



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

NEBRASKA, KANSAS &
COLORADO RAILWAY, INC.

Train & Engine Service Employees

33 NMB No. 19

CASE NO. R-7067

CERTIFICATION

February 17, 2006

The services of the National Mediation Board (Board) were invoked by the United Transportation Union (UTU) on December 12, 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 "Train & Engine Service Employees," employees of the Nebraska, Kansas & Colorado Railway, Inc. (Carrier).

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

The Board assigned Investigators Maria-Kate Dowling and Kendrah Davis to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Train & Engine Service 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 Eileen M. Hennessey.

Number of Employees Voting:

| | <u>Any Other Organization or Individual</u> | <u>UTU</u> | <u>Number of Employees Eligible</u> |
|--|---|------------|---|
| Train & Engine Service Employees | 2 | 6 | 13 |

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 UTU has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Train & Engine Service Employees, employees of Nebraska, Kansas & Colorado Railway, Inc., its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.



Mary L. Johnson
General Counsel