



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

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In the Matter of the  
**REPRESENTATION OF  
EMPLOYEES**  
  
of  
**COLUMBUS & CHATTAHOOCHEE  
RAILROAD, INC.**  
  
Train and Engine Service  
Employees

41 NMB No. 2

CASE NO. R-7371

DISMISSAL

November 26, 2013

The services of the National Mediation Board (Board) were invoked by the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART) on August 20, 2013, 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 Columbus & Chattahoochee Railroad, Inc. (Carrier).

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

The Board assigned Investigator Eileen M. Hennessey 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 Hennessey.

<u>Election Results for Train &amp; Engine Service Employees</u>	
Eligible Employees	16
Total Valid Votes	14
SMART	2
“No” Votes	12
Void Votes	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.

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