

In the Matter of BEAVER MILLS—LOIS MILL *and* LOCAL No. 1871,
UNITED TEXTILE WORKERS OF AMERICA

Case No. R-12

ORDER

October 20, 1939

On October 21, 1935, Local No. 1871, United Textile Workers of America, herein called Local No. 1871, filed with the Regional Director for the Tenth Region (Atlanta, Georgia) a petition alleging that a question affecting commerce had arisen concerning the representation of employees of Beaver Mills, Douglasville, Georgia, and requesting an investigation and certification of representatives pursuant to Section 9 (c) of the National Labor Relations Act, 49 Stat. 449. On November 12, 1935, the National Labor Relations Board, herein called the Board, ordered an investigation and authorized the Regional Director to conduct it and to provide for an appropriate hearing on due notice. Pursuant to notice duly served, a hearing was held on December 3 and 4, 1935, before a Trial Examiner duly designated by the Board. On January 14, 1936, the Board issued a Direction of Election¹ directing that an election by secret ballot be held within one week from the date thereof among certain employees of Beaver Mills to determine whether or not they desired to be represented by Local No. 1871, and on February 8, 1936, the Board issued a Decision¹ making findings of fact and conclusions of law. On April 26, 1937, after the termination of certain litigation concerning this proceeding, pending which no action had been taken pursuant to the Direction of Election, Textile Workers' Organizing Committee, on behalf of Local No. 1871, requested the Board to defer action in the case indefinitely. On September 22, 1939, Textile Workers Union of America, which claims to be the successor of the international union with which Local No. 1871 was affiliated, filed with the Regional Director a request for the withdrawal of the said petition without prejudice. No other organization has asked the Board to continue its investigation of representatives. Under the circumstances, and

¹ 1 N. L. R. B. 147.

¹⁶ N. L. R. B., No. 26.

in view of the time which has elapsed since the issuance of the Direction of Election, the Board sees no reason why the request of Textile Workers Union of America should not be granted.

By virtue of and pursuant to the power vested in the National Labor Relations Board by Section 9 (c) of the National Labor Relations Act, and pursuant to Article III, Section 8, of National Labor Relations Board Rules and Regulations—Series 2,

IT IS HEREBY ORDERED that leave be, and hereby is, granted for the withdrawal of the petition for investigation and certification of representatives of employees of Beaver Mills, Douglasville, Georgia, filed by Local No. 1871, United Textile Workers of America, on October 21, 1935, and the said petition is hereby deemed to have been withdrawn, without prejudice;

AND IT IS FURTHER ORDERED that the said order of November 12, 1935, the hearing held on December 3 and 4, 1935, the Direction of Election issued on January 14, 1936, the Decision issued on February 8, 1936, and all other proceedings before the Board taken pursuant to the said petition, be, and they hereby are, vacated and set aside, and that this case be, and it hereby is, closed.

MR. WILLIAM M. LEISERSON took no part in the consideration of the above Order.