

IN the Matter of NATIONAL ANILINE DIVISION OF ALLIED CHEMICAL AND DYE CORPORATION, EMPLOYER *and* LEAD BURNERS LOCAL 677 UNITED ASSOCIATION OF JOURNEYMEN PLUMBERS AND STEAMFITTERS OF UNITED STATES AND CANADA, A. F. OF L., PETITIONER

Case No. 3-R-1281

SUPPLEMENTAL DECISION

AND

ORDER

January 15, 1947

On December 19, 1946, the Board issued a Decision and Direction of Election in the instant case.¹ Thereafter, on December 31, 1946, the Employer filed a motion for reconsideration and requested an opportunity to submit a brief and to argue orally before the Board. On January 2, 1947, District 50, United Mine Workers of America, A. F. of L., herein called the Mine Workers, filed a similar motion. For reasons hereinafter stated, both motions are hereby denied.

The Employer and the Mine Workers principally contend that the Board erred in finding in its Decision and Direction of Election, herein, that neither the Employer nor the Mine Workers contended that their contract of June 28, 1946, bars a present determination of representatives. The record is not entirely clear on this point; however, we find it is unnecessary to resolve this controversy, since in any event the 1946 contract cannot, under well established principles of the Board, bar a determination of representatives at this time because the petition herein was filed one month prior to the execution of the contract between the Employer and the Mine Workers.²

ORDER

IT IS HEREBY ORDERED that the motions for reconsideration, oral argument, and permission to submit briefs, filed by the Employer and by District 50, United Mine Workers of America, A. F. of L., be, and they hereby are, denied.

¹ *Matter of National Aniline Division of Allied Chemical and Dye Corporation*, 71 N. L. R. B. 1217.

² See *Matter of Indianapolis Power and Light Company*, 62 N. L. R. B. 1279; *Matter of Union Fork & Hoe Company*, 63 N. L. R. B. 194.

72 N. L. R. B., No. 22