



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

BUFFALO & PITTSBURG
RAILROAD

Machinists and Machinists
Helpers

49 NMB No. 32

CASE NO. RD-7579

DISMISSAL

July 14, 2022

The services of the National Mediation Board (Board) were invoked by Randy Burke on March 14, 2022, 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 “Machinists and Machinists Helpers,” employees of Buffalo & Pittsburgh Railroad (Carrier).

At the time this application was received, these employees were represented by the International Association of Machinists and Aerospace Workers (IAM).

The Board assigned Investigator Josie G. M. Bautista to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Machinists and Machinists Helpers, and by direction of the Board, the Investigator was instructed to conduct a mail ballot election to determine the employees' representation choice.

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

<u>Election Results for Machinists and Machinists Helpers</u>	
Eligible Employees	14
Total Valid Votes	13
IAM	2
“No” Votes	10
Void Votes	0
Write-in Vote for SMART	1

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