



**NATIONAL MEDIATION BOARD**

WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the  
REPRESENTATION OF  
EMPLOYEES  
of  
SAND SPRINGS RAILWAY  
COMPANY  
Clerks

33 NMB No. 10

CASE NO. R-7062

DISMISSAL

January 5, 2006

The services of the National Mediation Board (Board) were invoked by Greg Harris, an Individual on November 1, 2005, 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 "Clerks," employees of Sand Springs Railway Company (Carrier).

At the time this application was received, these employees were represented by the Transportation Communications International Union (TCU). By letter dated November 7, 2005, the TCU withdrew interest in representing the craft or class of Clerks on this Carrier.

The Board assigned Investigator Susanna C. Fisher to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Clerks, 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>Greg Harris, Individual</u>	<u>Number of Employees Eligible</u>
Clerks	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.



Mary L. Johnson  
General Counsel