

In the Matter of OWENS-CORNING FIBERGLAS CORP. *and* TEXTILE
WORKERS UNION OF AMERICA, C. I. O.

Case No. 8-R-1933

SUPPLEMENTAL DECISION
AND
DIRECTION

September 12, 1944

On August 9, 10, and 11, 1944, pursuant to the Decision and Direction of Elections issued by the Board herein on July 14, 1944,¹ three separate elections by secret ballot were conducted under the direction and supervision of the Regional Director for the Eighth Region (Cleveland, Ohio). Upon the conclusion of the elections, Tallies of Ballots were furnished the parties in accordance with the Rules and Regulations of the Board.

Since the results of the elections conducted among two of the three voting groups showed conclusively that a labor organization had been selected by a majority of the employees in each of the two voting groups as their collective bargaining representative, such organizations were certified by the Board on August 23, 1944.

As to the balloting among the employees in the residuary production and maintenance voting group and its results, the tally showed as follows:

Approximate number of eligible voters.....	2,030
Valid votes counted.....	1,679
Votes cast for American Flint Glass Workers of North America, A. F. L.....	477
Votes cast for Textile Workers Union of America, C. I. O.....	503
Votes cast for neither.....	699
Challenged ballots.....	28
Void ballots.....	3

Because the 28 challenged ballots were sufficient in number to determine which of the 2 participating unions was entitled to appear on

¹ 57 N. L. R. B., 345.

58 N. L. R. B., No. 45.

a run-off ballot, the Regional Director on August 19, 1944, following an investigation, issued a Report on Challenged Ballots. In his report, the Regional Director recommended that challenges to 10 specified ballots be sustained and the ballots accordingly not be counted. He recommended further that, although the challenges to the remaining 18 ballots should be overruled, none of the 28 challenged ballots should be opened and counted inasmuch as 18 ballots, if all cast for the A. F. L., would be insufficient to entitle the A. F. L. to appear on a run-off ballot.

We have considered the Regional Director's recommendations, and since none of the parties has taken exception thereto, they are sustained. We hereby direct that none of the challenged ballots be opened and counted.

DIRECTION

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 National Labor Relations Board Rules and Regulations—Series 3, as amended, it is hereby

DIRECTED that, as part of the investigation authorized by the Board to ascertain representatives for the purposes of collective bargaining with Owens-Corning Fiberglas Corp., Newark, Ohio, Textile Workers Union of America, C. I. O., be given ten (10) days from the date of this Direction to request a run-off election, and that the Regional Director for the Eighth Region, proceed pursuant to the provisions of Article III, Section 11, of said Rules and Regulations.

MR. JOHN M. HOUSTON took no part in the consideration of the above Supplemental Decision and Direction.