



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the
**REPRESENTATION OF
EMPLOYEES**

of

EMPIRE AERO CENTER, INC.

Mechanics and Related Employees

33 NMB No. 17

CASE NO. R-7066

DISMISSAL

February 15, 2006

The services of the National Mediation Board (Board) were invoked by the United Steelworkers of America (USWA) on December 6, 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 "Mechanics and Related Employees," employees of Empire Aero Center, Inc. (Carrier).

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

The Board assigned Investigator Maria-Kate Dowling to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Mechanics and Related 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 Dowling.

Number of Employees Voting:

	<u>USWA</u>	<u>Number of Employees Eligible</u>
Mechanics and Related Employees	25	158

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