

UNITED TRANSPORTATION UNION



KRG
Copy

GENERAL COMMITTEE OF ADJUSTMENT TRAINMEN, CONDUCTORS, YARDMEN & ENGINEERS

R. E. KARSTETTER, GENERAL CHAIRMAN

4702 W. COMMERCIAL DR., SUITE A, NO. LITTLE ROCK, AR 72116

TELEPHONE (501) 753-0184

FAX (501) 753-0185

EMAIL: utugo569@comcast.net

March 28, 2006

410-1

Mr. Robbin Rock
Director Labor Relations
C/o Ms. Nancy Penke
Union Pacific Railroad Company
1400 Douglas Street, Stop 0710
Omaha, NE 68179 -0710

Dear Mr. Rock:

Enclosed for review and subsequent handling is a copy of correspondence from Local Chairperson Ray Birch dated March 18, 2006. Mr. Birch advises that CMS is issuing instructions to extra board employees to drive his/her personal automobile to outlying points to perform service.

Also enclosed is an agreement dated February 22, 1982 that is signed by the parties stating in pertinent part:

This refers to your letter of February 4, 1982, and our several conferences in connection with your request that the rate per mile be raised for employees agreeing to use their own automobiles at the request of the Company, (Emphasis added)

Inasmuch as this issue was settled some twenty-four (24) years ago the Organization requests that immediate instructions be issued to the appropriate personnel to comply with the agreement provisions referred to above. This being that employees are not to be instructed to drive personal automobiles to outlying points. Said employees must agree to use his/her personal automobiles at time of call.

Your written response is requested.

Yours truly,

A handwritten signature in black ink that reads 'R.E. Karstetter'.

R.E. Karstetter

REK/rmm
Enclosures

cc: Mr. Kurt Gross, Associate General Chairperson, GO-569 ✓
All Local Chairpersons, GO-569
Mr. Rene Orosco, Assistant Vice President - Labor Relations, UPRR
Mr. Mike Brazytis, Senior Director CMS, UPRR



united transportation union

Local 1823
R.D. Birch, Local Chairman
517 Clark Avenue
St. Louis, MO 63119-1820
(314) 962-8099 home, (314) 560-0899 cell, (314) 395-1823 fax

3/18/2006

R.E. Karstetter
General Chairman UTU
4702 W. Commercial Dr. Suite A
N. Little Rock, AR. 72116

Dear Mr. Karstetter,

I received a call March 1, 2006 from one of my members, complaining about a caller at CMS Area 7, ordering him to drive his own vehicle to Chester, IL. to work a Local at 2100 hours. He stated he would report to Dupo and would need a ride to Chester and the caller and he had three different discussions telling him he had to drive to Chester. He even told him he would give him the MTO's phone number so he could get directions to Chester. He eventually wound up laying off, because a caller did not understand that we do not have to drive to outside points to work. I have requested copies of the CMS tapes from Mr. John Key on two different occasions, by telephone, an e-mail to Mr. Bill Bowman at Crew Services, and called again today and spoke to Nancy at Crew Services who said she would take it over to John Key again. I still don't have the tapes. But before this goes on too long without being resolved, I wanted to sent this to you. I have attached statement from individual and copy of the e-mail I sent requesting tapes, showing who and when I requested these tapes. Your help in this matter is appreciated.

RECEIVED

MAR 20 2006

Sincerely,

Ray Birch
Local Chairman

Cc: file

UTU GCA-569

1. The following is a sequence of events, as I remember them, which occurred on March 01, 2006 between 1830-1855 hours.

At approximately 1830 hrs, I was called at home by CMS/W7 to report for duty at 2100 hrs as a brakeman for the LSH51, working with Engineer Stan Meyer & Conductor Mickey Croon. I didn't recognize the job or the people mentioned, so I asked where the job was. CMS/W7 said the job was in Chester and I had to drive my personal vehicle and report to Chester Depot. I informed W7 that my home terminal was St Louis and that I only report for duty at A&S (Alton Southern, East St Louis/C009) or Dupo (Dupo, IL/C015) and would need transportation from there to the work assignment. W7's reply was "We don't have any limos" and "That's why we pay you mileage". I told him that I didn't feel comfortable driving to Chester yard, didn't know how to get there and didn't want to use my personal vehicle. CMS/W7 said he'd call me back.

CMS/W7 called back and said I didn't have a choice, that I had to drive to Chester yard. That he would give me Alan Kirk's phone number and I could ask him for driving directions. I replied "I'll drive to Dupo and wait for a ride" he asked if I was refusing the call? I said "NO, I'll take the call, but I'm not driving to Chester", he said he'd call me back.

CMS/W7 called back and started in again about how I had to drive to Chester and that's why I would get paid mileage". I said that I'm not driving to Chester, I'll drive to Dupo and wait for a ride" and hung up.

I called CMS and laid off sick

CMS/W7 called back within a minute and started in again about how "I had to go..." I then inform him that "I'd laid off sick, you'll have to find somebody else" and hung up.

2. I then called my UTU local chairman, Ray Birch, and advised him of the situation.



Alfred J. Wood

From: Ray Birch
To: wrbowman@up.com
Date: 3/4/2006 9:14:39 PM
Subject: CMS Tapes

Mr. Bowman,
I would like to request tapes from CMS Area 7 on March 1, 2006 from 1830 to 1900 account a complaint from one of my men. Thank you for your cooperation.
Ray Birch
rbirch1823@earthlink.net
EarthLink Revolves Around You.

MISSOURI PACIFIC RAILROAD CO.

210 N. 13TH STREET

ST. LOUIS, MISSOURI 63103

TEL. AREA CODE 314 622-0123

L. D. BROWN
C. C. COURTWAY
V. E. HANIKA
W. E. NARO

LABOR RELATIONS OFFICERS

O. B. SAYERS
DIRECTOR OF LABOR RELATIONS
W. G. ARMSTRONG
E. E. MARGASON

ASSISTANT DIRECTORS OF LABOR RELATIONS

D. J. RUTKOWSKI
J. H. WALKER
T. L. WILSON

LABOR RELATIONS OFFICERS

February 22, 1982

C 277-7483

438-6-LF

Mr. Irving Newcomb
General Chairman - UTU (C&T)
320 Brookes Drive
Hazelwood, Missouri 63042

Dear Sir:

This refers to your letter of February 4, 1982, and our several conferences in connection with your request that the rate per mile be raised for employes agreeing to use their own automobiles at the request of the Company.

This will confirm in writing that we agreed to raise the rate per mile to \$0.21, effective March 1, 1982.

This does not change present Agreements providing for (substantially) the bus fare where employes request and are authorized to use their own automobiles in lieu of other forms of transportation.

If the above accurately reflects our understanding, please so signify in the space provided below, returning the original.

Yours truly,

OB Sayers

AGREED:

Irving Newcomb
Irving Newcomb
General Chairman - UTU (C&T)