



NATIONAL MEDIATION BOARD

1301 K St NW, Suite 250E
Washington, DC, 20005

In the Matter of the
Application of

INTERNATIONAL ASSOCIATION
OF SHEET METAL, AIR, RAIL,
AND TRANSPORTATION WORKERS

alleging a representation dispute
pursuant to Section 2, Ninth, of
the Railway Labor Act, as
amended

involving employees of

WHITE PASS & YUKON ROUTE
RAILWAY

53 NMB No. 12

CASE NO. R-7680
(NMB File Nos. CR-7267,
CR-7268 & CR-7269)

FINDINGS UPON INVESTIGATION –
AUTHORIZATION OF ELECTION

February 9, 2026

This determination addresses the applications filed by the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART or Applicant) alleging a representation dispute pursuant to the Railway Labor Act (RLA), 45 U.S.C. § 152, Ninth (Section 2, Ninth),¹ among “Train Re-Stockers,” “Dock Representatives,” and “Tour Guide/Passenger Agents,” employees at White Pass & Yukon Route Railway (WPY or Carrier).

For the reasons set forth below, the National Mediation Board (Board or NMB) concludes that the appropriate craft or class for the employees covered by the applications is On Board Service Employees. Accordingly, the Board administratively amends the applications in NMB File Nos. CR-7267, CR-7268, and CR-7269 by consolidating them; converts the consolidated applications to NMB Case No. R-7680; finds that a dispute exists; and authorizes an election among the employees in the On Board Service Employees craft or class.

¹ 45 U.S.C. § 151, *et seq.*

PROCEDURAL BACKGROUND

On August 21, 2025, the Applicant filed three applications seeking to represent the following employees: Train Re-Stockers, Dock Representatives, and Tour Guide/Passenger Agents. The applications were given NMB File Nos. CR-7267 (Train Re-Stockers), CR- 7268 (Dock Representatives), and CR-7269 (Tour Guide/Passenger Agent), and Eileen M. Hennessey was assigned as the Investigator.

On September 15, 2025, the Carrier submitted an Initial Position Statement and List of Potential Eligible Voters (List) for each application. In its Initial Position Statement the Carrier states that it meets the definition of “carrier” under the RLA and that separate crafts of or classes of Train Re-Stockers, Dock Representatives, and Tour Guide/Passenger Agents are appropriate. On December 12, 2025, the Investigator requested information from the Carrier regarding the applied-for employees. The Carrier submitted the requested information on December 30, 2025.

ISSUES

Are “Train Re-Stockers,” “Dock Representatives,” and “Tour Guide/Passenger Agents” appropriate crafts or classes at WPY? If not, what is/are the appropriate craft(s) or class(es) for the employees covered by the applications?

FINDINGS OF LAW

Determination of the issues in this case is governed by the RLA, as amended, 45 U.S.C. § 151, *et seq.* Accordingly, the Board finds as follows:

I.

WPY is a common carrier as defined in 45 U.S.C. § 151.

II.

SMART is a labor organization and/or representative as provided by 45 U.S.C. § 151, Sixth, and § 152, Ninth.

III.

45 U.S.C. § 152, Fourth, gives employees subject to its provisions “the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for the purposes

of this chapter.”

IV.

45 U.S.C. § 152, Ninth, provides that the Board has the duty to investigate representation disputes and shall designate who may participate as eligible voters in the event an election is required.

STATEMENT OF FACTS

The WPY is a U.S. Class III and Canadian railroad linking the Port of Skagway, Alaska with Whitehorse, Canada. It has no direct connection to any other railroad. Equipment, freight, and passengers are ferried by ship through the Port of Skagway, and via road through several stops along its route. Initially completed in 1900, the WPY provided freight and passenger service between the Port of Skagway and the Yukon Territory until the railroad ceased operating in 1982. In 1988, the WPY resumed operations as a heritage railway primarily providing tourist excursion trips to cruise ship passengers from the Port of Skagway to Whitehorse.

The Carrier provides service to both cruise ship customers and non-cruise passengers. According to the Carrier, approximately 99.5% of its passengers are cruise ship guests, and approximately 0.5% are non-cruise guests. The Carrier operates a depot in Skagway and employs a depot stationmaster there.

According to the organizational chart provided by the Carrier, all three positions covered by the applications are within the Passenger Operations Department. Train Re-Stockers and Dock Representatives report to the Passenger Coordinator. Tour Guide/Passenger Agents report to the Supervisor of Training and Tour Development.

