

NOT INCLUDED
IN BOUND VOLUMES

LPH
Idaho Falls, ID

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

INTEGROW MALT, LLC¹

Employer

and

Case 27-RC-8572

INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS, LOCAL 449
Petitioner

ORDER CORRECTING

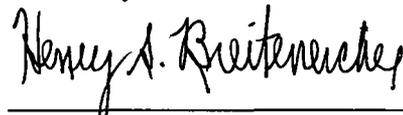
On January 25, 2011, the National Labor Relations Board, by a three-member panel, issued a Decision and Certification of Representative in the above-entitled proceeding in which there was an inadvertent error in the issuance date.

IT IS ORDERED that the attached Decision and Certification of Representative is substituted in lieu of the previously issued Decision and Certification of Representative.

Dated, Washington, D.C., January 28, 2011.

By direction of the Board:

Henry S. Breiteneicher



Associate Executive Secretary

¹ We grant the Petitioner's unopposed motion to change the name of the Employer from GModelo Agriculture, LLC to InteGrow Malt, LLC.

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DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered an objection to an election held on October 23, 2009, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 17 ballots for and 9 against the Petitioner, with no challenged ballots.

The Board has reviewed the record in light of the exceptions and briefs, has adopted the hearing officer's findings and

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recommendations, and finds that a certification of representative should be issued.²

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for International Brotherhood of Electrical Workers, Local 449, and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

Employees employed by the Employer in the operations and maintenance departments at its Idaho Falls, Idaho malting facility including electricians, instrument and control employees, electricians/instrument and control employees, mechanic, junior mechanic, warehouse coordinator, powerhouse operator, malt house and CR operators, malt loading operator, cleaning employees, barley reception control room (CR) operators, specialty cleaning/relief CC Tower employees; excluding lab analysts, lab coordinator, boiler supervisor, lead electrician, lead I & C and electrical person, lead mechanic, malt house and CR supervisors, temporary employees, managerial personnel, clerical employees, guards and all other supervisors as defined by the Act.

² The Employer has excepted to some of the hearing officer's credibility findings. The Board's established policy is not to overrule a hearing officer's credibility resolutions unless the clear preponderance of all the relevant evidence convinces us that they are incorrect. *Stretch-Tex Co.*, 118 NLRB 1359, 1361 (1957). We find no basis for reversing the findings.

Chairman Liebman adheres to her dissenting position set forth in *Harborside Healthcare, Inc.*, 343 NLRB 906 (2004). Nonetheless, she agrees that, even under *Harborside*, the supervisors' conduct here was not objectionable.

Dated, Washington, D.C. January 25, 2011.

Wilma B. Liebman, Chairman

Mark Gaston Pearce, Member

Brian E. Hayes, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD