

In the Matter of CINCINNATI DAILY NEWSPAPER PUBLISHERS ASSOCIATION and CINCINNATI MAILERS' UNION No. 17, AN AFFILIATE OF THE INTERNATIONAL MAILERS' UNION OF NORTH AMERICA

Case No. 9-R-1294

SUPPLEMENTAL DECISION

ORDER

AND

AMENDMENT TO DIRECTION OF ELECTION

April 29, 1944

On March 18, 1944, the Board issued its Decision and Direction of Election in the above-entitled proceedings,¹ directing that an election be conducted among certain employees of the members of Cincinnati Daily Newspaper Publishers Association, herein called the Association, to determine whether said employees desire to be represented in collective bargaining by Cincinnati Mailers' Union No. 17, affiliated with International Mailers' Union of North America, herein called the I. M. U., by International Typographical Union, herein called the I. T. U., or by neither of said organizations.

On April 1, 1944, the Board, upon the request of the I. T. U., issued an order staying the election theretofore directed and setting the case down for oral argument. On April 13 a hearing for the purposes of oral argument was held before the Board in Washington, D. C. The I. T. U. and the I. M. U. appeared and participated. The I. T. U. argued that the Board should vacate the Direction of Election and dismiss the petition filed herein by the I. M. U. on the grounds (1) that its contract with the Association is a bar to this proceeding and (2) that the members and officers of the I. M. U. violated their legal obligations as members of the I. T. U. in organizing and joining the rival petitioning union. The first contention was fully considered by the Board in its original Decision, and was rejected for the reasons set forth therein. The second contention pertains to a problem of internal union regulation and discipline which has no bearing on the issue presented for our determination in this proceeding, i. e., whether there

¹ 55 N. L. R. B. 571.

56 N. L. R. B., No. 35

exists a question concerning representation within the meaning of Section 9 (c) of the Act. We have found that such a question has arisen and that it can best be resolved by an election among the employees in the appropriate unit. We see no reason to alter that determination. The Direction of Election will accordingly be reinstated. Said Direction will also be amended so as to extend the time within which the election shall be conducted.

ORDER

IT IS HEREBY ORDERED that the request of the I. T. U. for the reconsideration of the Direction of Election heretofore issued in this proceeding and for dismissal of the petition filed by the I. M. U. be, and it hereby is, denied.

AMENDMENT TO DIRECTION OF ELECTION

The Direction of Election issued in this proceeding on March 18, 1944, is hereby amended by striking therefrom the words "not later than thirty (30) days" and substituting therefor the words "not later than sixty (60) days."