In the Matter of R. N. TEMPLEMAN *and* UNITED RETAIL, WHOLESALE & DEPARTMENT STORE EMPLOYEES OF AMERICA, AFFILIATED WITH CONGRESS OF INDUSTRIAL ORGANIZATIONS

Case No. 15–R–1169

SUPPLEMENTAL DECISION

AND

DIRECTION

September 29, 1944

On September 8, 1944, pursuant to the Decision and Direction of Election issued by the Board herein on August 30, 1944,[1] an election by secret ballot was conducted under the direction and supervision of the Acting Regional Director for the Fifteenth Region (New Orleans, Louisiana). Upon the conclusion of the election, a Tally of Ballots was furnished the parties in accordance with the Rules and Regulations of the Board. No Objections were filed by any party within the time provided therefor.

The Tally shows the following:

Approximate number of eligible voters	15
Valid votes counted	10
Votes cast for United Retail, Wholesale & Department Store Employees of America, CIO	5
Votes cast against participating union	5
Challenged ballots	4
Void ballots	0

On September 13, 1944, the Acting Regional Director, pursuant to Article III, Section 10, of National Labor Relations Board Rules and Regulations—Series 3, as amended, issued a Report on Challenged Ballots, in which he recommended that the challenges be overruled as to Walter Lewis, Robert Bradford, and Will Ellis, and sustained as to Rosalie McMiller. No Exceptions were filed to said Report by any party within the time provided therefor.

We have considered the Report on Challenged Ballots, and in accordance therewith, find that Lewis, Bradford, and Ellis were eligible

[1] 57 N. L. R. B. 1744

to vote in the election, and McMiller was ineligible to vote therein. We shall direct that the ballots of Lewis, Bradford, and Ellis 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 Article III, Sections 9 and 10 of National Labor Relations Board Rules and Regulations—Series 3, as amended, it is hereby

DIRECTED that, as part of the investigation to ascertain representatives for the purposes of collective bargaining with R. N. Templeman, New Orleans, Louisiana, the Regional Director for the Fifteenth Region, shall, pursuant to said Rules and Regulations, within ten (10) days from the date of this Direction, open and count the challenged ballots of Walter Lewis, Robert Bradford, and Will Ellis, and shall thereafter prepare and cause to be served upon the parties a Supplemental Tally of Ballots including therein the count of said challenged ballots.