



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the
**REPRESENTATION OF
EMPLOYEES**
of
REPUBLIC SERVICES D/B/A
SAN FRANCISCO BAY RAILWAY,
LLC
Operating/Non-Operating
Employees

49 NMB No. 40

CASE NO. R-7593

CERTIFICATION

September 14, 2022

The services of the National Mediation Board (Board) were invoked by the Brotherhood of Maintenance of Way Employees Division-IBT on June 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 “Operating/Non-Operating Employees,” employees of Republic Services d/b/a San Francisco Bay Railway, LLC (Carrier).

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

The Board assigned Investigator Andres Yoder to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Operating/Non-Operating 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 Yoder.

| <u>Election Results for Operating/Non-Operating Employees</u> | |
|---|---|
| Eligible Employees | 9 |
| Total Valid Votes | 9 |
| BMWED-IBT | 9 |
| “No” Votes | 0 |
| 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.

CERTIFICATION

NOW, THEREFORE, in accordance with Section 2, Ninth, of the RLA, as amended, and based upon its investigation pursuant thereto, the Board certifies that the Brotherhood of Maintenance of Way Employees Division-IBT has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Operating/Non-Operating Employees, employees of Republic Services d/b/a San Francisco Bay Railway, LLC, its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.



Maria-Kate Dowling
General Counsel