



**NATIONAL MEDIATION BOARD**

WASHINGTON, DC 20572

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In the Matter of the  
REPRESENTATION OF  
EMPLOYEES  
of  
USA JET AIRLINES, INC.  
Pilots

31 NMB No. 36

CASE NO. R-6977

DISMISSAL

January 21, 2004

The services of the National Mediation Board (Board) were invoked by the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW) on November 12, 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 "Pilots," employees of USA Jet Airlines, Inc. (Carrier).

At the time this application was received, these employees were unrepresented.

The Board assigned Investigator Susanna Fisher to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Pilots, 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 Fisher.

Number of Employees Voting:

	<u>UAW</u>	<u>Number of Employees Eligible</u>
Pilots	37	86

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.



Mary L. Johnson  
General Counsel