



**CANADIAN  
PACIFIC**

**R.E. Wilson**  
*Assistant Vice-President  
Industrial Relations*

Suite 600  
Gulf Canada Square  
401 – 9<sup>th</sup> Avenue S.W  
Calgary Alberta  
T2P 4Z4

Tel (403) 319-6999  
Fax (403) 319-7028  
rick\_wilson@cpr.ca

Monday, March 22, 2010

Mr. D. Able  
General Chairperson LE West  
Teamsters Canada Rail Conference  
101-10820 24 St. S.E.  
Calgary, AB.  
T2Z 4C9

Mr. D. Olson  
General Chairperson Trainpersons West  
Teamsters Canada Rail Conference  
101-10820 24 St. S.E.  
Calgary, AB.  
T2Z 4C9

**RE: Formal Requests for Release of Personal Communication Device Records**

Dear Sirs,

This has reference to recent discussions between our offices concerning the Company initiating requests for the release of employees' cell phone records.

The purpose of this letter is to advise you of the Company's intentions to request the production of communication device records further to any significant accident or incident, provided there is no evidence that the act or omission of the employee involved could not have been a contributing factor to the accident/incident.

According to both Canadian and U.S. regulation, as well as Company policy, personal communication devices must be turned off while on duty. Personal communication devices include any personal electronic device capable of communicating remotely, through oral communications, text messaging, electronic mail, or electronic transmission of any media. These include such things as personal cell phones, blackberries, portable computers and similar devices.

While the Union may have privacy concerns, the Company has been clear that the detailed information surrounding the phone numbers called, or the contents of the text message may be blacked out. Our legitimate interest is in knowing when and where the communication devices were used in the context of investigating a significant accident or incident. When an employee is asked to produce these records, and does not, the Company can only draw a negative inference.

I trust that you understand the issues, and the need for all of us to protect the safety of our operation, and your members. The nature of the request protects the employee's privacy, while allowing the Company to fully determine the facts surrounding a significant accident or incident.

Should you wish to discuss please contact me.

Sincerely,

R. Wilson  
Assistant Vice-President  
Industrial Relations

Cc: Mr. Tim Beaver - General Chairperson LE East } For your information and  
Mr. Daniel Genereux – General Chairperson Trainpersons East } guidance