

In the Matter of ESSEX CIGAR COMPANY and UNITED CIGAR WORKERS  
OF AMERICA LOCAL NO. 1

*Case No. R-431*

SUPPLEMENTAL DECISION AND ORDER

*May 27, 1938*

On March 18, 1938, the National Labor Relations Board issued a Decision and Direction of Elections in the above-entitled case and four related cases.<sup>1</sup> The Direction of Elections directed that certain elections by secret ballot be held, one of them among all the employees employed by Essex Cigar Company in its factory during the pay-roll period next preceding November 18, 1937, excluding foremen, superintendents, supervisors, clerical help, janitors and those quitting or discharged for cause before the election, to determine whether or not they desired to be represented by United Cigar Workers Local Industrial Union No. 24 for the purposes of collective bargaining.

Pursuant to the Direction, an election by secret ballot was conducted on April 28, 1938, at Detroit, Michigan, under the direction and supervision of the Regional Director for the Seventh Region (Detroit, Michigan). On April 29, 1938, the Regional Director, acting pursuant to Article III, Section 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended, issued an Intermediate Report on the ballot, which was duly served upon the parties on April 30, 1938. No objections or exceptions to the Intermediate Report have been filed.

As to the results of the secret ballot, the Regional Director reported as follows:

Total number eligible to vote.....	114
Total number of votes cast.....	114
Total number of votes cast for United Cigar Workers Local Industrial Union No. 24.....	24
Total number of votes cast against United Cigar Workers Local Industrial Union No. 24.....	90
Total number of challenged ballots.....	0
Total number of blank ballots.....	0
Total number of void ballots.....	0

<sup>1</sup>6 N L R B. 71

The results of the election show that no collective bargaining representative has been selected by a majority of the employees. The petition for investigation and certification of representatives of employees of Essex Cigar Company will therefore be dismissed.

### ORDER

By virtue of Section 9 (c) of the National Labor Relations Act, 49 Stat. 449, and pursuant to Article III, Sections 8 and 9, of National Labor Relations Board Rules and Regulations—Series 1, as amended,

IT IS HEREBY ORDERED that the petition for investigation and certification of representatives of employees of Essex Cigar Company, Detroit, Michigan, filed by United Cigar Workers Local Industrial Union No. 24, under the name United Cigar Workers of America, Local No. 1, be, and it hereby is, dismissed.