



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the  
**REPRESENTATION OF  
EMPLOYEES**  
  
of  
  
**ALABAMA AND TENNESSEE  
RIVER RAILWAY**  
  
Maintenance of Way Employees

37 NMB No. 31  
CASE NO. R-7236  
CERTIFICATION  
March 11, 2010

The services of the National Mediation Board (Board) were invoked by the United Transportation Union on January 27, 2010, 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 “Maintenance of Way Employees,” employees of Alabama and Tennessee River Railway (Carrier).

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

The Board assigned Investigator Cristina A. Bonaca to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Maintenance of Way 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 Bonaca.

<u>Election Results for Maintenance of Way Employees</u>	
Eligible Employees	2
UTU	2
Other	0
Void	0

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 United Transportation Union has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Maintenance of Way Employees, employees of Alabama and Tennessee River Railway, its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.

Mary L. Johnson  
General Counsel