

Brooklyn, New York

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

ST. NICHOLAS HOME, INC.

Employer

and

Case 29-RC-11807

LOCAL 338, RETAIL, WHOLESALE, AND  
DEPARTMENT STORE UNION , UNITED  
FOOD AND COMMERCIAL WORKERS

Petitioner

**DECISION AND CERTIFICATION OF REPRESENTATIVE**

The National Labor Relations Board has considered an objection to an election held October 30, 2009, and the hearing officer's report recommending disposition of it. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 10 ballots cast for and 5 ballots cast against the Petitioner, with 1 challenged ballot, an insufficient 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, and finds that a certification of representative should be issued.

**CERTIFICATION OF REPRESENTATIVE**

**IT IS CERTIFIED** that a majority of the valid ballots have been cast for Local 338, Retail, Wholesale, and Department Store Union, United Food and Commercial Workers and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time housekeeping, kitchen and maintenance employees employed by the Employer at its facility located at 425 Ovington Avenue, Brooklyn, New York, but excluding all professional employees, non-professional medical staff, medical staff, temporary employees, casual employees, office clerical employees, guards managers and supervisors as defined in Section 2(11) of the Act.

Dated, Washington, D.C., February 25, 2010.

By direction of the Board:

Richard D. Hardick

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Associate Executive Secretary