

LOCAL COMMITTEE OF ADJUSTMENT  
UTU

September 4, 2008  
Organization file # 490994900  
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	Paul Ray
EMP ID	0216280
Claim Date	08/28/2008
=PE/Receipt for Claim #	490994900
Declination #:	1U4909949
Amount Claimed	\$201.86

On Claim Date Claimant was:

Assigned At:	WD640
Working Assignment:	DE10
Working From Board:	RE03

**ADDITIONAL SPECIFICS OF CLAIM:**

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

**ARGUMENT:**

Mr. Ray tied up off assignment CTVWE1-23 at 18:00 at Bond KP768. He then departed Bond KP768 at 18:05 and arrived at lodging facility Oak Tree Inn Yampa Colorado at 18:42 and was given his room key at 18:48. He then called crew services and had CMS user OCMS929 adjust his rest from 07/21/08 02:00 to 07/21/08 02:43 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