

Sample Claims for the Carrier forcing a person to use PLD's or Vacation time instead of FMLA

For PL days:

Claim a basic day 8 hours penalty for the contract violation stemming from the carrier's unilateral action to substitute collectively bargained compensated personal leave (PL) day absences for (____ *dates* _____) in lieu of my request for uncompensated leave during this same period. The individual employee is the moving party for requesting and observing PL days. PL days are scheduled at the behest of the individual. The carrier cannot require an employee to observe PL days when he or she requests an uncompensated absence. The carrier's actions violate my collective bargaining agreements regarding PL days, lay-off privileges, leave of absences, and the intent of the FMLA.

For Vacation time:

Claim a basic day 8 hours penalty for the contract violation stemming from the carrier's unilateral action to substitute collectively bargained compensated vacation time for (____ *dates* _____) in lieu of my request for uncompensated leave during this same period. My vacation time period of (____ *dates* _____) was scheduled and approved consistent with my seniority rights. Vacation time and rosters are assigned as the result of a cooperative effort between the UTU and carrier. The carrier cannot require an employee to observe vacation time when he or she requests an uncompensated absence. The carrier's actions violate my collective bargaining agreements regarding vacation time, seniority rights, lay-off privileges, leave of absences, and the intent of the FMLA.

For Single Vacation Days:

Claim a basic day 8 hours penalty for the contract violation stemming from the carrier's unilateral action to substitute collectively bargained compensated single vacation day absences for (____ *dates* _____) in lieu of my request for uncompensated leave during this same period. The individual employee is the moving party in requesting and observing single vacation days. Single vacation days are scheduled at the behest of the individual. The carrier cannot require an employee observe single vacation days when he or she requests an uncompensated absence. The carrier's actions violate my collective bargaining agreements regarding vacation time, seniority rights, lay-off privileges, leave of absences, and the intent of the FMLA.