Brooklyn, NY

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

GOLDEN FARM BROOKLYN, INC. d/b/a
GOLDEN FARM GROCERY

Employer

and Case 29-RC-077022

LOCAL 338, RETAIL, WHOLESALE, AND
DEPARTMENT STORE UNION, UNITED
FOOD AND COMMERCIAL WORKERS

Petitioner

DECISION AND ORDER

The National Labor Relations Board has considered challenges and objections to an election held May 2, 2012, and the Regional Director's Supplemental Report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 13 ballots cast for and 8 ballots cast against the Petitioner, with 1 void ballot and 5 challenged ballots, a sufficient number to affect the results.

No exceptions have been filed to the Regional Director's report within the time provided.[1] Accordingly, the Board adopts the Regional Director's findings and recommendations.

[1] The Regional Director issued his Report on Challenges and Objections and Notice of Hearing on May 15, 2012. The Employer filed timely exceptions to this Report. Subsequently, the Regional Director treated the exceptions as a Motion for Reconsideration and issued his Supplemental Report on Challenges and Objections on June 5, 2012. No party has filed exceptions to the Supplemental Report. Accordingly, the Employer's exceptions to the Report on Challenges and Objections are now moot.

ORDER

IT IS ORDERED that this proceeding is remanded to the Regional Director for Region 29 for further appropriate action consistent with his report.

Dated, Washington, D.C., September 11, 2012

By direction of the Board:

/s/Farah Z. Qureshi

Associate Executive Secretary