



May 17, 2011  
 Organization file # 257701401  
 USPS TRACKING# **7010 1060 0000 5391 4724**

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	Mike Davis
EMP ID	305577
Claim Date	04/14/2011
=PE/Receipt for Claim #	257701401
Declination #:	2577014
Amount Claimed	\$218.43

On Claim Date Claimant was:

Assigned At:	WD640
Working Assignment:	EP03
Working From Board:	RE01

**ADDITIONAL SPECIFICS OF CLAIM:**

The payment should be made of \$218.43 for a 130 mile trip rate.

**ARGUMENT:**

Claimant worked assignment MDVCY 14 on 04/14/09 16:40. He was then authorized by the Wyoming corridor manager to take charge of one other train when the available extra engineers were available, CSMMH 13 as stated in his FRA tie-up. Claimant is entitled to a basic day per train per agreements. Claimant was shorted \$218.43 for working the CSMMH 13. Please review FRA data attached to this claim for evidence of trains that were handled by claimant.

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

BLE 2003 National Agreement Section 3 Computation of Trip Rates & Denver Hub Agreement Article IV 7B number 2.

**Section 3 - Computation of Trip Rates**

(a) Trip Rates for through freight service runs/pools shall be derived as follows:

(1) add together all earnings attributable to the elements of pay to be incorporated in the Trip Rate actually paid to the employees (including extra employees) whose seniority in train service was established on or before October 31, 1985 ("Pre-85 Employees") for all through freight Starts involving service performed on such runs/pools during the Test Period;

(2) Divide the earnings derived from the calculation in (1) above by the total through freight starts made during the Test Period by the Pre-85 Employees (including extra employees) who performed service;

(3) The Trip Rate for each Start on such run/pool for all employees (including extra employees) shall be the dollar amount derived by the calculation set forth in (2);

(4) The earnings described in paragraph (1) above shall include all compensation attributable to the Starts described in paragraph (2) above and subsection (b) below.

(b) For purposes solely of this Article, the term "Start" shall mean a fully compensated trip performed by the pool/run (including extra employees), including other trips such as deadhead, hours of service relief, and turnaround service directly related to and performed by the pool/run.

2. Turnaround Service/Hours of Service Relief - Except as provided in (1) above, turnaround service and Hours of Service Relief at both home and away from home terminals shall be handled by extra boards, if available, prior to using pool crews. Engineers used for this service may be used for multiple trips in one tour of duty in accordance with the designated collective bargaining agreement rules. Extra boards may perform this service in all directions out of their home terminal.

Respectfully

Cullen Kemper  
Local Chairman UTU 953C