DELEGATE EDWARDS, Div. 657: Okay.
 23 "All members will be provided
 24 with a ballot prepared for
 25 the craft in which they are

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1 working. The ballots
 2 prepared for each craft will
 3 be the same except for the
 4 positions for local
 5 Committees of Adjustment and
 6 the delegate to the TCRC.
 7 The ballots for each craft
 8 will be counted separately."
 9 --- Pause
 10 PRESIDENT HALLÉ: Microphone 2.
 11 DELEGATE WEISS, Div. 667: Mike
 12 Weiss, Division 667, Automotive Engineers, seconds
 13 that motion.
 14 PRESIDENT HALLÉ: Thank you,
 15 Brother Mike.
 16 --- Pause
 17 PRESIDENT HALLÉ: Microphone 1.
 18 UNIDENTIFIED DELEGATE: I'm a
 19 little confused. Is this a new resolution or is
 20 this an amendment to a resolution that we have
 21 already handled?
 22 UNIDENTIFIED DELEGATE: A new
 23 resolution.
 24 UNIDENTIFIED DELEGATE: Well, a
 25 point of order. He didn't have it in his

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1 submission, I guess you don't get it now.
 2 PRESIDENT HALLÉ: It's under "New
 3 Business", but I'm wondering, my question, we
 4 dealt with similar issues this morning, if we are
 5 not in conflict directly with the one we dealt
 6 before, so that's what I'm trying to find out.
 7 Microphone 2.
 8 DELEGATE EDWARDS, Div. 657: The
 9 reason I'm bringing this up, I got up and spoke
 10 against an amendment to a submission this morning
 11 and, basically, my reasoning was that it was in
 12 the wrong part of the bylaws. And the amendment
 13 did die, the resolution went through, but at that
 14 time I, at least, said at the microphone, and
 15 nobody contradicted me from the chair, there were
 16 other parts of the agenda where maybe we should
 17 have to look at changing new bylaws, and I'm just
 18 doing that. Nobody told me at that time that was
 19 inappropriate, so that's what I'm trying to do.
 20 --- Pause
 21 DELEGATE RANSON, Div. 320: A
 22 point of order.
 23 PRESIDENT HALLÉ: No. 2.
 24 DELEGATE RANSON, Div. 320: I
 25 refer the chair to Section 34 of Bylaws, where it

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1 states in the case of special rules, if two-thirds
 2 vote of all delegates present ... a resolution
 3 that has -- they have to be submitted in the
 4 proper form for sure.
 5 So unless there's a suspension of
 6 the rules, then this motion can be brought
 7 forward.
 8 --- Pause
 9 PRESIDENT HALLÉ: So I think you
 10 are going to need two-thirds of the delegates to
 11 suspend the rule to bring this up under Section
 12 34.
 13 --- Off microphone
 14 PRESIDENT HALLÉ: I said under
 15 Section 34 -- check with Mr. Shields -- you will
 16 need to suspend the rule with a two-thirds
 17 majority to bring this thing.
 18 What it reads in Section 34 is:
 19 "Resolution to Rail
 20 Conference. Except in case
 21 of suspension of the rules by
 22 two-thirds vote of all
 23 delegates present, six copies
 24 of any resolution..."
 25 (As read)

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1 So except in case of the
 2 suspension of the rules by a two-thirds vote of
 3 the delegates present. That's how you bring a
 4 resolution to the Rail Conference.
 5 So I think it is a resolution on
 6 the Bylaws. You need to suspend the rule with
 7 two-thirds.
 8 DELEGATE EDWARDS, Div. 657: Greg
 9 Edwards, Division 657, Locomotive Engineers.
 10 I would like to make a motion that
 11 we suspend the rules so we may discuss the
 12 proposal that we have up on the screen.
 13 PRESIDENT HALLÉ: Okay.
 14 Is there a seconder?
 15 Okay, Brother from Division 320
 16 Vancouver.
 17 --- Motion to Suspend the Rules vote
 18 PRESIDENT HALLÉ: Okay, we are
 19 ready to vote to suspend the rules. Let's vote.
 20 --- VOTING
 21 PRESIDENT HALLÉ: 62 against; 42
 22 in favour.
 23 We will not suspend the rules.
 24 --- DEFEATED
 25 PRESIDENT HALLÉ: Microphone 3,

