

NOT INCLUDED
IN BOUND VOLUMES

HJMc
Commonwealth of PA

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MCI COMMUNICATIONS SERVICES, INC.
d/b/a VERIZON BUSINESS
Employer

and

Case 04-RC-123386

COMMUNICATION WORKERS OF AMERICA,
DISTRICT 2-13, AFL-CIO
Petitioner

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered the objections to a self-determination election held on May 5 and 8, 2014, and the Acting Regional Director's Report on Objections recommending disposition of them. The election was conducted pursuant to a Decision and Direction of Election. The tally of votes shows 3 votes for and 1 against the Petitioner, with no challenged ballots.

The Board has reviewed the report in light of the exceptions and briefs, has adopted the Acting Regional Director's findings and recommendations, and finds that a certification of representative should be issued.¹

¹ The Employer argues for the first time in its exceptions that Regional Director Dennis Walsh was without authority to issue his Decision and Direction of Election because the Board could not appoint him to his position on January 29, 2013 due to the invalidity of the recess appointments of two of the Board's three members and the consequent absence of a quorum. *NLRB v. Noel Canning*, 134 S. Ct. 2550 (2014). Assuming that this issue is properly before the Board, for the reasons set forth in *Pallet Companies, Inc.*, 361 NLRB No. 33, slip op. at 1-2 (2014), we find no merit to the Employer's contention.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that Communications Workers of America, District 2-13, AFL-CIO may bargain for all full-time and regular part-time Senior Technicians - Facilities employed by the Employer at its Pennsylvania facilities as part of the existing collective-bargaining unit of Verizon employees in Pennsylvania, which unit is currently represented by the Petitioner.

Dated, Washington, D.C., June 23, 2015.

Kent Y. Hirozawa, Member

Harry I. Johnson, III, Member

Lauren McFerran, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD