



September 15, 2009
 Organization file # 787289400
 USPS TRACKING# **7006 2150 0001 4861 6867**

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	Hostler
Claimant	Joseph Kosik
EMP ID	4265
Claim Date	08/14/2009
=PE/Receipt for Claim #	787289400
Declination #:	7872894
Amount Claimed	\$203.29

On Claim Date Claimant was:

Assigned At:	WD640
Working Assignment:	H740
Working From Board:	YH31

ADDITIONAL SPECIFICS OF CLAIM:

The payment should be made of \$203.29 for a make-whole.

ARGUMENT:

Claimant worked assignment WD640 YH31 HH06 with hostler symbol H841X on 08/13/09 at 23:00, then claimant tied up off assignment HH06 at 08/14/09 06:00. This was the claimants scheduled day off. Claimants scheduled days off are Wednesday and Thursday for job WD640 YH31 H740. This caused claimant not to be rested for his regular scheduled work day WD640 YH31 H740 in which it went on duty at 08/14/09 15:00 hours.

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

Union Pacific Eastern District Yard Appendix Item 6A Article 3 Section 1.

This Agreement made this 25th day of May, 1951, by and between the participating carriers listed in Exhibits A, B, and C and represented by EASTERN, WESTERN and SOUTHEASTERN CARRIERS' COMMITTEES, and the employee shown thereon and represented by the BROTHERHOOD OF RAILROAD TRAINMEN through their conference committee.

ARTICLE 3 - FIVE-DAY WORK WEEK

Section 1. (a) Beginning on the date this Agreement becomes effective on any carrier, such carrier will establish, for all classes are crafts of yard service employees covered by this Article 3, subject to the exceptions contained therein, a workweek of 40 hours, **consisting of five consecutive days of eight hours each, with two days off in each seven**, except as hereinafter provided. The foregoing workweek rule is subject to all other provisions of this Article 3.

Respectfully

Cullen Kemper
Local Chairman UTU 953C