

NOT TO BE INCLUDED  
IN BOUND VOLUMES

PGB  
Potsdam, NY

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

FUSED SOLUTIONS, LLC

Employer

and

Case 03-RC-083193

UNITED FOOD AND COMMERCIAL WORKERS,  
DISTRICT UNION LOCAL ONE

Petitioner

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board has considered objections to an election held July 26, 2012, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 19 for and 9 against the Petitioner, with 6 challenged ballots, an insufficient number to affect the results.

The Board has reviewed the record in light of the exceptions,<sup>1</sup> has adopted the hearing officer's findings and recommendations, and finds that a certification of representative should be issued.

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<sup>1</sup> The Employer has excepted to some of the hearing officer's credibility findings. The Board's established policy is not to overrule a hearing officer's credibility resolutions unless the clear preponderance of all the relevant evidence convinces us that they are incorrect. *Stretch-Tex Co.*, 118 NLRB 1359, 1361 (1957). We have carefully examined the record and find no basis for reversing the findings.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for United Food and Commercial Workers, District Union Local One and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time level 1, level 2, and level 3 customer service support technicians employed by the Employer at its Potsdam, New York location; excluding all office clerical employees, confidential employees, guards, and professional employees and supervisors as defined in the Act.

Dated, Washington, D.C., January 11, 2013.

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Mark Gaston Pearce, Chairman

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Richard F. Griffin, Jr., Member

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Sharon Block, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD