APPENDIX

NOTICE TO ALL EMPLOYEES

Pursuant to the recommendations of a Trial Examiner of the National Labor Relations Board, and in order to effectuate the policies of the National Labor Relations Act, we hereby notify our employees that:

WE WILL NOT assist, dominate, contribute support to, or interfere with, the formation or administration of any labor organization of our employees, or otherwise interfere with the representation of our employees through a labor organization of their own choosing.

WE hereby disestablish the Grievance Committee, including its component part, the Appeal Board, as the representative of any of our employees for the purpose of dealing with us concerning grievances, labor disputes, wages, rates of pay, hours of employment, or other conditions of employment.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce our employees in the exercise of the right to self-organization, to form labor organizations, to join or assist any labor organization, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities, for the purpose of collective bargaining or other mutual aid or protection, or to refrain from any and all such activities, except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment, as authorized in Section 8(a)(3) of the Act.

THE MULTI-COLOR COMPANY,
Employer.

Dated_____ By_____
(Representative) (Title)

This notice must remain posted for 60 days from the date hereof, and must not be altered, defaced, or covered by any other material.

Nelson Name Plate Company, Petitioner *and* Metal Trades Council of Southern California and its affiliated Local and International Unions, AFL-CIO. *Case No. 21-RM-511. December 16, 1958*

DECISION AND ORDER

Upon a petition duly filed, a hearing was held before Max Steinfeld, a hearing officer of the National Labor Relations Board. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

Upon the entire record in this case, the Board finds:

1. The Employer is engaged in commerce within the meaning of the National Labor Relations Act.

2. The labor organizations involved claim to represent employees of the Employer.

3. No question affecting commerce exists concerning the representation of employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act for the following reasons:

The Union moved to dismiss the petition on the ground, among others, that it was not timely filed. The Union and the Employer

executed a 1-year contract covering the employees in the proposed unit, the termination date of which was October 22, 1958. The Employer filed the instant petition on August 29, 1958. It is clear, therefore, that the petition was filed within the 60-day period immediately preceding the expiration rate of the contract. The Board has decided that the rule in *Deluxe Metal Furniture Company*, 121 NLRB 995, establishing a 60-day insulated period during which petitions will not be entertained applies to all petitions. As the instant petition was filed during such period, we find that it is untimely. The motion to dismiss on this ground is therefore granted.

[The Board dismissed the petition.]

MEMBER BEAN took no part in the consideration of the above Decision and Order.

U.S. Radium Corporation *and* Oil, Chemical and Atomic Workers International Union, AFL-CIO, Petitioner. *Case No. 4-RC-3230. December 17, 1958*

SUPPLEMENTAL DECISION AND DIRECTION

On April 18, 1957, pursuant to a Decision and Direction[1] issued by the Board on March 27, 1957, in the above proceeding, an election by secret ballot was conducted under the direction and supervision of the Regional Director for the Fourth Region among the employees in the unit found appropriate. The tally of ballots showed that of approximately 204 eligible voters, 203 cast ballots, of which 88 were for the Petitioner, 100 for Independent Radium Workers, and 15 against participating labor organizations.

Thereafter, the Petitioner filed objections to the conduct of the election which the Acting Regional Director recommended overruling in his report filed June 25, 1957. He also recommended that a runoff election be held because no choice on the ballot had received a majority vote. No exceptions having been filed to the report, the Board in its Supplemental Decision and Direction of July 10, 1957,[2] directed that a runoff election be held with the Petitioner and the Independent Union on the ballot. On July 30, 1957, the runoff election was conducted by secret ballot. This time the tally of ballots showed that the approximate number of eligible voters was 203, that 187 valid votes were counted of which 94 were for the Petitioner and 93 for the Independent, and that in addition 5 ballots were challenged.

[1] Unpublished.
[2] Unpublished.