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1 Brother Bourgeois.
 2 DELEGATE BOURGEOIS, Div. 258:
 3 Yes, André Bourgeois, Division 258, Locomotive
 4 Engineers.
 5 Does this Section 34 nullify the
 6 previous question?
 7 PRESIDENT HALLÉ: The previous
 8 question on the -- it was turned down.
 9 DELEGATE BOURGEOIS, Div. 258: No,
 10 the question for the vote, the one-month delay.
 11 PRESIDENT HALLÉ: That motion,
 12 Brother Bourgeois, did not change anything in our
 13 Bylaws. That was something to deal with the
 14 timeframe in 1(e), the timeframe in the
 15 initiative.
 16 So it has nothing to do with this.
 17 We will get the ruling from the IBT on this
 18 motion. But that has nothing to do with our
 19 Bylaws really.
 20 Seeing there are no more
 21 delegates...
 22 DELEGATE FLEGEL, Div. 793: Jim
 23 Flegel, Division 793, Locomotive Engineers.
 24 I just have a question for the
 25 person who handled the voting machines that said

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1 something to the effect that there had to be a
 2 motion in place to destroy the ballots.
 3 I am wondering whether a motion is
 4 in order or whether it is necessary. I looked
 5 through the bylaws and I didn't notice anything
 6 per se. So it is just a question to the Chair
 7 whether you require a motion.
 8 PRESIDENT HALLÉ: I am not sure if
 9 we need a motion to do that or if there is a
 10 timeframe to keep the ballots for the appeal. If
 11 there is a timeframe for appeal, we will not be
 12 able to destroy the ballots until that timeframe
 13 has passed.
 14 If you want to make a motion to
 15 destroy after...
 16 DELEGATE FLEGEL, Div. 793: Okay.
 17 I move that the ballots be
 18 destroyed from the election after the timeframe
 19 for appeal, as provided for in the Bylaws.
 20 PRESIDENT HALLÉ: The election we
 21 had today.
 22 DELEGATE FLEGEL, Div. 793: That
 23 is what I am referring to.
 24 PRESIDENT HALLÉ: Yes, the
 25 election we had today.

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1 DELEGATE FLEGEL, Div. 793: Yes.
 2 PRESIDENT HALLÉ: Is there a
 3 seconder to that motion?
 4 Brother Ken Orr from 904.
 5 So we will respect the timeframe
 6 for appeal, and after that we will request the
 7 company to destroy the ballots.
 8 Can you put the question --
 9 Microphone 1, Brother Smith.
 10 DELEGATE SMITH, Div. 667: Can we
 11 get a clarification of the time limit for the
 12 appeal, what the timeframe is.
 13 PRESIDENT HALLÉ: It is probably
 14 60 days, 30 to 60 days, something like that. I
 15 don't have the IBT Constitution with me, and I
 16 just don't want to shoot from the hip.
 17 I just want to make sure that
 18 there is a right to appeal the election, and I
 19 want to make sure that we are not going here to
 20 destroy something that might kick back. There are
 21 a lot of people that like to appeal, so we will
 22 double-check everything first.
 23 So the motion was after the delay
 24 for appeal has passed, we request that the ballots
 25 be destroyed.

