

In the Matter of THE MAY DEPARTMENT STORES COMPANY, d/B/A FAMOUS-BARR COMPANY and ELEVATOR OPERATORS AND STARTERS, LOCAL 50—E. A. F. L.

In the Matter of THE MAY DEPARTMENT STORES COMPANY, d/B/A FAMOUS-BARR COMPANY and LOCAL 372, UNITED RETAIL, WHOLESALE, AND DEPARTMENT STORE EMPLOYEES OF AMERICA, C. I. O.

Cases Nos. 14-R-779 and 14-R-794, respectively

SECOND DIRECTION OF ELECTIONS

April 24, 1945

On January 1, 1944, the National Labor Relations Board issued a Decision and Direction of Elections in the above-entitled proceedings.¹ On March 31, 1945, the Board issued a Supplemental Decision and Order Setting Aside Elections,² in which it set aside elections conducted on January 28, 1944, among employees of The May Department Stores Company, d/b/a Famous-Barr Company, St. Louis, Missouri, herein called the Company, in separate units previously found to be appropriate for bargaining and stated that it would direct new elections when the Regional Director should inform the Board that the time was opportune. The Regional Director has advised the Board that elections may now be held. Since many months have elapsed since the holding of the prior elections, we shall use a current pay roll to determine the eligibility of employees to participate therein.

We initially provided that the American Federation of Labor, herein called the A. F. of L., participate in the election conducted among general store employees. Subsequent to the issuance of our Decision and Direction of Elections, the A. F. of L. notified the Board that it did not wish to participate in this election, and the Board, on January 20, 1944, amended its Direction of Elections accordingly. We shall make no provision for the participation of the A. F. of L. in the new election among general store employees, but if the A. F. of L. desires to participate therein, and gives notice to this effect to the

¹ 54 N. L. R. B. 230.

² 61 N. L. R. B. 258.

61 N. L. R. B., No. 112.

Regional Director within 5 days subsequent to the issuance of this Second Direction of Elections, its name shall be placed on the ballot.

Those eligible to vote in the new separate elections which we shall now direct shall be all employees in the respective units found to be appropriate in our Decision and Direction of Elections, issued on January 1, 1944, who were employed during the pay-roll period immediately preceding the date of the issuance of this Second Direction of Elections, subject to the additions and limitations set forth therein.

SECOND DIRECTION OF ELECTIONS

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, Section 9, 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 The May Department Stores Company, doing business as Famous-Barr Company, St. Louis, Missouri, separate elections by secret ballot shall be conducted as early as possible, but not later than thirty (30) days from the date of this Second Direction, under the direction and supervision of the Regional Director for the Fourteenth Region, acting in this matter as agent for the National Labor Relations Board, and subject to Article III, Sections 10 and 11, of said Rules and Regulations, among all employees of the Company in the respective groups described below, including regular employees who were employed during the pay-roll period immediately preceding the date of this Second Direction and those who did not work during said pay-roll period because they were ill or on vacation, or temporarily laid off, and regular extra employees who, during the 6-month period immediately preceding the date of the issuance of the Second Direction of Elections herein, have performed some work for the Company in at least 5 of such months and who have worked during the 6-month period a sufficient number of days to represent an average of 10 days employment per month, including regular and regular extra employees in the armed forces of the United States who present themselves in person at the polls, but excluding all other regular extra employees and all employees who have since quit or been discharged for cause and have not been rehired or reinstated prior to the date of the elections:

1. All employees in the unit found appropriate for elevator operators of the Company in our Decision and Direction of Elections issued on January 1, 1944, to determine whether they desire to be represented by Local 50-E, Elevator Operators and Starters, A. F. L., or by Local No. 372, United Retail, Wholesale, and Department Store

Employees of America, C. I. O., for the purposes of collective bargaining, or by neither; and

2. All employees in the unit found appropriate for other store employees of the Company in our Decision and Direction of Elections issued on January 1, 1944, to determine whether or not they desire to be represented by Local 372, United Retail, Wholesale, and Department Store Employees of America, C. I. O., for the purposes of collective bargaining.