

LOCAL COMMITTEE OF ADJUSTMENT  
UTU

December 19, 2008  
Organization file # 547343600  
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	10/30/2008
=PE/Receipt for Claim #	547343600
Declination #:	1U5473436
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 CEGWE 26 at 15:05 at Bond KP768. He then departed Bond KP768 at 15:06 and arrived at lodging facility Oak Tree Inn Yampa Colorado at 15:38 and was given his room key at 15:39. He then called crew services and had CMS user OCMS699 adjust his rest from 10/30/08 23:05 to 10/30/08 23:38 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 3<sup>rd</sup> 2004 Memorandum, and article II section 1 of the UTU/BLE 1964 national agreement.

Respectfully

Cullen Kemper  
Local Chairman UTU E 953C