

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19**

CARLISLE INTERCONNECT
TECHNOLOGIES, INC.¹

Employer

and

Case 19-RC-127475

TEAMSTERS LOCAL UNION NO. 174,
affiliated with the INTERNATIONAL
BROTHERHOOD OF TEAMSTERS

Petitioner

DECISION AND DIRECTION OF ELECTION

The above-captioned matter is before the National Labor Relations Board ("Board") upon a petition duly filed under § 9(c) of the National Labor Relations Act ("Act"), as amended. Pursuant to the provisions of § 3(b) of the Act, the Board has delegated its authority in this proceeding to me. Upon the entire record in this proceeding, I make the following findings and conclusions.²

I. SUMMARY

The Employer is a State of Delaware corporation and operates an aerospace wire and cable manufacturing facility in Kent, Washington ("facility"), the only facility at issue herein.³ The Employer employs about 400 warehouse and production employees ("Unit") at the facility. Petitioner filed the instant petition seeking to represent the Unit.⁴

The parties stipulated to the appropriateness of the Unit for collective-bargaining purposes, except for two disputed job classifications. However, the parties further

¹ The names of the Employer and Petitioner appear as stipulated to at hearing.

² The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed. Neither party presented witness testimony. Further, the parties waived their respective rights to file briefs.

³ At hearing, the parties stipulated that the Employer is engaged in commerce within the meaning of §§ 2(6) and (7) of the Act; that the Employer, a State of Delaware corporation, with an office and place of business in Kent, Washington, is engaged in the business of aerospace wire and cable manufacturing; and that during the last 12 months, a representative period of time, the Employer received gross revenues valued in excess of \$500,000. Additionally, the parties stipulated that during the same 12-month period, the Employer purchased and received at its facility, goods valued in excess of \$50,000 directly from suppliers located outside the State of Washington. In light of the foregoing and the record as a whole, I find that it will effectuate the purposes of the Act to assert jurisdiction herein.

⁴ At hearing, the parties stipulated that Petitioner is a labor organization within the meaning of § 2(5) of the Act and that there is no collective bargaining agreement covering the Unit. Moreover, the record does not reveal the existence of any other bars to further processing of the instant petition.

stipulated that employees in the two disputed job classifications may vote subject to challenge. The Unit and the two disputed job classifications are described below.

Thus, the only issue raised by the parties at hearing is whether to conduct a manual or mail ballot election. The Employer argues the election should be conducted manually while Petitioner took no position on the issue but requested that the Region immediately conduct the election.

However, there is no requirement that parties be permitted to litigate in a hearing the election arrangements, including election or eligibility dates or whether to provide manual or mail balloting. Rather, such arrangements are within my discretion as the Regional Director. *Manchester Knitted Fashions*, 108 NLRB 1366 (1954); *Halliburton Services*, 265 NLRB 1154 (1982); *Odibrecht Contractor of Florida*, 326 NLRB 33 (1998); and *CEVA Logistics U.S. Inc.*, 357 NLRB No. 60 (2011). Because I am directing an election in this case, the arrangements regarding the manner of that election will be resolved administratively and the parties will be so notified by letter separate from this decision and direction of election. *NLRB Casehandling Manual (Part Two) Representation Proceedings* §§ 11228, 11301.4 and 11301.5.

II. CONCLUSION

Based on the record as a whole and the above, I find that a question concerning representation exists within the meaning of § 9(c)(1). Specifically, the parties stipulated that the Employer's operations fall under the Board's jurisdiction and that there are no bars to proceeding to an election in this matter. The parties further stipulated to proceed to an election in the Unit described below.⁵ Accordingly, I shall direct an election in the following Unit:

Included: all full-time and regular part-time production and warehouse employees: Electronic Assembler I, Electronic Assembler II, Electronic Assembler III, Electronic Assembler I - Quality, Electronic Assembler II - Quality, Electronic Assembler II - Fiber, Electronic Assembler II - Potting Technician, Electronic Assembler III - Fiber, Electronic Assembler III - Mechanical, Electronic Mechanical Assembler Quality, Senior Electronic Mechanical Assembler, Inventory Specialist, Material Handler I, Material Handler II, Material Handler - Lead, Material Quality Inspector, and Manufacturing Leads employed by the Employer at its Kent, Washington facility.

