



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

SOUTH KANSAS AND OKLAHOMA
RAILROAD

Maintenance of Way and
Structure Employees

33 NMB No. 16

CASE NO. R-7065

CERTIFICATION

February 6, 2006

The services of the National Mediation Board (Board) were invoked by the Brotherhood of Maintenance of Way Employes Division-IBT (BMWE-IBT) on December 2, 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 "Maintenance of Way and Structure Employees," employees of South Kansas and Oklahoma Railroad (Carrier).

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

The Board assigned Investigators Cristina A. Bonaca and Kendrah L. Davis to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Maintenance of Way and Structure Employees, and by direction of the Board, the Investigators were 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>BMW-IBT</u>	<u>Number of Employees Eligible</u>
Maintenance of Way and Structure Employees	18	27

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.

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 BMW-IBT has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Maintenance of Way and Structure Employees, employees of South Kansas and Oklahoma Railroad, its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.



Mary L. Johnson
General Counsel