

UNITED STATES GOVERNMENT
National Labor Relations Board



MEMORANDUM

TO: Lester A. Heltzer, Executive Secretary

FROM: Dennis R. Boren, Acting Regional Director
Region 7 -- Detroit

DATE: February 16, 2012

RE: Isabella County Board of Commissioners
Case 07-WH-070240

On December 6, 2011, the Police Officers Association of Michigan (the Petitioner) filed the instant petition seeking certification as the bona fide representative of the unit below under Section 7(b) of the Fair Labor Standards Act of 1938. The Employer¹ is a public sector employer.

A Notice to Show Cause was sent to the Employer on December 8, 2011. On December 13, 2011, the Region received the Employer's response to the Notice which stated that the Employer stipulates and concurs in the Petitioner's request for bona fide certification under Section 7(b) of the Fair Labor Standards Act of 1938. On January 11, 2012, the Region received a letter from the Employer's attorney stating that the Notice was posted on December 19, 2011, and taken down on January 4, 2012. There was no other response to the Notice by the deadline date of December 22, 2011. Due to the Employer's delay in posting the original Notice, which may have precluded responses being filed by the original deadline, a second Notice was issued and posted by the Employer from January 18, 2012 to February 10, 2012. There were no responses to this Notice.

The file contains a copy of a recently expired collective bargaining agreement effective from October 1, 2008, through September 30, 2011. The recognition clause of this agreement states that the Petitioner is the recognized collective bargaining representative of the bargaining unit employees.²

¹ It appears based on the recognition clause of the parties' collective bargaining agreement that the Employer may be the County of Isabella rather than Isabella County Board of Commissioners.

² The unit is described in the recognition agreement as follows:

All full-time and regularly scheduled part-time dispatchers employed by the Employer; but excluding supervisors and all other Isabella County employees.

There being no basis for denying certification, it is recommended that the Petitioner's request be granted. County of Alameda, 322 NLRB 614 (1996).

Please advise if any additional information is necessary.³

D.R.B.

³ The Regional Office file, which contains copies of the petition, notice to show cause, service sheet, and the recently expired collective bargaining agreement, is being forwarded herewith.