



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the  
  
REPRESENTATION OF  
EMPLOYEES  
  
of  
  
NORTH CAROLINA & VIRGINIA  
RAILROAD CO.  
  
NON-OPERATING EMPLOYEES

35 NMB No. 23  
  
CASE NO. R-7139  
  
CERTIFICATION  
  
February 1, 2008

The services of the National Mediation Board (Board) were invoked by the International Association of Machinists & Aerospace Workers, AFL-CIO (IAM) on November 30, 2007, 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 “Non-Operating Employees,” employees of North Carolina & Virginia Railroad Co. (Carrier).

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

The Board assigned Investigator Harry Jones to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Non-Operating 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 Jones.

<u>Election Results for Non-Operating Employees</u>	
Eligible Employees	5
IAM	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.

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 IAM has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Non-Operating Employees, employees of North Carolina & Virginia Railroad Co., its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.



Mary L. Johnson  
General Counsel