



LOCAL COMMITTEE OF
ADJUSTMENT
UTU - LOCAL - 202
953 A

January 16, 2012
Organization file # 483847100
USPS TRACKING# **7010 1060 0000 5391 4878**

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	KL Tapparo
SS# or EMP ID	416135
Claim Date	01/01/12
=PE/Receipt for Claim #	483847100
Declination #:	4838471
Amount Claimed	\$584.42

On Claim Date Claimant was:

Assigned At:	WD640
Working Assignment:	T203
Working From Board:	RC02

ADDITIONAL SPECIFICS OF CLAIM:

The payment should be made of \$584.42 in lost wages on account CMS improperly filled and worked claimants turn the WD640 RC02 T203 while claimant was in mandatory rest.

ARGUMENT:

I.A.W. with rule 41 of the Eastern Lines Agreement, the claimant's turn (WD640 RC02 T203) was improperly filled as follows:

- On 12/25/11 claimant was forced by CMS to step up into WD640 RC02 turn T202, for a lack of better words because CMS did not have adequate manpower on that day. This caused claimant to go into mandatory rest because of the step up. Had the claimant stayed in his turn, he would not have went into mandatory rest.
- First filled on 01/01/12 at 03:00 with extra board employee C. Avery working the CEYHM 30.
- Then working the return trip on 01/02/12 at 01:15 working 2CKHEY9 27.



UNITED TRANSPORTATION UNION

Specific, relevant agreement provision(s) and/or arbitration award(s) supporting claim:
Eastern District Rule 41.

Eastern District Rule 41, Interdivisional Modification states in part,

“1. Pool freight crews who are run around by other pool freight crews in the home terminal, or enroute between the home terminal and far terminal, will upon arrival at the far terminal be given the same relative position on the list that they held prior to leaving the home terminal, except that crews who become first out before having required rest shall stand first out after rest period, and upon return to home terminal shall be given the same relative position on board as was held prior to leaving the home terminal on the last trip.”

Respectfully,

Mike Harbin
Local Chairman UTU