

Yonkers, NY

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

YONKERS RACEWAY d/b/a EMPIRE  
CITY CASINO AT YONKERS RACEWAY

and

Case 02-CA-083907

CATHY LEE

and

YONKERS RACEWAY d/b/a EMPIRE  
CITY CASINO AT YONKERS RACEWAY  
Employer

and

Case 02-RC-082872

LAW ENFORCEMENT EMPLOYEES  
BENEVOLENT ASSOCIATION  
Petitioner

and

YONKERS RACEWAY POLICE  
BENEVOLENT ASSOCIATION  
Intervenor

**ORDER**

On July 8, 2013, Administrative Law Judge Kenneth W. Chu of the National Labor Relations Board issued his Decision in the above-entitled proceeding and, on the same date, the proceeding was transferred to and continued before the Board in Washington, D.C. The Administrative Law Judge found that the Respondent has engaged in certain unfair labor practices, and recommended that it take specific action to remedy such unfair labor practices.

The Administrative Law Judge also found that the Employer and the Intervenor did not engage in objectionable conduct, and recommended that a certification of representative be issued.

No statement of exceptions having been filed with the Board, and the time allowed for such filing having expired,

Pursuant to Section 10(c) of the National Labor Relations Act, as amended, and Section 102.48 of the National Labor Relations Board Rules and Regulations, the Board adopts the findings and conclusions of the Administrative Law Judge as contained in his Decision, and orders that the Respondent, Yonkers Raceway d/b/a Empire City Casino at Yonkers Raceway, its officers, agents, successors, and assigns, shall take the action set forth in the recommended Order of the Administrative Law Judge.

**CERTIFICATION OF REPRESENTATIVE**

**IT IS CERTIFIED** that a majority of the valid ballots have been cast for Yonkers Raceway Police Benevolent Association, and that is is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time uniformed peace officers, sergeants and lieutenant, but excluding all other employees, and supervisors as defined under the Act.

Dated, Washington, D.C., August 20, 2013.

By direction of the Board:

/s/Henry S. Breiteneicher

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Associate Executive Secretary