

NOT TO BE INCLUDED
IN BOUND VOLUMES

MHJ
Orlando, FL

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

GARDA CL SOUTHEAST, INC.
Employer

and

Case 12-RC-100410

INTERNATIONAL UNION, SECURITY,
POLICE AND FIRE PROFESSIONALS OF
AMERICA (SPFPA)
Petitioner

DECISION AND CERTIFICATION OF RESULTS OF ELECTION

The National Labor Relations Board, by a three-member panel, has considered objections to an election held April 25, 2013, 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 39 for and 44 against the Petitioner, with 5 challenged ballots, an insufficient number to affect the results.¹

The Board has reviewed the record in light of the exceptions and brief, has adopted the hearing officer's findings² and recommendations, and finds that a certification of results of election should be issued.³

¹ We grant the Petitioner's request to withdraw its Objection No. 1. The Petitioner withdrew its Objections 9-12 at the hearing. In the absence of exceptions, we adopt pro forma the hearing officer's recommendations that Objections 3, 4 and 5 be overruled.

² The Petitioner has implicitly 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*

CERTIFICATION OF RESULTS OF ELECTION

IT IS CERTIFIED that a majority of the valid ballots have not been cast for International Union, Security, Police and Fire Professionals of America (SPFPA), and that it is not the exclusive representative of these bargaining unit employees.

Dated, Washington, D.C., December 3, 2013

Philip A. Miscimarra, Member

Kent Y. Hirozawa, Member

Harry I. Johnson, III Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

Co., 118 NLRB 1359, 1361 (1957). We have carefully examined the record and find no basis for reversing the findings.

³ Member Hirozawa would sustain Objection 6 and set aside the results of the election because of the Employer's scheduling, three days before the election, of a mandatory meeting the day of the election. See *Rivers Casino*, 356 NLRB No. 142, slip op. at 3 (2011).