



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the  
**REPRESENTATION OF  
EMPLOYEES**  
of  
**RARITAN CENTRAL RAILWAY**  
Train and Engine Service  
Employees

38 NMB No. 26  
CASE NO. R-7263  
DISMISSAL  
January 26, 2011

The services of the National Mediation Board (Board) were invoked by the United Transportation Union on November 9, 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 Raritan Central Railway (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 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 Heverling.

<u>Election Results for Train and Engine Service Employees</u>	
Eligible Employees	3
Total Valid Votes	2
UTU	0
“No” Votes	2

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 a majority of the valid votes cast was for no 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