

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

ITASCA COUNTY

Employer

and

Case 18-WH-256489

AFSCME COUNCIL 65 – Local 639

Petitioner

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

On February 18, 2020, AFSCME Council 65 – Local 639 (the Petitioner) filed with the Regional Director for Region 18 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).

On April 6, 2020, the Regional Director for Region 18 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,¹ the Regional Director recommended to the Board that the requested certification be issued.

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board certifies that AFSCME Council 65 – Local

¹ The record indicates that the Employer is a public sector employer, and it contains a copy of the parties' current collective-bargaining agreement, effective by its terms from January 1, 2019 through December 31, 2021, as well as a Memorandum of Understanding between the parties dated January 9, 2020.

639 is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of Itasca County in the following unit:²

All employees in the Sheriff's Department that are Corrections Deputy, Emergency Communications Specialists, Corrections Sergeant employees.

Dated, Washington, D.C., May 21, 2020.

By direction of the Board:

Roxanne Rothschild

Executive Secretary

² 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).