

**General Glass Industries Corp. and Aluminum,
Brick and Glass Workers International Union,
AFL-CIO, Petitioner.** Case 6-RC-10699

September 30, 1992

DECISION AND CERTIFICATION OF
REPRESENTATIVE

BY CHAIRMAN STEPHENS AND MEMBERS
DEVANEY AND OVIATT

The National Labor Relations Board, by a three-member panel, has considered objections to an election held March 3, 1992, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 123 for and 98 against the Petitioner, with 6 challenged ballots, an insufficient number to affect the results.

The Board has reviewed the record in light of the exceptions and brief and has adopted the hearing officer's findings and recommendations,¹ and finds that a certification of representative should be issued.

¹ In affirming the hearing officer's recommendation that the objections be overruled, we have considered all the testimony presented by the Employer at the hearing.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots has been cast for the Aluminum, Brick and Glass Workers International Union, AFL-CIO and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time production and maintenance employees employed by the Employer at its Jeannette, Pennsylvania, facility; excluding all office clerical employees, the draftsman, the hot-end technical employee, the cold-end technical employee, the laboratory technician, the receiving clerk, the shipping clerk, the plant clerk typist, the hot-end and cold-end schedulers and guards, professional employees and supervisors as defined in the Act.

The Employer asserts that the hearing officer's rulings, findings, and conclusions demonstrate bias and prejudice. On careful examination of the hearing officer's report and the entire record, we are satisfied that such contentions are without merit.

The Employer argues specifically that the hearing officer showed bias when she rejected the Employer's brief as untimely while accepting the Petitioner's brief, which was sent the same day. However, although the Employer admits its brief was untimely, there is no evidence that the Petitioner's brief was received late, as the Employer assumes.