



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

YORK RAILWAY COMPANY

Train and Engine Service
Employees

30 NMB No. 5

CASE NO. R-6907

CERTIFICATION

October 30, 2002

The services of the National Mediation Board (Board) were invoked by the International Brotherhood of Teamsters (IBT) on March 1, 2002, to investigate and determine who may represent for the purposes of the Railway Labor Act (RLA), as provided by Section 2, Ninth, thereof, personnel described as "Train and Engine Service Employees," employees of York Railway Company (Carrier).

At the time this application was received, these employees were represented in part by the United Transportation Union (UTU) and the IBT.

The Board assigned Investigator Eileen M. Hennessey to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Train and Engine Service Employees, and by direction of the Board, the Investigator was instructed to conduct an election to determine the employees' representation choice.

The following is the result of the election as reported by Investigator Hennessey.

Number of Employees Voting:

	<u>IBT</u>	<u>UTU</u>	<u>Number of Employees Eligible</u>
Train and Engine Service Employees	6	7	13

The Board further finds that the Carrier and employees in this case are, respectively, a Carrier and employees within the meaning of the RLA, as amended; that this Board has jurisdiction over the dispute involved herein; and that the interested parties, as well as the Carrier, were given due notice of the Board's investigation.

CERTIFICATION

NOW, THEREFORE, in accordance with Section 2, Ninth, of the RLA, as amended, and based upon its investigation pursuant thereto, the Board certifies that the United Transportation Union has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Train and Engine Service Employees, employees of York Railway Company, its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.

Benetta M. Mansfield

Benetta M. Mansfield
Chief of Staff