Waseca, MN

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

WASECA COUNTY
Employer

and Case 18-WH-23

TEAMSTERS LOCAL NO. 320
Petitioner

CERTIFICATION OF REPRESENTATIVE AS BONA FIDE
UNDER SECTION 7(B) OF THE FAIR LABOR STANDARDS ACT OF 1938

On January 14, 2011, Teamsters Local No. 320 filed with the Regional Director for Region 18 of the National Labor Relations Board a request for certification of representative as a bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. Sec. 207(b).

On January 21, 2011, the Regional Director served on the parties an Order to Show Cause why the Board should not grant the request. No response was filed. As the Region's investigation revealed that the Union is the recognized exclusive collective-bargaining representative of the unit employees,[1] the Regional Director recommended to the Board that the requested certification be issued.

No party having shown cause why a certification should not be issued, the National Labor Relations Board hereby certifies that Teamsters Local No. 320 is a bona

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1 The record indicates that on December 18, 1995, the State of Minnesota Bureau of Mediation Services issued a Certification of Exclusive Representative Severance Election certifying the Union as the exclusive collective-bargaining representative of the employees in the unit. The parties are signatory to a collective-bargaining agreement effective January 1, 2007 to December 31, 2009, that provides for automatic renewal from year-to-year upon its expiration.

fide representative, for purposes of Section 7(b) of the FLSA, of the employees of Waseca County in the following appropriate unit:[2]

> All essential non-licensed employees of the Waseca County Sheriff's Department, Waseca, Minnesota, who are public employees within the meaning of Minnesota Statute 179A.03. subd. 14, excluding supervisory, confidential and essential licensed employees.[3]

Dated, Washington, D.C. April 5, 2011

By direction of the Board:

Lester A. Heltzer

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Executive Secretary

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2 A certificate of bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).

3 The Order to Show Cause referred to an abbreviated description of the bargaining unit. The full unit description, as specified in the parties' collective-bargaining agreement, is set out above.