

Beckley, WV

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

PENNINGTON PLUMBING AND HEATING,
INC.

Employer

and

MICHAEL J. FLINT

Petitioner

Case 09-RD-090337

and

SHEET METAL WORKERS INTERNATIONAL
ASSOCIATION, LOCAL UNION NO. 33

Union

DECISION AND CERTIFICATION OF RESULTS OF ELECTION

The National Labor Relations Board has considered objections to an election held November 14, 2012, 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 0 ballots cast for the Union and 4 ballots cast against the Union, 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 results of election should be issued.

CERTIFICATION OF RESULTS OF ELECTION

IT IS CERTIFIED that a majority of the valid ballots have not been cast for Sheet Metal Workers International Association, Local Union No. 33, and that it is not the exclusive collective-bargaining representative of these bargaining unit employees.

Dated, Washington, D.C., September 17, 2013

By direction of the Board:

/s/Farah Z. Qureshi

Associate Executive Secretary