

In the Matter of MEIER & FRANK COMPANY, INC. and BUILDING SERVICE
EMPLOYEES UNION, LOCAL No. 49, A. F. OF L.

Case No. 19-R-1230

SUPPLEMENTAL DECISION
AND
CERTIFICATION OF REPRESENTATIVES

April 8, 1944

On March 17, 1944, pursuant to the Decision and Direction of Election issued by the Board herein on February 28, 1944,¹ an election by secret ballot was conducted under the direction and supervision of the Regional Director of the Nineteenth Region (Seattle, Washington). Immediately thereafter a Tally of Ballots was furnished by the Regional Director to the Company and to the participating union.

The Tally indicated that of the approximately 30 eligible voters, 25 cast valid votes of which 23 were for Building Service Employees Union, Local No. 49, A. F. of L., 2 were against said Union. No void or challenged ballots were cast.

On March 20, 1944, the Company filed Objections to conduct affecting the results of the election, alleging that the Union violated the provision in the Notice of Election, which reads: "Electioneering will not be permitted at or near the polling place," by engaging in electioneering on March 15 and March 16, 1944, in the the store building where the election was held. No allegation was made that the Union engaged in electioneering on the day of the election. On March 23, 1944, the Regional Director issued and served upon the parties his Report on Objections in which he found no merit in the Company's Objections and recommended that they be overruled. The Company then filed Exceptions to the said Report in which it argued that it is necessary to a fair election that all electioneering in the vicinity of an announced polling place cease on the day of the posting of the election notice. We find no merit in the Company's contention. Upon consideration of all the facts, we agree with the Regional Director that the Objections raise no substantial issue. They are hereby overruled.

¹ 55 N. L. R. B. 101.

55 N. L. R. B., No. 206

CERTIFICATION OF REPRESENTATIVES

By virtue of and pursuant to the power vested in the National Labor Relations Board by Section 9 (c) of the National Labor Relations Act, and pursuant to Article III, Sections 9 and 10, of National Labor Relations Board Rules and Regulations—Series 3,

IT IS HEREBY CERTIFIED that Building Service Employees Union, Local No. 49, A. F. of L., has been designated and selected by a majority of all elevator operators in the Company's retail store, including dispatchers but excluding all supervisory employees with authority to hire, promote, discharge, discipline or otherwise effect changes in the status of employees or effectively recommend such action, as their representative for the purposes of collective bargaining and that pursuant to Section 9 (a) of the Act, the said organization is the exclusive bargaining representative of all such employees for the purposes of collective bargaining with respect to rates of pay, wages, hours of employment and other conditions of employment.

CHAIRMAN MILLIS took no part in the consideration of the above Supplemental Decision and Certification of Representatives.