

In the Matter of HOLLAND REIGER DIVISION OF APEX ELECTRIC Co. and
UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMERICA

Case No. R-581

CERTIFICATION OF REPRESENTATIVES

July 20, 1938

On March 24, 1938, the National Labor Relations Board, herein called the Board, issued a Decision and Direction of Election in the above-entitled case.¹ The Direction of Election directed that an election by secret ballot be conducted within fifteen (15) days among all persons employed at the Sandusky, Ohio, plant of Holland-Rieger Corporation (Division of The Apex Electrical Manufacturing Company), herein called the Company, during the pay-roll period ending December 1, 1937, as production and maintenance employees, including watchmen and shipping clerks, but excluding clerical, supervisory, and time-study employees, and those who had since quit or been discharged for cause, to determine whether they desired to be represented by Local No. 710, United Electrical, Radio and Machine Workers of America, affiliated with the Committee for Industrial Organization, herein called the United, or by Lodge No. 1329, International Association of Machinists, affiliated with the American Federation of Labor, herein called the I. A. M., for the purposes of collective bargaining, or by neither.

On April 8, 1938, the Board issued an Amendment to Direction of Election.² The Direction of Election, as amended, provided that an election should be held at such time as the Board might in the future direct.

On June 15, 1938, the Board issued a Second Amendment to Direction of Election,³ herein called the Second Amendment, providing that an election should be held within fifteen (15) days from the date of the Second Amendment.

On June 23, 1938, the I. A. M. requested the Board to withdraw its name from the ballot.

¹ 6 N. L. R. B. 156

² 6 N. L. R. B. 162

³ 7 N. L. R. B. 921.

8 N. L. R. B., No. 49.

On June 28, 1938, the Board issued a Third Amendment to Direction of Election,⁴ herein called the Third Amendment. The Third Amendment provided that an election should be held within twenty-five (25) days from the date of the Second Amendment, to determine whether or not the eligible employees desired to be represented by the United, for the purposes of collective bargaining.

An election by secret ballot was conducted on June 27, 1938, under the direction and supervision of the Regional Director, among the eligible employees of the Company. On June 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 and duly served upon the parties an Intermediate Report upon the election. No objections or 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 of employees eligible-----	329
Total number of votes cast-----	233
Total number of votes for Local No 710, United Electrical, Radio & Machine Workers of America-----	171
Total number of votes against Local 710, United Electrical, Radio & Machine Workers of America-----	62
Total number of blank ballots-----	0
Total number of void ballots-----	0
Total number of challenged votes-----	0

The election was held, it will be observed, on June 27, 1938, one day prior to the issuance of the Third Amendment, which removed the name of the I. A. M. from the ballot. However, the election was conducted in conformance with the provisions set forth in the Third Amendment and with the request made by the I. A. M. on June 23. No objections or exceptions to the Intermediate Report have been filed by any of the parties. It is clear that none of the parties was prejudiced by the election of June 27, and that the holding of another election would be a needless formality. We shall, therefore, certify the United on the basis of the results of the election.

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, 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 CERTIFIED that Local No. 710, United Electrical, Radio and Machine Workers of America, affiliated with the Committee for Industrial Organization, has been designated and selected by a majority of the production and maintenance employees of Holland-

⁴ 7 N L R B. 921.

Rieger Corporation (Division of The Apex Electrical Manufacturing Company), Sandusky, Ohio, including watchmen and shipping clerks, but excluding clerical, supervisory, and time-study employees, as their representative for the purposes of collective bargaining, and that, pursuant to Section 9 (a) of the Act, Local No. 710, United Electrical, Radio and Machine Workers of America, affiliated with the Committee for Industrial Organization, is the exclusive representative of all such employees for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, and other conditions of employment.