

LOCAL COMMITTEE OF ADJUSTMENT
UTU

December 19, 2008
Organization file # 546743900
USPS TRACKING# **7007 3020 0001 1230 9678**

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	Michael Holl
EMP ID	0401545
Claim Date	10/28/2008
=PE/Receipt for Claim #	546743900
Declination #:	1U5467439
Amount Claimed	\$201.86

On Claim Date Claimant was:

Assigned At:	WD640
Working Assignment:	0027
Working From Board:	XE01

ADDITIONAL SPECIFICS OF CLAIM:

The Committee is seeking payment of \$201.86 for a 130 mile basic day penalty on account that Mr. Holl did not receive his lodging within the allotted 30 minutes after tie up.

ARGUMENT:

Mr. Holl tied up off assignment MNYGJ 27 at 06:05 at Bond KP768. He then departed Bond KP768 at 06:05 and arrived at lodging facility Oak Tree Inn Yampa Colorado at 06:45 and was given his room key at 06:47. He then called crew services and had CMS user OCMS776 adjust his rest from 10/28/08 14:05 to 10/28/08 14:47 as stated in his work history to be properly rested.

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

I.A.W. PLB 6312 Award 269, PLB 5916 Award 24, PLB 5739 Award 47, FRA Feb 3rd 2004 Memorandum, and article II section 1 of the UTU/BLE 1964 national agreement.

Respectfully

Cullen Kemper
Local Chairman UTU E 953C