

NOT TO BE INCLUDED
IN BOUND VOLUMES

LBH
West Memphis, AR

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

WARREN UNILUBE, INC.

Employer

and

Case 26-RC-8616

TEAMSTERS LOCAL 667

Petitioner

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered objections to an election held on November 5, 2010, and the Acting Regional Director's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 69 for and 56 against the Petitioner, with 5 non-determinative challenged ballots.

The Board has reviewed the record in light of the exceptions and briefs, has adopted the Acting Regional Director's findings¹ and recommendations, and finds that a certification of representative should be issued.²

¹ The Acting Regional Director erroneously stated that the unfair labor practice charge "was ultimately withdrawn by the Union." The charge was actually dismissed by the Regional Director by letter dated December 30, 2010. This error does not affect our disposition of this case.

² Member Hayes agrees that the Regional Director did not abuse his discretion when deciding to postpone the election pending investigation of the unfair labor practice charge filed by the Petitioner. However, in his view, the preferable course of action would have been to hold the election and impound the ballots while investigating the charge.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for Teamsters Local 667, and that it is the exclusive collective bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time employees, including production, plastics, blending, maintenance, warehouse, plant clericals, quality inspectors and truck drivers at the Employer's West Memphis, Arkansas facility, excluding all office clerical employees, professional employees, quality control employees, housekeeping employees, temporary employees, guards and supervisors as defined in the Act.

Dated, Washington, D.C., March 16, 2011.

Wilma B. Liebman, Chairman

Craig Becker, Member

Brian E. Hayes, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD