

Long Island City, NY

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

FRESH DIRECT, LLC

Employer

and

Case 29-RC-012087

LOCAL 805, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS

Petitioner

DECISION AND ORDER

The National Labor Relations Board has considered determinative challenged ballots in an election held September 1, 2011, 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 11 ballots cast for and 8 ballots cast against the Petitioner, with 5 challenged ballots, a sufficient number to affect the results.

No exceptions have been filed to the hearing officer's report within the time provided. Accordingly, the Board adopts the hearing officer's findings and recommendations.

ORDER

IT IS ORDERED that this proceeding is remanded to the Regional Director for Region 29 for further appropriate action consistent with the Hearing Officer's report.

Dated, Washington, D.C., December 30, 2011.

By direction of the Board:

/s/ Henry S. Breiteneicher

Associate Executive Secretary