



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the

REPRESENTATION OF
EMPLOYEES

of

THE INDIANA RAIL ROAD
COMPANY

Maintenance of Way Employees

49 NMB No. 39

CASE NO. RD-7588

DISMISSAL

September 2, 2022

The services of the National Mediation Board (Board) were invoked by Bill Lemmons on June 7, 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 “Maintenance of Way Employees,” employees of The Indiana Rail Road Company (Carrier).

At the time this application was received, these employees were represented by Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters (BMWED-IBT).

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

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Maintenance of Way Employees, 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 Dispatchers</u>	
Eligible Employees	12
Total Valid Votes	10
BMWED-IBT	2
“No” Votes	8
Void Votes	0
Write-in Vote	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