



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 16  
819 Taylor St Rm 8A24  
Fort Worth, TX 76102-6107

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (817)978-2921  
Fax: (817)978-2928

December 19, 2018

ADAM BEATY  
1928 STONEHILL DRIVE  
JUSTIN, TX 76247

Re: L&L FABRICATION  
Case 16-RD-232491

DEAR MR. BEATY:

The above-captioned case, petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, has been carefully investigated and considered.

**Decision to Dismiss:** As a result of the investigation, I find that further proceedings are unwarranted. The investigation disclosed that L&L Fabrication's (Employer) recent voluntary recognition of the Sheet Metal Workers International Association, Local 68 (Union) covering the petitioned-for bargaining unit serves as a bar to the decertification proceedings.

On August 15, 2018, the Employer and Union entered into a Voluntary Recognition Agreement covering the petitioned-for bargaining unit after the Employer was presented with a majority showing of employee support. Under Board law, the parties must be afforded a reasonable time to bargain and to execute the contracts resulting from such bargaining before the Union's majority status may be properly challenged. The Board has found that a recognition bar will apply for a reasonable time period of no less than six (6) months from the date of the parties' first bargaining session. Here, the Employer and Union met for their first bargaining session on or about September 4, 2018.

Accordingly, I am dismissing the petition in this matter.

**Right to Request Review:** Pursuant to Section 102.67 of the National Labor Relations Board's Rules and Regulations, you may obtain a review of this action by filing a request with the Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001. The request for review must contain a complete statement of the facts and reasons on which it is based.

**Procedures for Filing Request for Review:** A request for review must be received by the Executive Secretary of the Board in Washington, DC, by close of business (**5 p.m. Eastern Time**) on **January 3, 2019**, unless filed electronically. If filed electronically, it will be considered timely if the transmission of the entire document through the Agency's website is **accomplished by no later than 11:59 p.m. Eastern Time on January 3, 2019**.

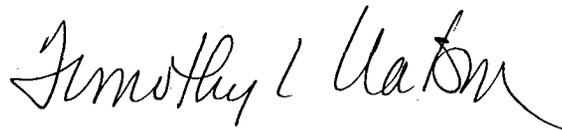
**Consistent with the Agency's E-Government initiative, parties are encouraged, but not required, to file a request for review electronically.** Section 102.114 of the Board's Rules do not permit a request for review to be filed by facsimile transmission. A copy of the request

for review must be served on each of the other parties to the proceeding, as well as on the undersigned, in accordance with the requirements of the Board's Rules and Regulations.

Filing a request for review electronically may be accomplished by using the Efiling system on the Agency's website at [www.nlr.gov](http://www.nlr.gov). Once the website is accessed, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt of the request for review rests exclusively with the sender. A failure to timely file the request for review will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off line or unavailable for some other reason, absent a determination of technical failure of the site, with notice of such posted on the website.

Upon good cause shown, the Board may grant special permission for a longer period within which to file a request for review. A request for extension of time, which may also be filed electronically, should be submitted to the Executive Secretary in Washington, and a copy of such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. A request for an extension of time must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding in the same manner or a faster manner as that utilized in filing the request with the Board.

Very truly yours,



TIMOTHY L. WATSON  
REGIONAL DIRECTOR

cc: Office of the Executive Secretary (by e-mail)

ALFRED LEIDNER, PRESIDENT AND OWNER  
L&L FABRICATION  
5936 EDEN DR  
HALTOM CITY, TX 76117-6121

JENNIFER BLEY SWEENEY, ATTORNEY  
DOWELL, PHAM, HARRISON, LLP  
505 PECAN ST, SUITE 200  
FOR T WORTH, TX 76102

CALVIN YOUNG, MANAGER  
SHEET METAL WORKERS INTERNATIONAL  
ASSOCIATION, LOCAL 68  
1020 S INDUSTRIAL BLVD  
EULESS, TX 76040-5841