



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

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| SEABROOK DOG TRACK EMPLOYEES ASSOCIATION | : | |
| | : | |
| Petitioner | : | |
| | : | CASE NO. M-0706 |
| and | : | |
| | : | DECISION NO. 94-81 |
| MAINE, NEW HAMPSHIRE & VERMONT LABORERS' DISTRICT COUNCIL | : | |
| | : | |
| Petitioning Intervenor | : | |
| | : | |
| and | : | |
| | : | |
| YANKEE GREYHOUND RACING, INC. | : | |
| | : | |
| Employer | : | |

ORDER TO PROCEED

The Board, meeting at its offices in Concord, New Hampshire, on August 24, 1994, took the following actions:

1. It reviewed the Petition for Certification filed by the Seabrook Dog Track Employees Association (Association) on April 15, 1994 and the accompanying showing of interest current to June 24, 1994.
2. It reviewed exceptions to the foregoing petition by Yankee Greyhound Racing, Inc. (employer) dated April 26, 1994 and by Local 10, Allied Novelty and Production Workers as filed on April 28, 1994 after which it affirmed its bench decision of May 24, 1994 (Decision No. 94-51 issued July 6, 1994) directing that any employee organization wishing to appear on the ballot file their requisite 20% showing of interest by 4:00 p.m. on June 24, 1994, noting, inter alia, that the Association's showing

of interest was already sufficient for a 126 member bargaining unit.

3. It reviewed the status of showings of interest on file at 4:00 p.m. on June 24, 1994, and affirmed the administrative findings of the executive director dated July 27, 1994 which was conveyed to the parties by letter of the same date that:
 - a) the list of employees submitted by the employer contained 128 names,
 - b) the showing of interest of the Association contained more than the 30% required by Rule PUB 301.02 (e),
 - c) the showing of interest filed by the Laborers' District Council contained less than the 20% required by Rule PUB 301.03 and Decision No. 94-51, and
 - d) multiple showings of interest filed by the same employee may only be counted on behalf of the last employee organization for which the employee signed, per Rule PUB 301.02 (f).
4. It rejected two additional showing of interest cards submitted by the Laborers' District Council under cover of a letter dated August 4, 1994 because they were untimely.
5. It reviewed a letter from the Laborers' District Council filed August 10, 1994, objecting to the finding of insufficiency of its showing of interest as reported in the executive director's letter of July 27, 1994 and DENIED this objection as well as the Laborers' District Council's request to review the individual signature cards submitted by the Association.

6. It directed that this matter proceed forthwith to a pre-election conference and the setting of a bargaining agent election. The ballot format shall include only the alternatives of the "Seabrook Dog Track Employees Association" and "no representative" because no other showings of interest were sufficient.

So Ordered.

Signed this 24th day of August, 1994.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding.
Members Seymour Osman and E. Vincent Hall present and voting.