

In the Matter of RICHARDSON COMPANY *and* LOCAL UNION No. 442,
U. A. W. A.

Case No. R-385

SUPPLEMENTAL DECISION

AND

ORDER

February 14, 1938

On September 14, 1937, Local Union No. 442, United Automobile Workers of America, herein called the U. A. W. A., filed with the Regional Director for the Eleventh Region (Indianapolis, Indiana) a petition alleging that a question affecting commerce had arisen concerning the representation of employees of Richardson Company, Indianapolis, Indiana, herein called the Company, and requesting an investigation and certification of representatives pursuant to Section 9 (c) of the National Labor Relations Act, 49 Stat. 449, herein called the Act. On October 8, 1937, the National Labor Relations Board, herein called the Board, acting pursuant to Section 9 (c) of the Act and Article III, Section 3, of National Labor Relations Board Rules and Regulations—Series 1, as amended, ordered an investigation and authorized the Regional Director to conduct it and to provide for an appropriate hearing upon due notice.

Pursuant to notice to the Company, the U. A. W. A., and Federal Labor Union No. 21,197, American Federation of Labor, a labor organization purporting to represent employees directly affected by the investigation, a hearing was held at Indianapolis, Indiana, on November 2 and 3, 1937, before Lawrence J. Kusters, the Trial Examiner duly designated by the Board. On January 11, 1938, the Board issued a Decision, Order, and Direction of Election.¹ The Direction of Election provided that an election by secret ballot should be held among the production and maintenance employees of the Company who were employed by it in the pay-roll period immediately preceding September 14, 1937, excluding foremen, other supervisory employees, clerical employees, watchmen, and those who had since quit or been discharged for cause, to determine whether they desired to

¹ 4 N L R B. 835

be represented by Local Union No. 442, United Automobile Workers of America, affiliated with the Committee for Industrial Organization, or Federal Labor Union No. 21,197, affiliated with the American Federation of Labor, for the purposes of collective bargaining, or by neither.

Pursuant to the Direction, balloting was conducted on January 26, 1938. Full opportunity was accorded to all the parties to this investigation to participate in the conduct of the secret ballot and to make challenges. Thereafter, the Regional Director, acting pursuant to Article III, Section 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended, issued and duly served upon the parties to the proceeding his Intermediate Report on the ballot. No exceptions to the Intermediate Report have been filed by any of the parties.

As to the balloting and its results, the Regional Director reported as follows:

Total number eligible.....	202
Total number of ballots counted.....	174
Total number of votes for the United Automobile Workers of America, Local Union No. 442, affiliated with the C. I. O.....	57
Total number of votes for the Federal Labor Union No. 21,197, affiliated with the A. F. of L.....	20
Total number of votes for neither organization.....	91
Total number of blank ballots.....	2
Total number of void ballots.....	1
Total number of challenged ballots.....	3

The results of the secret ballot show that no collective bargaining representatives have been selected by a majority of the employees of the Company in the appropriate unit. We will accordingly dismiss the petition for investigation and certification filed by the U. A. W. A.

ORDER

Pursuant to Article III, Sections 8 and 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended, it is ordered that the petition filed by Local Union No. 442, United Automobile Workers of America for investigation and certification of representatives of employees of Richardson Company, Indianapolis, Indiana, be, and it hereby is, dismissed.