NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

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In the Matter of the REPRESENTATION OF EMPLOYEES of SOUTH KANSAS & OKLAHOMA RAILROAD, INCORPORATED Train & Engine Service Employees	39 NMB No. 47 CASE NO. R-7320 DISMISSAL June 6, 2012

The services of the National Mediation Board (Board) were invoked by the United Transportation Union on April 5, 2012, 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 & Engine Service Employees," employees of South Kansas & Oklahoma Railroad, Incorporated (Carrier).

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

The Board assigned Investigator Cristina A. Bonaca to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Train & Engine Service 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.

Election Results for Train & Engine Service Employees	
Eligible Employees	45
Void Votes	0
United Transportation Union	12
"No" Votes	24
Total Valid Votes	36

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(b) of the NMB Rules.

By direction of the NATIONAL MEDIATION BOARD.

Mary L. Johnson

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General Counsel