



THE ORDER OF RAILROAD TELEGRAPHERS)
)
 vs.)
)
 MISSOURI-KANSAS-TEXAS RAILROAD COMPANY))
 MISSOURI-KANSAS-TEXAS R.R.CO. OF TEXAS)

1. Claim of the General Committee of The Order of Railroad Telegraphers on the Missouri-Kansas-Texas Lines that the Carrier violated the Agreement when it permitted or required Assistant Superintendent Nigh to copy a train order for Extra 202A at Pit 985, LaGrange, Texas, September 4, 1959.
2. Carrier shall now be required to compensate Agent-Operator M. F. Dickerson for a call because of said violation.

The record, as supplied by the ORT, indicates that Mr. M. F. Dickerson, Agent-Telegrapher, at LaGrange, Texas, handles "all shipments and the work relating thereto" at Pit 985, including "bills of lading and way-bills...and all business" for as many as 50 loaded cars on some days. LaGrange rates are quoted and applied on all gravel billed from the pit. The ORT brief also states that "the delivery of the freight bills are made at the station to the customers." This indicates that the Agent-Telegrapher at LaGrange also handles incoming shipments to Pit 985. Pit 985 is 3 miles from LaGrange.

The ORT contends that the train order copied by Mr. Nigh at Pit 985 at 10:53 p.m. on September 4, 1959, when Mr. Dickerson was not on duty at LaGrange, is within the purview of Rule 1 (e) and that Mr. Dickerson is entitled to pay for a "call."

The Carrier opposes the claim on the ground that Mr. Dickerson is assigned as the Agent-Telegrapher at LaGrange and not at Pit 985. It contends that Pit 985 is a "blind-siding" and that, as this Special Board has already ruled, occasional "blind siding" train order work may be performed by others than telegraphers.

Nowhere in its brief does the Carrier dispute that the work performed by Mr. Dickerson is other than as described in the ORT presentation. In handling "all shipments and the work relating thereto," Mr. Dickerson necessarily performs a certain volume of message work relating to the business at Pit 985. Although the record does not disclose whether Mr. Dickerson, during his working hours, sometimes handles train orders for trains stopping at the Pit to switch, pick up or

set out, it is common knowledge that train orders are frequently dispatched to train at such stations as LaGrange under the circumstances described in the record.

We hold that Pit No. 985 should not be treated as a "blind siding." By practice it is operated as part of the station at LaGrange, including train order work.

A W A R D

Claim sustained for a "call" under Rule 1 (e).

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