



LOCAL COMMITTEE OF
ADJUSTMENT
UTU - LOCAL - 202
953 A

March 6, 2010

Organization file # 181753000

USPS TRACKING# **7010 1060 0000 5391 4670**

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	RB Winzurk
EMP ID	400030
Claim Date	01/11/2011
=PE/Receipt for Claim #	181753000
Declination #:	1817530
Amount Claimed	\$183.01

On Claim Date Claimant was:

Assigned At:	WD640
Working Assignment:	TP10
Working From Board:	RC01

ADDITIONAL SPECIFICS OF CLAIM:

The payment should be made of \$183.01 for a 130 mile penalty on account that when dead head crews are picked up between terminal they will not be set out for service.

ARGUMENT:

Claimant was instructed by corridor manager Michael Caverhill to tie the MNPNY 10 down at WD652 and dead head to WD646 to set out and perform service on the ACYDV 11 when additional extra board crews were available. These instructions are in violation of UP Eastern district rule 41(9).

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

I.A.W. UPED Road Schedule Rule 41(9).

RULE 41

(9) When deadhead crews are picked up between terminals, they will not be set out for service if other crews are available.

Crews picked up between terminals will stand out at final terminal ahead of crews deadheading from initial terminal on same train and crew handling the train.

Crews picked up will be called out of final terminal in reverse order in which they were picked up, if available.

Respectfully

Mike Harbin
Local Chairman UTU