



NATIONAL MEDIATION BOARD

WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

CANADIAN PACIFIC RAILWAY
(SOO LINE)

Technical Engineers, Architects,
Draftsmen, and Allied Workers

31 NMB No. 23

CASE NO. R-6975

DISMISSAL

December 24, 2003

The services of the National Mediation Board (Board) were invoked by the Soo Line Engineering Technicians Association (SETA) on November 3, 2003, 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 “Technical Engineers, Architects, Draftsmen, and Allied Workers,” employees of Canadian Pacific Railway (Soo Line) (Carrier or Soo Line).

At the time this application was received, these employees were represented by the Transportation Communications International Union (TCU). On November 10, 2003, TCU relinquished its interest in representing this craft on the Soo Line and asked that, “. . . in the event an election is authorized involving this craft . . . the Transportation Communications International Union not appear on the ballot.”

The Board assigned Investigator Cristina A. Bonaca to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Technical Engineers, Architects, Draftsmen, and Allied Workers, 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 Bonaca.

Number of Employees Voting:

	<u>SETA</u>	<u>Number of Employees Eligible</u>
Technical Engineers, Architects, Draftsmen, and Allied Workers	0	3

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; this Board has jurisdiction over the dispute involved herein, and; the interested parties, as well as the Carrier, were given due notice of the Board's investigation.

On the basis of the investigation and report of election which establishes that less than a majority of eligible employees cast valid votes for representation, the Board finds no basis for certification and the application is, therefore, dismissed subject to Part 1206.4(b) of the NMB Rules.

By direction of the NATIONAL MEDIATION BOARD.

Benetta M. Mansfield
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Chief of Staff