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1 --- Motion to Destroy the Ballots After the Appeal
 2 Period
 3 PRESIDENT HALLÉ: The vote is
 4 ready. Would you please vote.
 5 --- VOTING
 6 PRESIDENT HALLÉ: 94 in favour;
 7 9 against.
 8 The motion is carried. We will
 9 make the necessary arrangements.
 10 --- CARRIED
 11 PRESIDENT HALLÉ: Microphone 2.
 12 DELEGATE BEAVER, Div. 288: It is
 13 Tim Beaver here, Division 288, Locomotive
 14 Engineers.
 15 I move that we adjourn the
 16 Convention.
 17 PRESIDENT HALLÉ: Brother Tim, if
 18 there was no more business, we would like to but
 19 there is some stuff to do before we adjourn.
 20 Microphone 2.
 21 DELEGATE GALLOP, Div. 295: Ray
 22 Gallop, Division 295.
 23 It's just a question. The
 24 transcripts that we have been getting, like we
 25 have Volume 1, Volume 2. I am just curious about

1 today's. I guess we will be open for tomorrow to
2 be picked up somewhere?

3 PRESIDENT HALLÉ: My
4 understanding -- and, Line, correct me if I am
5 wrong -- is they will deliver them to our office
6 tomorrow and we will ship them to all the
7 delegates and the officers.

8 DELEGATE GALLOP, Div. 295: The
9 third one will be mailed.

10 PRESIDENT HALLÉ: They will be
11 mailed to your house or office.

12 DELEGATE GALLOP, Div. 295: Thank
13 you.

14 PRESIDENT HALLÉ: We said this
15 morning that the elected officers may want to say
16 a few words.

17 I will ask, first, Brother
18 Vickers.

19 Do you want to say a few words,
20 Paul?

21 DELEGATE VICKERS: Just thank you.

22 --- Laughter / Rires

23 PRESIDENT HALLÉ: Brother Able?

24 --- Off microphone

25 PRESIDENT HALLÉ: Thank you, too.

1 Brother Willows?

2 --- Off microphone

3 PRESIDENT HALLÉ: Brother
4 Généreux, are you in the room?

5 --- Off microphone

6 PRESIDENT HALLÉ: Brother Wheten?

7 TRUSTEE WHETEN: It's an honour
8 and a privilege, guys. Thanks very much.

9 --- Applause / Applaudissements

10 PRESIDENT HALLÉ: I will go with
11 the Alternate Brother Caldwell.

12 DELEGATE CALDWELL, Div. 189:
13 Thank you.

14 PRESIDENT HALLÉ: Brother Singer.
15 --- Off microphone

16 PRESIDENT HALLÉ: And who is the
17 third one?

18 Brother Cormier.

19 --- Applause / Applaudissements

20 PRESIDENT HALLÉ: Let me say this
21 was our first convention. There was a lot of
22 work. I want to thank Richard that was in charge
23 of putting this thing together in regards to the
24 room, the whole preparation. But as the clock was
25 ticking, in Los Vegas when President Hahs made me

1 the offer to provide the services of two persons.

2 Before I go with the staff and
3 others I would like Brother Dave Ditzel and
4 Brother Chuck. Come on the stage, come on here.

5 --- Applause / Applaudissements

6 PRESIDENT HALLÉ: If we had it so
7 nice, it is because of these two guys.

8 BROTHER DITZEL: Well, thanks
9 Gilles, it is certainly a pleasure and I will say
10 that with emphasis, a pleasure to be back in
11 Canada. It has been some time since I have been
12 here.

13 I have a great number of dear
14 friends here. And it is certainly lovely, I love
15 the culture here where our French brothers and
16 sisters -- I even got to have some poutine, so my
17 stomach is full. My heart is full of memories.

18 So I am very happy to have been
19 here. Thank you.

20 --- Applause / Applaudissements

21 DELEGATE ANDERSON, Div. 362:
22 Brothers and sisters, I think you did a tremendous
23 job.

24 First of all, thank you for your
25 patience. This first convention, there was a

1 growing period and we got through it and I think
2 you all did a tremendous job.

3 And I would like to just thank a
4 couple of people who probably don't get many
5 thanks because we learned something, speaking for
6 BLET, I learned something too. I think I am real
7 interested in your court reporters for our next
8 convention.

9 So, they did a great job having
10 the index in the back. We never had that and we
11 are going to have it from now on.

12 And then, I think Pierre deserves
13 a great round of applause there for saving us
14 about 6 hours in the voting this morning by
15 devising the method that we can vote on our
16 trustees and our alternate officers. And I think
17 we should give him a hand.

