

**Senator Oliver:** Following in the footsteps of Senator Murray, I have two questions arising from the legislation. I am not asking for facts, but for your opinion on some of the clauses in the bill.

Clauses 11, 33, and 55 of the bill would permit the mediation-arbitration commission, in the absence of an agreement between the parties, to fix a termination date for the new collective agreement. The date could not be earlier than December 31, 1997. Should the commission not be given the unfettered ability to fix the termination date for the new agreement?

• (1610)

**Mr. Tellier:** It is important to bring about some stability and some certainty. To have a four-year period of stability would make a lot of sense for the employees, their unions and management. I do not think a four-year term for a collective agreement is excessive. To the contrary, I think it is highly desirable for the industry and for the economy.

**Senator Oliver:** Why not give the commissioner the discretion to do it in another period of time?

**Mr. Tellier:** I suppose it could have been left. It is very similar to the question asked by Senator Murray about the guidelines. I personally find this a very useful guideline. The parties are trying to put in place something that will bring stability to the industry for four years.

**Senator Oliver:** Further to a question asked by Senator Kinsella about the process, I direct you to clauses 10, 32 and 54 where it provides for the establishment of a tripartite mediation-arbitration commission. In view of the fact that there are so many parties and this has been going on for 18 months, do you favour the tripartite or single arbitrator-mediator? Do you not think a single arbitrator-mediator in these circumstances might bring about results more quickly?

**Mr. Tellier:** That is a complex question. One could argue both sides of the case. A separate commission for every railroad — one for CN, one for CP, one for VIA — could speed up the process and reflect the differences that exist between the three. It means that if you want some degree of consistency, some discussion would have to take place between these three commissions.

The same is true in terms of our representatives. The railroads will have to decide whether we want one person to represent us vis-à-vis every bargaining unit or have only one representative in that process. Again, it all depends on how the panel or commission is structured.

**Senator Andreychuk:** Mr. Chairman, I wish to follow up on your comments with respect to safety. I understand why, for competitive reasons, you are comparing your positions and your work employment situations with the United States. Going from 10 hours to 12 hours is a very dramatic increase. Are you looking to statistics beyond the safety records that may be within the U.S. system?

**Mr. Tellier:** No. There is an organization called the American Association of Railroads, and the two freight railroads belong to

this organization. Therefore, when statistics are released on safety records, Canadian National and Canadian Pacific are compared with the large American railroads.

Last year, I am pleased to say, Canadian National was the second safest railroad in North America. We are always in second or third place. A situation which is safe for ConRail, which is operating in the northeast of the U.S. under conditions similar to ours, is equally safe for Canadian National.

We are not suggesting that every crew should be working 12 hours. However, we are saying that if an additional hour or two is required to complete a journey as opposed to changing or replacing that crew, we think that is highly desirable, especially in terms of customer service. I do not think this should compromise the safety records of Canadian National.

**Senator Andreychuk:** I am asking what other independent studies you have done. You are relying on one source, as I understand it. You say we should not compromise. I think I would want more assurance than that. That is an issue being raised in communities.

**Mr. Tellier:** The safest railroad in North America is operating under the 12-hour rule. In Canada, the Department of Transport allows the operating of train crews for up to 12 hours. What is preventing us from asking the crew to work up to 12 hours is the collective agreement, not the safety regulations of the Department of Transport. There is no evidence that extending to 12 hours would affect our safety record because some of the safest railroads in North America are already operating under that norm.

**Senator Andreychuk:** You are presently running an advertising campaign, are you not, about the change of direction of the railway?

**Mr. Tellier:** Yes.

**Senator Andreychuk:** When was that instituted, for what purpose, and what is the cost of that campaign?

**Mr. Tellier:** That campaign was designed a couple of months ago. The work on that campaign started approximately three months ago. Canadian National is the twenty-fifth largest organization in Canada. We advertise regularly. I do not have at my fingertips the design costs and media costs of that campaign, but I would be delighted to provide you with that information.

**Senator Andreychuk:** When did it commence?

**Mr. Tellier:** I think it commenced about a week ago.

**Senator Stewart:** You made reference to the 10-hour shift. What limits are there on the number of hours to be worked in any one week, if any?

**Mr. Leneker:** There are no limits per se on the number of hours to be worked in any one week, but there are rest provisions in the collective agreement to ensure that people have the appropriate time to rest between shifts. The number of hours is essentially controlled by mileage, and the mileage is dictated by collective agreement. It gets into a rather complex explanation about the pay system that is in place.