



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

WESTERN RAIL ROAD COMPANY

38 NMB No. 32

CASE NO. R-7275

CERTIFICATION

February 23, 2011

The services of the National Mediation Board (Board) were invoked by the United Transportation Union on November 29, 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 "Operating/Non-Operating Employees," employees of Western Rail Road Company (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 Operating/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 Bonaca.

<u>Election Results for Operating/Non-Operating Employees</u>	
Eligible Employees	12
Total Valid Votes	11
UTU	8
“No” Votes	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 Operating/Non-Operating Employees, employees of Western Rail Road Company, its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.



Mary L. Johnson
General Counsel