

In the Matter of SWIFT & COMPANY *and* UNITED AUTOMOBILE WORKERS
OF AMERICA, LOCAL NO. 265

In the Matter of SWIFT & COMPANY *and* UNITED PACKING HOUSE
WORKERS L. I. UNION NO. 328 AFFILIATE C. I. O.

Cases Nos. C-484 and R-605, respectively

SUPPLEMENTAL DECISION

AND

ORDER

July 7, 1938

On May 20, 1938, the National Labor Relations Board issued a Decision, Order, and Direction of Election in the above-entitled proceeding.¹ The Direction of Election provided that an election by secret ballot be held among employees of Swift and Company, Evansville, Indiana, herein called the Company, in certain departments of its Evansville, Indiana, plant, who were employed by the Company during the pay-roll period next preceding the date of said Direction, excluding employees in certain specified positions and those who had since quit or been discharged for cause, to determine whether or not they desired to be represented by United Packing House Workers, Local Industrial Union No. 328, for the purposes of collective bargaining.

Pursuant to the Direction, an election by secret ballot was conducted on June 4, 1938, at Evansville, Indiana, under the direction and supervision of the Regional Director for the Eleventh Region (Indianapolis, Indiana). Full opportunity was accorded all of the parties to the investigation to participate in the conduct of the secret ballot and to make challenges. On June 6, 1938, 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 an Intermediate Report upon the ballot. No exceptions to the Intermediate Report have been filed by any of the parties.

¹ 7 N. L. R. B. 287.

8 N. L. R. B., No. 15.

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

| | |
|---|-----|
| Total number of employees eligible to vote..... | 362 |
| Total number of employees voted..... | 354 |
| Total number of valid votes cast..... | 319 |
| Total number of votes for the United Packing House Workers, Local Industrial Union No. 328, affiliated with C. I. O..... | 99 |
| Total number of votes against the United Packing House Work- ers, Local Industrial Union No. 328, affiliated with C. I. O..... | 220 |
| Total number of blank ballots..... | 0 |
| Total number of void ballots..... | 0 |
| Total number of challenged ballots..... | 35 |

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 Swift and 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 Swift and Company, Evansville, Indiana, filed by United Packing House Workers, Local Industrial Union No. 328, be, and it hereby is, dismissed.