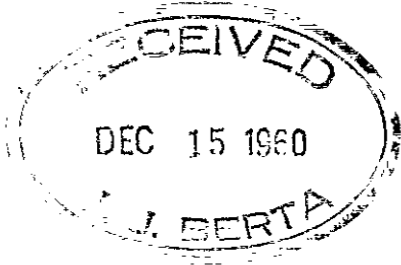


AWARD NO. 58
DOCKET NO. 58
CASE 2871



SPECIAL BOARD OF ADJUSTMENT NO. 305

THE ORDER OF RAILROAD TELEGRAPHERS
vs.
MISSOURI PACIFIC RAILROAD COMPANY
(Southern & Western Districts)

STATEMENT OF CLAIM:

"Claim of the General Committee of The Order of Railroad Telegraphers on the Missouri Pacific Railroad, that:

1. Carrier violated the Agreement between the parties when on May 22, 1958, it required or permitted Conductor Hoch to transmit to train dispatcher Upson at Pueblo, Colorado, the 2704 report of Work Extra BDC-4, also message that BDC-4 was tied up on house track at Ransom, Kansas, and could not be moved or blocked in, in addition to a work order message for the following day that the Extra would work between Arnold and McCracken on May 23, 1958.
2. Carrier shall now pay Agent-Telegrapher J. S. Elgin, Utica, Kansas, fifty (50) minutes at the time and one-half rate, which would have been the amount of pay he would have received had he been held on duty to perform this covered work."

OPINION OF BOARD:

We are convinced that the information transmitted by use of the telephone from Conductor Hoch to the dispatcher at Pueblo does not fall within the class of messages defined by the National Railroad Adjustment Board as communication of record, but was merely information for which there was no requirement that a record be made. See Award No. 8, Special Board of Adjustment No. 305.

Claim should be denied.

FINDINGS: The record does not support a sustaining award.

AWARD

Claim denied.

SPECIAL BOARD OF ADJUSTMENT NO. 305

/s/ Donald F. McMahon
Donald F. McMahon - Chairman

Dissenting
R. K. Anthis - Organization Member

/s/ G. W. Johnson
G. W. Johnson - Carrier Member

St. Louis, Missouri
September 23, 1960
File 380-1873