



LOCAL COMMITTEE OF  
ADJUSTMENT  
UTU - LOCAL - 202  
953 A

June 29, 2009

Organization file # 735440502

USPS TRACKING# **7007 3020 0003 0828 0071**

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	Don Wood
EMP ID	00304020
Claim Date	06/12/2009
=PE/Receipt for Claim #	735440502
Declination #:	7354405
Amount Claimed	\$174.56

On Claim Date Claimant was:

Assigned At:	WD640
Working Assignment:	XC01
Working From Board:	0007

**ADDITIONAL SPECIFICS OF CLAIM:**

The Committee is seeking payment of \$174.56 for a 130 mile basic day for going off district west of Speer Wyoming CPW520-mile post 520. Mr. Wood was authorized by the Cheyenne dispatcher to go off district past mile post 520 to board his train the IBRG3R 09 at Mp 101.4 at the Borie cut off to relieve crews due to the muddy roads at Speer. Mr. Wood departed Cheyenne WX510 at 02:15 went off district at MP 520 at 03:30 and boarded his train at MP 101.4 at 03:35 and came back on district at Mp 520 at 03:45 and continued onto the Greeley subdivision and onto Denver WD640 which is his assigned run.

**ARGUMENT:**

I.A.W. the Yost Award number II seniority and work consolidation, Mr. Wood is off district when he goes west of mile post 520. Mr. Wood works off of the WD640 XC01 board Denver Zone 1. He is only required to protect trains that are in zone 1 Denver. Any train that is received west of mile post 520 is not in the zone or enhanced service limits. Enhanced service limits do not exist west of mile post 520 and was never arbitrated and is a term that a time keeping manager made up!

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

**MERGER IMPLEMENTING AGREEMENT**

**(Denver Hub)**

**Between the**

**UNION PACIFIC/MISSOURI PACIFIC RAILROAD COMPANY**

**SOUTHERN PACIFIC TRANSPORTATION COMPANY**

**And the**

**UNITED TRANSPORTATION UNION**

In Finance Docket No. 32760, the U.S. Department of Transportation, Surface Transportation Board ("STB") approved the merger of the Union Pacific Corporation ("UPC"), Union Pacific Railroad Company/Missouri Pacific Railroad Company (collectively referred to as "UP") and Southern Pacific Rail Corporation, Southern Pacific Transportation Company ("SP"), St. Louis Southwestern Railway. Company ("SSW"), SPCSL Corp., and The Denver & Rio Grande Western Railroad Company ("DRGW") (collectively referred to as "SP"). In approving this transaction, the STB imposed New York Dock labor protective conditions.

In order to achieve the benefits of operational changes made possible by the transaction, to consolidate the seniority of all employees working in the territory covered by this Agreement into one common seniority district covered under a single, common collective bargaining agreement,

**IT IS AGREED:**

**1. Denver Hub**

A new seniority district shall be created that encompasses the following area: UP milepost 429.7 at Sharon Springs, Kansas; **UP milepost 511.0 at Cheyenne, Wyoming**; DRGW milepost 451.7 at Grand Junction, Colorado and milepost 251.7 at Alamosa, Colorado; SSW milepost 545.4 at Dalhart, Texas and UP milepost 732.1 at Horace, Kansas and all stations, branch lines, industrial leads and main line between the points identified.

## **II. Seniority and Work Consolidation.**

The following seniority consolidations will be made:

**B.** The new UP/UTU seniority districts will be divided into the following three (3) Zones:

1. **Zone 1** will include Denver east to but not including Sharon Springs and the Oakley extra board, Denver north to but not including Cheyenne, Denver west to and including Bond and Axial, Pueblo east to Horace, and all road and yard operations within the Denver Terminal including any road switchers at Colorado Springs.

Note: The Oakley extra board is part of the Denver Hub and assignments at Oakley will be filled by the Denver Hub. The reference to Sharon Springs is for pool freight service and the work normally protected by the Oakley extra board shall continue as part of the Denver Hub.

2. **Zone 2** will include Grand Junction to Denver (long pool only), Grand Junction to Montrose, Oliver, Minturn (not including Minturn helper service) and Bond and yard assignments.

3. **Zone 3** will include Pueblo to Denver, South Fork, and Minturn and to Dalhart not including Dalhart, but including Minturn helper service and yard assignments.

4. Road, road/yard or yard extra boards will not be part of any zone if they cover assignments in more than one zone. Extra boards that cover assignments in only one zone will be governed by zone rules and the current rules of the collective bargaining agreement for this Hub.

Respectfully

Mike Harbin  
Local Chairman UTU