Train-Re-Stockers are responsible for stocking the trains with complimentary water, retail items, and *All Aboard* magazine; midday replenishing of the train; controlling inventory of water and retail items; and providing support to other departments as needed. The starting wage for this position is \$22 per hour.

Dock Representatives provide “a link between the Carrier and the cruise line shore excursion department.” They serve as a liaison between onboard train personnel and passengers when loading the train, loading and unloading up to 600 passengers per excursion. The starting wage for this position is \$22 per hour.

Tour Guide/Passenger Agents assist with the loading and unloading of train passengers, provide narration to train passengers of the history of the WPY and the train route, and answer passenger questions. The starting wage for this

position is \$17 per hour.

All three positions are seasonal and are not offered employee benefits such as retirement, health insurance, or vacation time. The Carrier does offer housing options at a reduced rate for the part of the year the seasonal worker is employed.

The List submitted by the Carrier covering the Re-Stockers contained the names of three potential eligible voters; the List for the Dock Representatives contained the names of eight potential eligible voters; and the List for Guide/Passenger Agents contained the names of 29 potential eligible voters.

DISCUSSION

The RLA authorizes the NMB to make craft or class determinations to resolve representation disputes. In resolving these disputes, agreement of the participants is not binding on the NMB. *See, e.g.*, NMB Representation Manual (Manual) Section 8.2. To determine the proper craft or class for a group of employees, the Board considers a number of factors, including functional integration, work classifications, terms and conditions of employment, and work-related community of interest. *See Carrollton R.R.*, 51 NMB 93 (2024); *Brownsville & Rio Grande Int'l Ry.*, 47 NMB 64 (2020). The Board makes craft or class determinations case by case, based upon Board policy and precedent. *USAir*, 15 NMB 369 (1988); *Simmons Airlines*, 15 NMB 124 (1988). The NMB generally makes its craft or class determinations following historical industry patterns of representation making “[r]ealignments in certain areas . . . but within established craft lines.” *United Air Lines*, 3 NMB 56, 63 n.3 (1961).

On Board Service Employees generally refers to employees in positions that perform services for passengers in dining cars, sleeping cars, and passenger cars, such as bartenders, dining car employees, train attendants, and porters. It is distinct from Station Passenger Service, a craft or class that generally includes employees who provide customer service at the station, such as gate agents, ticket agents and lounge attendants. The consolidation of passenger rail service and the creation of Amtrak in 1971 has meant that there have been few recent NMB certifications of On Board Service Employees on the railroads. Recently, however, the Board certified this craft or class for Train Attendants and Leads on a non-Amtrak passenger railroad. *See Brightline Trains Florida*, 52 NMB 44 (2024).

As in *Brightline* and within the On Board Service Employees craft or class on Amtrak, all of the employees here provide service to passengers while onboard or during loading and unloading of the train. While the Carrier operates a station in Skagway, there is no evidence that the applied-for employees have any interaction with station employees or with passengers at the station. While the Carrier employs a Stationmaster in Skagway, this position is not within the

Carrier's Passenger Operations Department with the applied-for employees. In addition, all of the applied-for positions are seasonal, hourly positions and share similar pay structure, benefits, and working conditions.

CONCLUSION

NMB File Nos. CR-7267 CR-7268, and CR-7269 are consolidated and converted to NMB Case No. R-7680. Based on the authorization cards submitted by the Applicant, the Board finds that a dispute exists in this case and authorizes an election among the craft or class of On Board Service Employees including Train-Re-Stockers, Dock Representatives, and Tour Guide/Passenger Agents, using a cut-off date of August 15, 2025.

Pursuant to Manual Section 12.1, the Carrier is hereby required to furnish a new List of Potential Eligible Voters (List), combining the Lists provided on September 15, 2025 into a new, single List. Within five calendar days of this decision, the Carrier will also provide 1" X 2 5/8" peel-off labels bearing the alphabetized names and current addresses of those employees on the combined List of Potential Eligible Voters in the craft or class of On Board Service Employees. The Carrier must print the same sequence number from the List beside each voter's name on the address label. The Carrier must also provide to the Board the name and sequence number of those potential eligible voters on military leave who are serving in foreign countries or who reside outside of the United States. The Carrier must use the most expeditious method possible, such as overnight mail, to ensure that the Board receives the labels within five calendar days.

By direction of the NATIONAL MEDIATION BOARD

A handwritten signature in black ink, appearing to read "Maria-Kate Dowling".

Maria-Kate Dowling
General Counsel