



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

FULTON COUNTY RAILROAD, LLC
TRAIN AND ENGINE SERVICE
EMPLOYEES

37 NMB No. 58

CASE NO. R-7247

CERTIFICATION

August 20, 2010

The services of the National Mediation Board (Board) were invoked by the United Transportation Union (UTU) on June 30, 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 "Train and Engine Service Employees," employees of Fulton County Railroad, LLC (Carrier).

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

The Board assigned Investigator Norman L. Graber to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Train and Engine Service 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 Graber.

<u>Election Results for Train and Engine Service Employees</u>	
Eligible Employees	4
UTU	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 United Transportation Union has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Train and Engine Service Employees, employees of Fulton County Railroad, LLC, its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.

Mary L. Johnson



General Counsel