



January 30, 2010  
 Organization file # 159319400  
 USPS TRACKING# **7010 1060 0000 5391 4649**

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	Conductor
Claimant	GA Burns
EMP ID	306668
Claim Date	12/15/2010
=PE/Receipt for Claim #	159319400
Declination #:	1593194
Amount Claimed	\$230.01

On Claim Date Claimant was:

Assigned At:	WD640
Working Assignment:	0020
Working From Board:	XC01

**ADDITIONAL SPECIFICS OF CLAIM:**

The payment should be made of \$230.15 for deduction made against claimants guarantee.

**ARGUMENT:**

Claimant tied up off assignment MGJNPX 02 on 12/03/2010 at 09:36 and requesting extra rest at tie-up. It is clearly stated in claimants work history and by snap shot of the WD640 XC01 board that claimant was not first out when requesting extra rest at tie-up. It is also noted in Item 43(d) part 10 of the UP Eastern District rules that an extra conductor laying off will not be permitted to mark up in less than 24 hours when other extra conductors are available. Extra conductors tying up for rest will be considered as laying off. A conductor must request extra rest at the time of tie-up. The lay-off begins when it is requested... at the time of tie-up. The only time the first-out lay-off will impact an extra board conductor requesting rest is only if the conductor is tying-up first out and requesting additional rest at that time.

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

ITEM - 43(d) FREIGHT CONDUCTORS' EXTRA BOARDS

10. An extra conductor laying off will not be permitted to mark up in less than 24 hours when other extra conductors are available. Extra conductors tying up for rest will be considered as laying off.

Respectfully

Mike Harbin  
Local Chairman UTU