

MEMORANDUM IN SUPPORT

I. THE REGIONAL DIRECTOR'S SUPPLEMENTAL DECISION ON OBJECTIONS IS ERRONEOUS

The Petitioner engaged in conduct affecting the outcome of the election during the critical period. Specifically, Petitioner promised benefits affecting the outcome of the election when they informed the employees that they would be able to maintain their health and pension benefits even after the contract had expired, so long as they voted for petitioner. Moreover, Petitioner engaged in conduct affecting the outcome of the election when it threatened to take away the health and pensions benefits of the employees if they did not vote for Petitioner. For instance, Petitioner threatened loss and/or delay of pension benefits if and when employees became eligible through the loss of paperwork. Such conduct is clearly unlawful.

II. CONCLUSION

Based upon all of the above, the Employer respectfully requests that the Board grant its Request for Review.

Dated at Dublin, Ohio this 20th day of September 2012.

Respectfully submitted,

/s/ Ronald L. Mason

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 20, 2012, an electronic original of The Ardit Company, Inc's Request for Review was transmitted the National Labor Relations Board, office of the Executive Secretary, via the Department Of Labor, National Labor Relations Board electronic filing system and, further, that copies of the foregoing Answer were transmitted to the following individuals by electronic mail:

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