

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

JACMAR FOOD SERVICE DISTRIBUTION
Employer

and

Case 21-RD-287238

HECTOR NAVARRO
Petitioner

and

FOOD, INDUSTRIAL & BEVERAGE WAREHOUSE,
DRIVERS AND CLERICAL EMPLOYEES,
INTERNATIONAL BROTHERHOOD OF TEAMSTERS
LOCAL 630
Intervenor

ORDER

The Employer's Request for Review of the Regional Director's Decision and Order is denied as it raises no substantial issues warranting review.

LAUREN McFERRAN, CHAIRMAN

GWYNNE A. WILCOX, MEMBER

MEMBER KAPLAN, dissenting.

I would grant the Employer's Request for Review. The Employer contends that the Union, in its rush to ratify a contract, did not present a final and complete collective-bargaining agreement—including a clear indication of the agreement's duration—to the employees in attendance for the ratification vote on December 4, 2021. I question whether a collective-bargaining agreement can serve as a bar to a decertification petition where employees are not made aware of a contract's essential terms prior to a ratification vote. Accordingly, I would grant review and remand this matter to the Regional Director to determine whether, prior to the ratification vote here, the Union presented the employees with a final and complete collective-bargaining agreement.

MARVIN E. KAPLAN, MEMBER

Dated, Washington, D.C., September 1, 2022.