



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the
REPRESENTATION OF
EMPLOYEES
of
HURON AND EASTERN RAILWAY
COMPANY, INC.
Train and Engine Service
Employees and Maintenance
Employees

32 NMB No. 4
CASE NO. R-7022
DISMISSAL
October 8, 2004

The services of the National Mediation Board (Board) were invoked by the Transportation Communications International Union (TCU) on April 29, 2004, 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 "Train and Engine Service Employees and Maintenance Employees," employees of Huron and Eastern Railway Company, Inc. (Carrier).

At the time this application was received, these employees were represented in part by TCU.

The Board assigned Investigator Cristina A. Bonaca to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Train and Engine Service Employees and Maintenance 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 Bonaca.

Number of Employees Voting:

	<u>OTHER</u>	<u>VOID</u>	<u>TCU</u>	<u>Number of Employees Eligible</u>
Train and Engine Service Employees and Maintenance Employees	15	6	2	51

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 less than a majority of eligible employees cast valid votes for 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.

A handwritten signature in cursive script that reads "Mary L. Johnson".

Mary L. Johnson
General Counsel