

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

FIRST TRANSIT, INC.

Employer

and

Case 21-RC-147424

WHOLESALE DELIVERY DRIVERS, GENERAL
TRUCK DRIVERS, CHAUFFEURS, SALES,
INDUSTRIAL AND ALLIED WORKERS,
TEAMSTERS LOCAL 848, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS

Petitioner

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board, by a three-member panel, has considered objections to an election held on April 9, 2015, and the Regional Director's Supplemental Decision recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The final tally of ballots shows 6 for and 5 ballots cast against the Petitioner, with no challenged ballots.¹

On December 22, 2015, the Board issued an Order denying the Employer's Request for Review of the Supplemental Decision as it raised no substantial issues warranting review. Subsequently, the Board has concluded that, because the election was held pursuant to a stipulated election agreement, the Regional Director should have issued a report on objections providing for the filing of exceptions, rather than a supplemental decision providing for a request for review. We have therefore treated the Request for Review as exceptions to the Regional Director's recommendations.

¹ The initial tally of ballots showed 4 for and 5 against the Petitioner, with 2 challenged ballots. Following the initial tally, the challenged ballots were opened and counted pursuant to an approved stipulation by the parties.

The Board has reviewed the record in light of the exceptions and briefs, has adopted the Regional Director's findings and recommendations, and finds that a certification of representative should be issued.²

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots has been cast for Wholesale Delivery Drivers, General Truck Drivers, Chauffeurs, Sales, Industrial and Allied Workers, Teamsters Local 848, International Brotherhood of Teamsters and that it is the exclusive collective bargaining representative of the employees in the following appropriate unit:

All full-time and regular part-time road supervisors and dispatchers employed by the Employer at its facility located at 200 South East End Avenue, Pomona, California; excluding all other employees, maintenance employees, confidential employees, office clerical employees, professional employees, managerial employees, guards, and supervisors as defined in the Act.

Dated, Washington, D.C., January 27, 2016.

Mark Gaston Pearce, Chairman

Philip A. Miscimarra, Member

Kent Y. Hirozawa, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

² This Decision and Certification of Representative accordingly supersedes our December 22, 2015 Order denying review.