18 --- Applause / Applaudissements

19 DELEGATE ANDERSON, Division 362:
20 I just thank you very much. It has been a
21 wonderful experience. I love being up here.

22 My mother was a Canadian, born in
23 Beausejour, Manitoba and so I have a special heart
24 for all of you brothers and sisters.

25 --- Applause / Applaudissements

1 PRESIDENT HALLÉ: There are 2
 2 special persons -- it should be 3, there is one in
 3 the main office. But, Line, come on here and
 4 where is Shelley? Shelley, where are you hiding?
 5 Our Controller.
 6 --- Applause / Applaudissements
 7 UNIDENTIFIED DELEGATE: Stand up,
 8 Shelley.
 9 PRESIDENT HALLÉ: Not only is she
 10 small, she is going to stay there. Come on up.
 11 You did a lot, a lot of good work.
 12 Usually we say the money man, but now it is the
 13 money girl.
 14 --- Laughter / Rires
 15 PRESIDENT HALLÉ: So we really
 16 appreciate all effort and dedication to this
 17 convention.
 18 SISTER ROBILLARD: Well, thank you
 19 guys. And it was a pleasure meeting all of you.
 20 UNIDENTIFIED SISTER: Yes it was.
 21 SISTER ROBILLARD: Thank you.
 22 --- Applause / Applaudissements
 23 PRESIDENT HALLÉ: All the under
 24 staff, Darrel, Arnold and Benoit Brunet, thanks a
 25 lot for your help.

1 The whole arrangement committee.
 2 --- Applause / Applaudissements
 3 The employees of AWW-TELAV, the
 4 court reporter and especially a great, great,
 5 great thanks to Jim Shields who was our
 6 Parliamentarian in today's deliberation.
 7 --- Applause / Applaudissements
 8 PRESIDENT HALLÉ: He has been
 9 always kicking my leg for the last 20-some years
 10 so it's used to ...
 11 To all of you, the hotel, to the
 12 hotel staff, that was well done. Good meals, good
 13 services.
 14 And to you delegates I am really,
 15 really, really proud. Like I said, I was nervous
 16 when I started this on Tuesday morning. You
 17 probably heard my voice.
 18 And I was nervous because I said
 19 you think about 2 years ago, a year, you get to 6
 20 months, to 3 months and you get in the night when
 21 you try to sleep -- Monday night I was trying to
 22 sleep in my bed, I was just awful.
 23 --- Laughter / Rires
 24 PRESIDENT HALLÉ: But we went
 25 through. I am proud and we are right on target.

1 There were a lot of people who were criticizing
 2 the 3 days but we made it happen regardless with a
 3 tremendous resolution.

4 Our Bylaws Committee did a
 5 wonderful job, our Arrangement Committee a
 6 wonderful job and that one really -- on my side I
 7 am happy.

8 I would like to thank the
 9 Executive Board for the good work we did together
 10 and to the elected people, I want to congratulate
 11 all of you for the one running really soon. The
 12 best to all of you guys. And we will make this
 13 happen.

14 And I really, really appreciate
 15 and I am proud, proud of all of you and all the
 16 membership.

17 Having said that, I will entertain
 18 a motion to adjourn. Brother Beaver, you want to
 19 make it?

20 --- Laughter / Rires

21 PRESIDENT HALLÉ: Come on. Come
 22 on. Stand up.

23 DELEGATE BEAVER, Div. 288: I
 24 think I am Jim Beaver from Division 288. I'm
 25 proud to be a locomotive engineer and I move that

1 we adjourn this first TCRC Convention.

2 --- Applause / Applaudissements

3 PRESIDENT HALLÉ: All in favour to
 4 adjourn, say, "Yes".

5 DELEGATION: Yes!

6 PRESIDENT HALLÉ: "No".

7 Again, thank you very much and
 8 have a safe trip back home.

9 --- Whereupon the Conference concluded at 1556 /
 10 La conférence se termine à 1556

A

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