



**NATIONAL MEDIATION BOARD**

WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the  
REPRESENTATION OF  
EMPLOYEES  
of  
AVGR INTERNATIONAL  
BUSINESS, INC. d/b/a UNITED  
SAFEGUARD AGENCY  
Skycaps

31 NMB No. 28

CASE NO. R-6981

DISMISSAL

January 12, 2004

The services of the National Mediation Board (Board) were invoked by the Transport Workers Union of America (TWU) on November 13, 2003, 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 "Skycaps," employees of AVGR International Business, Inc. d/b/a United Safeguard Agency (Carrier).

At the time this application was received, these employees were represented by the District 6, International Union of Industrial, Service, Transport & Health Employees (IUISTHE).

The Board assigned Investigator Eileen M. Hennessey to investigate.

FINDINGS

The investigation disclosed that a dispute existed among the craft or class of Skycaps, 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 Hennessey.

Number of Employees Voting:

	<u>TWU</u>	<u>IUISTHE</u>	Number of Employees <u>Eligible</u>
Skycaps	45	4	109

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.



Mary L. Johnson  
General Counsel