



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

LONG ISLAND RAILROAD

Road Foreman/Lead Road
Foreman

43 NMB No. 2

CASE NO. R-7441

DISMISSAL

October 15, 2015

The services of the National Mediation Board (Board) were invoked by Thomas McCaffery on August 19, 2015, to investigate and determine who may represent for the purposes of the Railway Labor Act (RLA),¹ as provided by Section 2, Ninth, thereof, personnel described as “Road Foreman/Lead Road Foreman,” employees of Long Island Railroad (Carrier).

At the time this application was received, these employees were represented by the Independent Railway Supervisors Association (IRSA).

The Board assigned Investigator Angela I. Heverling to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Road Foreman/Lead Road Foreman and by direction of the Board, the Investigator was instructed to conduct an election to determine the employees' representation choice.

¹ 45 U.S.C. § 151, *et seq.*

The following is the result of the election as reported by Investigator Heverling.

<u>Election Results for Road Foreman/Lead Road Foreman</u>	
Eligible Employees	15
Total Valid Votes	15
IRSA	0
Thomas McCaffery	1
"No" Votes	14
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