



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

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In the Matter of the  
REPRESENTATION OF  
EMPLOYEES  
of  
COMAIR, INC.  
Dispatchers

36 NMB No. 52

CASE NO. R-7214

DISMISSAL

September 17, 2009

The services of the National Mediation Board (Board) were invoked by the Transport Workers Union of America, AFL-CIO (TWU) on July 24, 2009, 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 "Dispatchers," employees of Comair, Inc. (Carrier).

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

The Board assigned Investigator Angela I. Heverling to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of 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 Heverling.

<u>Election Results for Dispatchers</u>	
Eligible Employees	34
TWU	15

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