



United States of America  
National Labor Relations Board  
**NOTICE OF ELECTION**



**RERUN OF THE ELECTION HELD ON JUNE 22, 2018**

The election conducted on June 22, 2018 was set aside because the National Labor Relations Board found that certain conduct of Union Tank Car Company interfered with the employees' exercise of a free and reasoned choice. Therefore, a new election will be held in accordance with the terms of this notice of election. All eligible voters should understand that the National Labor Relations Act, as amended, gives them the right to cast their ballots as they see fit, and protects them in the exercise of this right, free from interference by any of the parties.

**PURPOSE OF ELECTION:** This election is to determine the representative, if any, desired by the eligible employees for purposes of collective bargaining with their employer. (See VOTING UNIT in this Notice of Election for description of eligible employees.) A majority of the valid ballots cast will determine the results of the election. Only one valid representation election may be held in a 12-month period.

**SECRET BALLOT:** The election will be by secret ballot carried out through the U.S. mail under the supervision of the Regional Director of the National Labor Relations Board (NLRB). A sample of the official ballot is shown on the next page of this Notice. Voters will be allowed to vote without interference, restraint, or coercion. Employees eligible to vote will receive in the mail *Instructions to Employees Voting by United States Mail*, a ballot, a blue envelope, and a yellow self-addressed envelope needing no postage.

**ELIGIBILITY RULES:** Employees eligible to vote are those described under the VOTING UNIT on the next page and include employees who did not work during the designated payroll period because they were ill or on vacation or temporarily laid off. Employees who have quit or been discharged for cause since the designated payroll period and who have not been rehired or reinstated prior to the date of this election are not eligible to vote.

**CHALLENGE OF VOTERS:** An agent of the Board or an authorized observer may question the eligibility of a voter. Such challenge must be made at the time the ballots are counted.

**AUTHORIZED OBSERVERS:** Each party may designate an equal number of observers, this number to be determined by the NLRB. These observers (a) act as checkers at the counting of ballots; (b) assist in identifying voters; (c) challenge voters and ballots; and (d) otherwise assist the NLRB.

**METHOD AND DATE OF ELECTION**

The election will be conducted by United States mail. The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit. At 9:30 a.m. on November 16, 2020, ballots will be mailed to voters from the National Labor Relations Board, Region 12, 201 East Kennedy Boulevard, Suite 530 Tampa, FL 33602-5842. Voters must sign the outside of the envelope in which the ballot is returned. **Any ballot received in an envelope that is not signed will be automatically void.**

Those employees who believe that they are eligible to vote and did not receive a ballot in the mail by November 24, 2020, should communicate immediately with the National Labor Relations Board by either calling the Region 12 office at (813) 228-2665 or (813) 228-2661 or our national toll-free line at 1-844-762-NLRB (1-844-762-6572).

All ballots will be commingled and counted at the Region 12 office 201 East Kennedy Blvd., Suite 530, Tampa, Florida on December 15, 2020, at 10:00 a.m. In order to be valid and counted, the returned ballots must be received in the Region 12 office prior to the counting of the ballots. Due to the above-described extraordinary circumstances of the COVID-19 pandemic, I further direct that the ballot count will take place remotely by videoconference on an electronic video platform such as Zoom for Government.



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**VOTING UNIT**

**EMPLOYEES ELIGIBLE TO VOTE:**

All full-time and regular part-time production and maintenance employees, including leadsmen, employed by the Employer at its facility located at 400 S. Blanchard Street, Valdosta, Georgia, who were employed during the payroll period ending October 24, 2020.

**EMPLOYEES NOT ELIGIBLE TO VOTE:**

All other employees, office clerical employees, confidential employees, managerial employees, quality control inspectors, engineering personnel, write-up men, guards, and supervisors as defined in the Act.

	<p><b>UNITED STATES OF AMERICA</b> National Labor Relations Board 12-RC-221465 <b>OFFICIAL SECRET BALLOT</b> For certain employees of <b>UNION TANK CAR COMPANY</b></p>	
<p>Do you wish to be represented for purposes of collective bargaining by <b>INTERNATIONAL ASSOCIATION OF SHEET METAL, AIR, RAIL AND TRANSPORTATION WORKERS (SMART)?</b></p>		
<p><b>MARK AN "X" IN THE SQUARE OF YOUR CHOICE</b></p>		
<p><b>YES</b></p> <div style="border: 1px solid black; width: 40px; height: 40px; margin: 0 auto;"></div>	<p><b>NO</b></p> <div style="border: 1px solid black; width: 40px; height: 40px; margin: 0 auto;"></div>	
<p><b>DO NOT SIGN OR WRITE YOUR NAME OR INCLUDE OTHER MARKINGS THAT WOULD REVEAL YOUR IDENTITY. MARK AN "X" IN THE SQUARE OF YOUR CHOICE ONLY. If you make markings inside, or anywhere around, more than one square, return your ballot to the Board Agent and ask for a new ballot. If you submit a ballot with markings inside, or anywhere around, more than one square, your ballot will not be counted.</b></p>		
<p><small>The National Labor Relations Board does not endorse any choice in this election. Any markings that you may see on any sample ballot have not been put there by the National Labor Relations Board.</small></p>		



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RIGHTS OF EMPLOYEES - FEDERAL LAW GIVES YOU THE RIGHT TO:

- **Form, join, or assist a union**
- **Choose representatives to bargain with your employer on your behalf**
- **Act together with other employees for your benefit and protection**
- **Choose not to engage in any of these protected activities**
- **In a State where such agreements are permitted, the Union and Employer may enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the Union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the Union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).**

It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.

**The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both Employers and Unions to know what is expected of them when it holds an election.**

**If agents of either Unions or Employers interfere with your right to a free, fair, and honest election the election can be set aside by the Board. When appropriate, the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.**

The following are examples of conduct that interfere with the rights of employees and may result in setting aside of the election:

- **Threatening loss of jobs or benefits by an Employer or a Union**
- **Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises**
- **An Employer firing employees to discourage or encourage union activity or a Union causing them to be fired to encourage union activity**
- **Making campaign speeches to assembled groups of employees on company time where attendance is mandatory, within the 24-hour period before the mail ballots are dispatched**
- **Incitement by either an Employer or a Union of racial or religious prejudice by inflammatory appeals**
- **Threatening physical force or violence to employees by a Union or an Employer to influence their votes**

The National Labor Relations Board protects your right to a free choice.

**Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law.**

**Anyone with a question about the election may contact the NLRB Office at (813) 228-2665 or (813) 228-2661 or visit the NLRB website [www.nlr.gov](http://www.nlr.gov) for assistance.**