

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

Hearings April 9-30, 1958

Dallas, Texas

Award No. 6



PARTIES TO DISPUTE:

THE ORDER OF RAILROAD TELEGRAPHERS

MISSOURI-KANSAS-TEXAS LINES

STATEMENT OF CLAIM:

Group 2 ORT Claim No. 8 is in behalf of senior extra operator, Northern District, for eight (8) hours' pay at the minimum rate for telegraphers account Roadmaster Flake using telephone at Bartlesville, Oklahoma, at 8:25 p.m., June 6, 1957 in violation of Rule 1 (a) and 1 (d) to transmit the following message to Parsons, Kansas:

"Rail Detector SRS-132 will run light from A-198 to A-188 to Osage and then tie up at Osage tomorrow night, so call us out for 7:00 a.m. in morning."

FINDINGS:

We find the message is within the Scope Rule applied to the position in question at Bartlesville. But the claim does not allege and the ORT has furnished no proof that the office at Bartlesville was a "closed office" within the meaning of that term in Rule 1 (d). Such proof is necessary for a sustaining award under Rule 1 (d). The Carrier states in its presentation that Bartlesville is an open office where continuous telegraph service is maintained.

AWARD:

Claim denied.

/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