



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the
**REPRESENTATION OF
EMPLOYEES**

of

**BROWNSVILLE & RIO GRANDE
INTERNATIONAL RAILWAY, LLC**

Locomotive Mechanics

48 NMB No. 9

CASE NO. RD-7552

DISMISSAL

December 30, 2020

The services of the National Mediation Board (Board) were invoked on July 28, 2020 by Jaime Amador, pursuant to the Railway Labor Act (RLA), as provided by Section 2, Ninth, thereof, seeking to decertify the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART) as the representative of personnel described as “Locomotive Mechanics,” employees of Brownsville & Rio Grande International Railway, LLC (Carrier). *See Brownsville & Rio Grande Int’l Ry., LLC*, 44 NMB 159 (2017) (NMB Case No. R-7489).

The Board assigned Investigator Andres Yoder to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Locomotive Mechanics, 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 Yoder.

<u>Election Results for Locomotive Mechanics</u>	
Eligible Employees	3
Total Valid Votes	3
SMART	0
“No” Votes	3
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(a) of the NMB Rules.

By direction of the NATIONAL MEDIATION BOARD.



Maria-Kate Dowling
Acting General Counsel