⁵ The parties dispute whether Label Engineering Technicians and Test Engineering Technicians are appropriately included in the Unit. However, the parties stipulated that employees in those two classifications may vote subject to challenge. The parties further stipulated that in the event the challenged ballots are sufficient in number to affect the outcome of the election, the eligibility of the challenged voters will be litigated by the parties and determined by the Board in post-election proceedings.

Excluded: all other employees, including, but not limited to, temporary agency employees, maintenance employees, employees in the Design/Product Engineering Group, employees in the Quality Group, employees in the Manufacturing Engineering Group, employees in all other support and engineering groups, office clerical employees, and guards and supervisors as defined in the Act.

There are approximately 400 employees in the Unit found appropriate.

III. DIRECTION OF ELECTION

An election by secret ballot shall be conducted by the Region among the employees in the Unit at the time and place set forth in the notice of election to be issued subsequently, subject to the Board's Rules and Regulations. Eligible to vote are those in the Unit who were employed during the payroll period ending immediately preceding the date of this Decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Employees engaged in any economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, in an economic strike that commenced less than 12 months before the election date, employees engaged in such strike who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Those in the military services of the United States may vote if they appear in person at the polls. Ineligible to vote are employees who have quit or been discharged for cause since the designated payroll period, employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and employees engaged in an economic strike which commenced more than 12 months before the election date and who have been permanently replaced. Those eligible shall vote whether or not they desire to be represented for collective bargaining purposes by **Teamsters Local Union No. 174, affiliated with the International Brotherhood of Teamsters.**

A. LIST OF VOTERS

In order to assure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses that may be used to communicate with them. *Excelsior Underwear*, 156 NLRB 1236 (1966); *NLRB v. Wyman-Gordon Co.*, 394 U.S. 759 (1969). Accordingly, it is hereby directed that an election eligibility list, containing the alphabetized full names and addresses of all the eligible voters, must be filed by the Employer with me within 7 days of the date of this Decision and Direction of Election. *North Macon Health Care Facility*, 315 NLRB 359, 361 (1994). The list must be of sufficiently large type to be clearly legible. The Region shall, in turn, make the list available to all parties to the election.

In order to be timely filed, such list must be received in the Regional office, Jackson Federal Building, 915 Second Ave., Room 2948, Seattle, WA 98174, on or before **June 13, 2014**. No extension of time to file this list may be granted except in extraordinary circumstances, nor shall the filing of a request for review operate to stay the filing of such list. Failure to comply with this requirement shall be grounds for setting aside the election whenever proper objections are filed. The list may be submitted by facsimile transmission to (206) 220-6305. Because the list is to be made available to all parties to the election, please furnish a total of four (4) copies, unless the list is submitted by facsimile, in which case only one copy need be submitted.

B. NOTICE POSTING OBLIGATIONS

According to Board Rules and Regulations, Section 103.20, Notices of Election must be posted in areas conspicuous to potential voters for a minimum of 3 working days prior to the date of election. Failure to follow the posting requirement may result in additional litigation should proper objections to the election be filed. Section 103.20(c) of the Board's Rules and Regulations requires an employer to notify the Board at least 5 full working days prior to 12:01 a.m. of the day of the election if it has not received copies of the election notice. *Club Demonstration Services*, 317 NLRB 349 (1995). Failure to do so estops employers from filing objections based on nonposting of the election notice.

C. RIGHT TO REQUEST REVIEW

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1099 14th Street NW, Washington, DC 20570. This request must be received by the Board in Washington, DC by **5:00 p.m. (ET) on June 20, 2014**. The request may be filed through E-Gov on the Board's web site, <http://www.nlr.gov>, but may not be filed by facsimile.⁶

DATED at Seattle, Washington on the 6th day of June, 2014.



Ronald K. Hooks, Regional Director
National Labor Relations Board, Region 19
2948 Jackson Federal Building
915 Second Avenue
Seattle, Washington 98174

⁶ To file a request for review electronically, go to www.nlr.gov and select the "File Case Documents" option. Then click on the E-file tab and follow the instructions presented. Guidance for E-filing is contained in the attachment supplied with the Region's original correspondence in this matter, and is also available on www.nlr.gov under the E-file tab.