



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
A.A. RIBICOFF FEDERAL BUILDING
450 MAIN STREET, SUITE 410
HARTFORD, CT 06103

Agency Website: www.nlrb.gov
Telephone: (860)240-3522
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December 13, 2012



Re: COUNTY LINE BMW
Case 34-RD-094347

Dear [REDACTED]:

The above-captioned case, petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, has been carefully investigated and considered.

Decision to Dismiss: As a result of the investigation, I find that further proceedings are unwarranted. The investigation established that the Employer and the International Association of Machinists are party to a collective bargaining agreement, which is effective by its terms from December 5, 2012 through April 10, 2015, covering the unit described in the petition filed on December 6, 2012. In this regard, the investigation disclosed that the parties executed a Stipulation of Agreement on December 4, 2012, providing for a new agreement to replace the expired collective bargaining agreement, and that the agreement was ratified by the membership on the same date. Under these circumstances, processing of this petition is barred by the current collective bargaining agreement. *Hexton Furniture Co.*, 111 NLRB 342 (1955).

Accordingly, I am dismissing the petition in this matter.

Right to Request Review: Pursuant to Section 102.67 of the National Labor Relations Board's Rules and Regulations, you may obtain a review of this action by filing a request with the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570-0001. The request for review must contain a complete statement of the facts and reasons on which it is based.

Procedures for Filing Request for Review: A request for review must be received by the Executive Secretary of the Board in Washington, DC, by close of business (**5 p.m. Eastern Time**) on **December 27, 2012**, unless filed electronically. If filed electronically, it will be considered timely if the transmission of the entire document through the Agency's website is accomplished by **no later than 11:59 p.m. Eastern Time on December 27, 2012**.

Consistent with the Agency's E-Government initiative, parties are encouraged, but not required, to file a request for review electronically. Section 102.114 of the Board's Rules do not permit a request for review to be filed by facsimile transmission. A copy of the request for review must be served on each of the other parties to the proceeding, as well as on the undersigned, in accordance with the requirements of the Board's Rules and Regulations.

Filing a request for review electronically may be accomplished by using the Efiling system on the Agency's website at www.nlr.gov. Once the website is accessed, click on **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt of the request for review rests exclusively with the sender. A failure to timely file the request for review will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off line or unavailable for some other reason, absent a determination of technical failure of the site, with notice of such posted on the website.

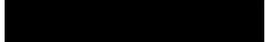
Upon good cause shown, the Board may grant special permission for a longer period within which to file a request for review. A request for extension of time, which may also be filed electronically, should be submitted to the Executive Secretary in Washington, and a copy of such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. A request for an extension of time must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding in the same manner or a faster manner as that utilized in filing the request with the Board.

Very truly yours,

/s/

Jonathan B. Kreisberg
Regional Director

cc:


County Line BMW
699 Straits Tpke
Watertown, CT 06795-3318


International Association of
Machinists and Aerospace Workers
365 New Britain Rd
Kensington, CT 06037-1366

Executive Secretary, NLRB, Washington, DC