

Under the
RAILWAY LABOR ACT
Special Board of Adjustment No. 226

Hearings April 9-30, 1958

Dallas, Texas

Award No. 10



PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

MISSOURI-KANSAS-TEXAS LINES

STATEMENT OF CLAIM:

Group 2 ORT Claim No. 27 in behalf of J. S. Skelton, Osage, Oklahoma, for eight (8) hours' pay at the minimum rate for Telegraphers account Section Foreman using the telephone at or near Osage, Oklahoma, on June 29, 1957 in violation of Rule 1 (a) and 1 (d) to report to train dispatcher condition of high water due to flooding of Canadian River near Osage; later transmitting message to train dispatcher at Parsons, Kansas addressed to ALL CONCERNED at Parsons:

"Water is 22½ inches below base of the rail at Bridge 249.5
and raising 1 inch per hour."

At the same time Section Foreman inquired if Extra North was out of Muskogee and the Train Dispatcher advised him that they were out of Chase at 5:05 p.m.

FINDINGS:

Rule 1 (d) provides that, if "station or other employes at closed offices" are "used in emergency" to send or receive "messages" by telephone, "the pay for the Agent or Telegrapher at that office.....shall be the minimum rate per day for telegraphers."

In the flood emergency the Section Foreman transmitted an important message within the Scope Rule when the telegraph office at Osage was closed.

AWARD:

Claim sustained.

/s/ Daniel C. Rogers
Daniel C. Rogers, Chairman
Fayette, Missouri

/s/ W. I. Christopher
W. I. Christopher, Employee Member
Deputy President, O. R. T.
3860 Lindell Blvd.
St. Louis 8, Missouri

/s/ A. F. Winkel
A. F. Winkel, Carrier Member
Ass't. General Manager
Missouri-Kansas-Texas Lines
Dallas, Texas

Dallas, Texas

August 1, 1958