



August 1, 2010  
 Organization file # 025430200  
 USPS TRACKING# **7006 2150 0001 4861 6966**

To: Liz Dewald  
 Labor Relations  
 1400 Douglas Street STOP 0710  
 Omaha, NE. 68179-0710

Dear Liz,  
 This will serve as my formal notice of appeal to you for the following claim:

Craft/Title	Engineer
Claimant	JW Amsbury
EMP ID	244214
Claim Date	06/20/2010
=PE/Receipt for Claim #	795559700
Declination #:	7955597
Amount Claimed	\$483.57

On Claim Date Claimant was:

Assigned At:	WD640
Working Assignment:	0019
Working From Board:	XE01

**ADDITIONAL SPECIFICS OF CLAIM:**

The payment should be made of \$483.57 in lost earnings. CMS-Timekeeping penalized claimant two guarantee days for being force to lay off FR. The RLA put claimant into FR, the claimant did not request this status but was place in this status by the RLA and the carrier.

**ARGUMENT:**

Claimant was placed into FR and put at the top of the WD640 XE01 board. Claimant was place into FR on 06/20/10 15:00 until 06/22/09 15:00. The BLE guarantee extra board agreement does not address FR as an occurrence. In this case the RLA placed the claimant into the status of FR and the claimant's guarantee was penalized two guarantee days.

**Specific, relevant agreement provision(s) and/or arbitration award(s) supporting claim:**

**The BLE Guaranteed Extra Board Agreement. May 15<sup>th</sup> Clarification Guaranteed Extra Board Agreement.**

**MEMORANDUM OF AGREEMENT  
#1803159630  
between the  
UNION PACIFIC RAILROAD COMPANY  
for the territory  
EASTERN DISTRICT  
and the  
BROTHERHOOD OF LOCOMOTIVE ENGINEERS  
GUARANTEED ENGINEER'S EXTRA BOARD**

Extra engineer's unavailable more than two (2) occurrences per pay period, or being unavailable more than 72 combined hours per pay period, will have their guarantee suspended for such pay period. This will include any unavailable status including extra rest, but will exclude layoffs for Company business and local chairman, legislative representative, vice local chairman, secretary treasurer or division president who must lay off for union business.

**Labor Relations 1400 Douglas Street STOP 0710 Omaha NE 68178-0710 Office: (402) 544-4562**

**May 15, 2007**

**UNION PACIFIC RAILROAD COMPANY**

It is understood that the forfeiture of guarantee shall not apply toward absences due to compensated bereavement leave, jury duty, personal leave, and vacation, provided there is intervening service between layoffs. An extra board engineer's guarantee will be pro-rated for the days he/she is not on bereavement leave, jury duty, personal leave, and/or vacation and that these earnings will not be used in calculating the per-half guarantee.

Respectfully

Cullen Kemper  
Local Chairman UTU 953C