

New Ulm, MN

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

**BROWN COUNTY SHERIFF'S OFFICE
Employer**

and

Case 18-WH-073430

**LAW ENFORCEMENT LABOR SERVICES, INC.
(LOCAL #98)**

Petitioner

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

On January 30, 2012, Law Enforcement Labor Services, Inc. (Local #98) 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. Sec. 207(b).¹

On February 7, 2012, the Regional Director served on the parties an Order to Show Cause why the Board should not grant the request. No responses were filed. As the Region's investigation revealed that the Petitioner is the recognized collective-bargaining representative of the unit employees,² 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 hereby certifies that Law Enforcement Labor

¹ Law Enforcement Labor Services, Inc. (Local #98) amended its petition on February 3, 2012, to correct the Employer's name from Brown County Dispatchers, LELS Local #98 to Brown County Sheriff's Office.

² The record indicates that the most recent collective-bargaining agreement between the parties was effective from January 1, 2010 through December 31, 2011.

Services, Inc. (Local #98) is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of the Brown County Sheriff's Office in the following unit:³

All essential non-licensed Employees of the Sheriff's Department whose employment service exceeds fourteen (14) hours per week, or more than thirty-five percent (35%) of the work week, or more than sixty-seven (67) work days per year, excluding supervisory and confidential Employees.

Dated, Washington, D.C., March 29, 2012.

By direction of the Board:

Lester A. Heltzer

Executive Secretary

³ A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).