



SENT ELECTRONICALLY

November 8, 2016

Mr. Don Ashley  
TCRC National Legislative Director  
130 Albert Street, Suite 1710  
Ottawa, Ontario  
K1P 5G4

**SUBJECT: New Canadian Pacific (CP) Hours of Service (HoS) Rules for Train and Engine (T&E) Service**

Dear Mr. Ashley:

As permitted under Section 20(1) of the Railway Safety Act, CP will be filing with the Minister of Transport new proposed Hours of Service (HoS) Rules for CP Canadian employees operating in Train and Engine (T&E) Service in Canada. Once these rules are approved, the existing Railway Association of Canada (RAC) WORK/REST RULES FOR RAILWAY OPERATING EMPLOYEES (WRR) Revised TC O 0-140, effective February 23, 2011 in its entirety would cease to apply to CP T&E employees.

As required under Section 20(2) of the Railway Safety Act, this letter is CP's notice of your opportunity to review the proposed change and provide comments. Kindly review the proposed new rules and provide your comments by no later than January 7, 2017.

***Purpose of the Change:***

People and safety are part of CP's core foundations. Without people's dedication to safety, commitment to service and relentless pursuit of excellence, CP would not have been able to transform from an industry laggard into one of North America's rail transportation leaders in just a few short years.

Ensuring that our employees have adequate opportunities to come to work rested makes our railway more productive, but more importantly, safer. This is a commitment CP makes to employees and their families, customers and the over 1100 communities in which we operate.

That's why CP is a strong advocate for a scheduling system where all Locomotive Engineers and Conductors would have mandatory time off, predictable work patterns and, as a result, a more consistent work/life balance. That is why we are working to change the way our T&E employees are scheduled.

For these reasons, starting in 2014, CP undertook a comprehensive review of the actual hours worked by its employees, the opportunities for rest under existing Collective Bargaining Agreements; the new 2015 SMS Regulation requirements for Scheduling; the existing requirements under the RAC WRR requirements and the United States Hours of Service Laws and Regulations. As part of this review, we also sought input from 3rd Parties with experience in Fatigue Management.

We believe these rule changes are necessary and the appropriate next step to progressing this.

***Proposed rules:***

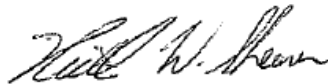
In accordance with the Railway Safety Management Systems (RSMS) 2015 regulations, Section 28 Process with Respect to Scheduling, CP used a method for applying the principles of fatigue science when developing these new rules. The method confirmed that the proposed new rules have schedules that not only reduce the maximum number of hours employees may work in a twenty-four hour period, but also provides rest opportunities that are directly linked to the hours actually worked. The new rules therefore are more likely to reduce the possibility of work-related fatigue.

A complete confidential copy of the draft rules is included in the attached Appendix A "*Canadian Pacific (CP) Hours of Service (HoS) Rules for Train and Engine (T&E) Service*".

There can be no doubt that the proposed change improves the safety of railway operations. I look forward to reviewing your comments on this improved Rule.

Any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith W. Shearer".

Keith Shearer  
GM Regulatory & Operating Practices  
Canadian Pacific **CP**

cc:

Ms. Lori Kennedy, CP  
Ms. Brigitte Diogo, TC  
Ms. Stephanie Lines, TC