

The Petitioner's eighth and ninth objections⁶ generally reiterated the above objections. In view of our findings, in accord with the Regional Director, we overrule these objections.

As we have overruled all the objections to the election, and as the tally of ballots shows that the petitioner failed to receive a majority of the ballots cast in the election, we shall issue a certification of results to that effect.

[The Board certified that a majority of valid ballots was not cast for Office Employees International Union, Local No. 45, AFL-CIO, and that the said labor organization is not the exclusive representative of the employees of the Employer, in the unit heretofore found appropriate.]

⁶ There was no objection 6.

The Langenau Manufacturing Company and Agnes Weigand, Petitioner and International Association of Machinists, AFL-CIO, and Metal Polishers, Buffers, Platers & Helpers International Union, Local No. 3, AFL-CIO. Case No. 8-RD-132. June 7, 1956

SUPPLEMENTAL DECISION AND ORDER

On March 30, 1956, a decertification election was directed in a production and maintenance unit which the Board found was the recognized bargaining unit represented by a joint representative, the International Association of Machinists, AFL-CIO, hereafter referred to as the IAM, and the Metal Polishers, Buffers, Platers & Helpers International Union, Local No. 3, AFL-CIO, hereinafter referred to as the Metal Polishers.¹

Thereafter, the IAM requested permission to withdraw with prejudice from the election and disclaimed any interest in the employees in the unit. The Metal Polishers, when informed of the IAM's action, filed with the Board a motion for reconsideration of Decision and Direction of Election. In its motion the Metal Polishers requests the Board to amend its Decision and Direction of Election and dismiss the petition for decertification insofar as it was applicable to all employees, and except therefrom the polishers and platers leaving their representation undisturbed. In the alternative the Metal Polishers contends that the Board should conduct an election only among the polishers and platers.

In its original decision the Board rejected the contention that the IAM and the Metal Polishers represented separate units at the Em-

¹ 115 NLRB 971.

115 NLRB No. 244.

ployer's plant and found that as a result of joint bargaining by the two organizations, the appropriate unit was a production and maintenance one embracing all employees. The Metal Polishers states in its motion that it would not be practical for it to participate alone in an election conducted in the unit found appropriate by the Board. In view of this statement and the IAM's disclaimer and request to withdraw, it appears that the recognized joint bargaining relationship no longer exists and no union claims to represent the appropriate unit.

[The Board ordered the Decision and Direction of Election issued on March 30, 1956, vacated and the petition for decertification filed by Agnes Weigand dismissed. It is further determined that the Unions are no longer the exclusive representative of the employees in the unit found appropriate. The Board will not entertain a petition pertaining to the unit heretofore found appropriate, filed by either of the above Unions within 6 months from the date of this Order, unless good cause is shown to the contrary. In the event that the Unions in this proceeding make a claim upon the Employer, within 6 months from the date of this Order, the Board will entertain a motion requesting reinstatement of the petition.]

Warehouse & Distribution Workers Union, Local 688, affiliated with International Brotherhood of Teamsters, Chauffeurs, Warehousemen & Helpers of America, AFL-CIO and Coca-Cola Bottling Company of St. Louis. *Cases Nos. 14-CB-363 and 14-CC-93. June 8, 1956*

DECISION AND ORDER

On March 30, 1956, Trial Examiner Lloyd Buchanan issued his Intermediate Report in the above-entitled proceedings, finding that the Respondent had engaged in and was engaging in certain unfair labor practices and recommending that they cease and desist therefrom and take certain affirmative action, as set forth in the copy of the Intermediate Report attached hereto. Thereafter, the Respondent filed exceptions to the Intermediate Report, together with a supporting brief. The Board hereby denies the Respondent's request for oral argument, as the entire record, including the exceptions and brief, adequately presents the issues and positions of the parties.

The Board has reviewed the rulings made by the Trial Examiner at the hearing and finds that no prejudicial error was committed. The Board has considered the Intermediate Report, the exceptions