



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the  
REPRESENTATION OF  
EMPLOYEES  
of  
UNION PACIFIC RAILROAD  
Train Dispatchers

33 NMB No. 26  
CASE NO. R-7071  
DISMISSAL  
March 16, 2006

The services of the National Mediation Board (Board) were invoked by the American Train Dispatchers Association (ATDA) on January 5, 2006, 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 Dispatchers," employees of Union Pacific Railroad (Carrier).

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

The Board assigned Investigators Norman L. Graber and Kendrah L. Davis to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Train Dispatchers, 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 Graber.

Number of Employees Voting:

	<u>OTHER</u>	<u>ATDA</u>	<u>Number of Employees Eligible</u>
Train Dispatchers	1	252	588

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