

NOT TO BE INCLUDED
IN BOUND VOLUMES

PJS
New Orleans, LA

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

FREEMAN

Employer

and

Case 15-RC-103693

INTERNATIONAL ALLIANCE OF
THEATRICAL STAGE EMPLOYEES, LOCAL 39

Petitioner

and

CARPENTERS LOCAL UNION NO. 1846

Intervenor

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered the objections to an election held June 5, 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 43 for the Petitioner, 24 for the Intervenor, 1 against the participating labor organizations, with 2 challenged ballots, an insufficient number to affect the results.

The Board has reviewed the record in light of the exceptions and brief, has adopted the hearing officer's findings¹ and recommendations, and finds that a certification of representative should be issued.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for International Alliance of Theatrical Stage Employees, Local 39, and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

Included: All on-call employees of Freeman Decorating Services Inc. working at, in, and around New Orleans, Louisiana, in convention facilities and hotels only, including all checkers, forklift operators, freight handlers and riggers who perform the following types of service: the handling of exhibitor materials from delivery vehicles to individual booths or exhibit space; the driving of forklifts into and out of the truck at the show sites as relates to the handling of exhibitor's materials to be removed from individual booths or exhibit space and loading to delivery vehicles and the handling of empty crates and containers at the show sites and any and all rigging, operating lift equipment and other equipment, excluding cranes at any site designed by the company.
Excluded: All office clerical employees, professional employees, salesman, guards and supervisors as defined in the National Labor Relations Act.

Dated, Washington, D.C., December 24, 2013.

Mark Gaston Pearce, Chairman

Harry I. Johnson, III, Member

Nancy Schiffer, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

¹ In the circumstances of this case, we find it unnecessary to rely on the hearing officer's finding that the Employer waived its objections by not raising them at the pre-election conference. Compare *Bosart Co.*, 314 NLRB 245, 247 (1994) (union's post-election objection timely where union was unaware of identity and supervisory status of the observer prior to the election).