



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the  
  
REPRESENTATION OF  
EMPLOYEES  
  
of  
  
MIDWAY SOUTHERN RAILWAY,  
INC.  
  
Train and Engine Service  
Employees

49 NMB No. 18  
  
CASE NO. R-7569  
  
CERTIFICATION  
  
April 7, 2022

The services of the National Mediation Board (Board) were invoked by the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART) on October 25, 2021, 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,” employees of Midway Southern Railway, Inc. (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 Train and 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 Yoder.

<u>Election Results for Train and Engine Service Employees</u>	
Eligible Employees	16
Total Valid Votes	16
SMART	16
“No” Votes	0
Write-in Votes	0
Void Votes	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 International Association of Sheet Metal, Air, Rail and Transportation Workers has been duly designated and authorized to represent for the purposes of the RLA, as amended, the craft or class of Train and Engine Service Employees, employees of Midway Southern Railway, Inc., its successors and assigns.

By direction of the NATIONAL MEDIATION BOARD.



Maria-Kate Dowling  
Acting General Counsel