

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

**CITY OF ARCATA**

**Employer**

**and**

**Case 20-WH-244080**

**ARCATA POLICE ASSOCIATION**

**Petitioner**

**CERTIFICATION OF REPRESENTATIVE AS BONA FIDE  
UNDER SECTION 7(b) OF THE FAIR LABOR STANDARDS ACT OF 1938**

On June 27, 2019, Arcata Police Association (the Petitioner) filed with the Regional Director for Region 20 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. § 207(b).<sup>1</sup>

On July 23, 2019, the Regional Director for Region 20 served on the parties a Notice to Show Cause why the Board should not grant the request. No response was filed. As the Region's investigation revealed that the Petitioner is the recognized exclusive collective-bargaining representative of the unit employees,<sup>2</sup> the Regional Director recommended to the Board that the requested certification be issued.

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<sup>1</sup> The Notice to Show Cause states that the Arcata Police Association filed its petition on June 28, 2019. However, the Petition filed with the Board indicates that the Petition was filed on June 27, 2019. We believe the date stated in the Notice to Show Cause to be an inadvertent error and we correct the date for the purposes of this order.

<sup>2</sup> The record indicates that the Employer is a public sector employer and that it has voluntarily recognized the Petitioner as the collective-bargaining representative of its employees since 1993. The recognition is embodied in the terms of the parties' collective-bargaining agreement for the period of July 1, 2017 to June 30, 2019.

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board certifies that Arcata Police Association is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of City of Arcata in the following unit:<sup>3</sup>

Police Sergeant, Police Officer, Dispatch Supervisor, Senior Dispatcher, Dispatcher, Lead Parking Officer, Police Service Officer, and Police Services Assistant.

Dated, Washington, D.C., February 13, 2020.

By direction of the Board:

Roxanne Rothschild

Executive Secretary

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<sup>3</sup> A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the certified organization's right to be recognized as the exclusive bargaining representative under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).