

The Organization contends that over the last fifty years a practice has been established that carmen from DeForest Junction have the exclusive right to

perform wrecking work at Niles. The Carrier denies the existence of any past practice and affirmatively contends it could send carmen from Haselton since Niles is not specifically listed in Rule 28.

Since Niles is not listed as a seniority point in Rule 28, the Carrier retains the discretion to call carmen from any seniority point unless the Organization proves that carmen from DeForest have continuously and historically performed rerailling service at Niles. The Organization asserts the existence of a past practice but the record reveals no objective evidence to support its assertion. Absent proof of a past practice, the Carrier could properly call carmen from Haselton to reraill the engines on February 21, 1980.

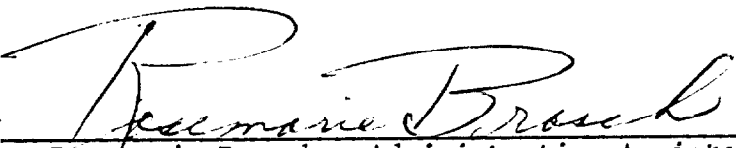
A W A R D

Claim denied.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Acting Executive Secretary
National Railroad Adjustment Board

By


Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 16th day of June, 1982.