

National Labor Relations Board

Weekly Summary

of

NLRB Cases



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CASES SUMMARIZED
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Colgate Scaffolding & Equipment Corp. (2-RC-23327, 354 NLRB No. 76) New York City, NY, Sept. 9, 2009. The Board found that an election decided by one vote, in which the polling place was opened 22 minutes late but all eligible employees voted except for one who was shown to have gone to Mexico well before the election, should not be overturned. Although a result must be set aside where the votes of eligible employees “possibly excluded” by such a defect could have been determinative, the objective evidence in this case established that the employee was absent on a long-term basis and therefore could not “possibly” have been excluded by the closure. [\[HTML\]](#) [\[PDF\]](#)

(Chairman Liebman and Member Schaumber participated.)

DECISIONS OF ADMINISTRATIVE LAW JUDGES

Blue Diamond Growers (Longshore and Warehouse Local 17) Sacramento, CA, Sept. 8, 2009, 20-CA-34199, et al., JD(SF)-31-09, Judge Gregory Z. Meyerson

First Student, Inc. (an Individual) Hicksville, NY, Sept. 9, 2009, 29-CA-29487, JD(NY)-33-09, Judge Mindy E. Landow

Machinists Local Lodge S-76 (South Jersey Gas Co.) Folsom, NJ, Sept. 9, 2009, 4-CB-10259, JD-43-09, Judge David I. Goldman

Vatani Enterprises, Inc. d/b/a Sunny Hills Carwash (Individuals) Fullerton, CA, Sept. 8, 2009, 21-CA-38636, 38754, JD(SF)-30-09, Judge Lana Parke

Tarheel Specialties, Inc. (Industrial, Technical and Professional Employees, OPEIU Local 4873) Linden, NC, Sept. 11, 2009, 4-CA-35895, JD-42-09, Judge George Alemán

UNPUBLISHED BOARD DECISIONS AND ORDERS IN REPRESENTATION CASES

*(In the following cases, the Board denied requests for review
of Decisions and Directions of Elections (D&DE) and
Decisions and Orders (D&O) of Regional Directors)*

American Red Cross, Tennessee Valley Blood Services Region, Nashville, TN,
26-RC-8593, Sept. 10, 2009 (Chairman Liebman and Member Schaumber)

Ponderay Newsprint Co., Usk, WA, 19-RC-15226, Sept. 10, 2009 (Chairman Liebman and
Member Schaumber)

Northwest Communities Education Center (NCEC), Yakima, WA, 19-UC-765,
Sept. 10, 2009 (Chairman Liebman and Member Schaumber)

Fred Meyer Stores, Inc., Tumwater, WA, 19-RC-15225, Sept. 10, 2009
(Chairman Liebman and Member Schaumber)

(Miscellaneous Board Decisions and Orders)

**ORDER [affirming Regional Director's
administrative dismissal of petition]**

Thyssen-Krupp Elevator Corp., New York, NY, 2-UC-618, Sept. 10, 2009
(Chairman Liebman and Member Schaumber)

**ORDER [denying Intervenor's request for
review of Regional Director's supplemental
decision and certification of representative]**

UFC Carrier, LLC, Chicago, IL, 13-RC-21841, Sept. 10, 2009 (Chairman Liebman and
Member Schaumber)

**ORDER [denying Petitioner's request
for review of Acting Regional Director's
determination to hold petition in abeyance]**

NBC Universal, Inc. (WMAQ), Chicago, IL, 13-UC-417, Sept. 10, 2009
(Chairman Liebman and Member Schaumber)
