

NOT INCLUDED  
IN BOUND VOLUMES

PMH  
Folkston, GA

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

GEO CORRECTIONS HOLDINGS, INC.  
Employer

and

Case 12-RC-097792

INTERNATIONAL UNION, SECURITY, POLICE  
AND FIRE PROFESSIONALS OF AMERICA (SPFPA)  
Petitioner

**DECISION AND CERTIFICATION OF REPRESENTATIVE**

The National Labor Relations Board, by a three-member panel, has considered objections to an election held March 20, 2013, and the hearing officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The revised tally of ballots shows 117 for the Petitioner,<sup>1</sup> 102 against the participating labor organization, with 11 challenged ballots, an insufficient number to affect the results.

The Board has reviewed the record in light of the exceptions and briefs, has adopted the hearing officer's findings<sup>2</sup> and recommendations, and finds that a certification of representative should be issued.

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<sup>1</sup> The hearing officer's report erroneously identifies those votes as being cast for the Employer.

<sup>2</sup> The Employer has implicitly 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.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for International Union, Security, Police and Fire Professionals of America (SPFPA), and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time corrections officers, food service officers, and transportation officers employed by the Employer at its facility located at 3262 Highway 252, Folkston, Georgia, but excluding all other employees, office clerical employees, professional employees and supervisors as defined in the Act.

Dated, Washington, D.C., December 3, 2013

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Mark Gaston Pearce, Chairman

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Philip A. Miscimarra, Member

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Kent Y. Hirozawa, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

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In affirming the hearing officer’s finding that the conduct of the Petitioner’s election observer, Pamela Paolantonio, while acting as an election observer, was not objectionable, we apply the “party” standard, rather than the “third-party” standard incorrectly applied by the hearing officer. *See Bloomfield Health Care Center*, 352 NLRB 252, 256 (2008), *enfd.* 372 Fed. Appx. 118 (2d Cir. 2010); *Dubovsky & Sons, Inc.*, 324 NLRB 1068 (1997). We find that the evidence fails to establish that Paolantonio’s conduct of challenging voters consistent with the Board’s established procedures reasonably tended to interfere with the employees’ free and uncoerced choice in the election.