In the Matter of

BENJAMIN SOCHRIN D/B/A
SEYMOUR CLEANING AND DYEING WORKS
- and -
CLEANERS & DYERS UNION, LOCAL 364, ACWA, CIO

Case No. E-283
Decision No. 161
Decided June 10, 1949

APPEARANCES

Joseph N. Perlemutter, Esq., for the Employer
Mr. Herman Rheingold, for the Union

CERTIFICATION OF REPRESENTATIVES

Statement of the Case

On May 23, 1949, a petition was filed by Cleaners & Dyers Union, Local 364, ACWA, CIO, hereinafter called the Union, with the Connecticut State Board of Labor Relations, hereinafter called the Board, alleging that a question or controversy had arisen concerning the representation of spotters, dry cleaner, pressers, checker, driver and general help employed by the Seymour Cleaning and Dyeing Works of Seymour, Connecticut, hereinafter called the Employer and requested the Board to conduct an investigation and certify the representative of such employees for collective bargaining purposes pursuant to Section 938h of the Connecticut State Labor Relations Act, hereinafter called the Act.

On May 26, 1949, a conference arranged by the Agent of the Board was held in Seymour, Connecticut. In addition to the Agent of the Board and the above named persons, Benjamin Sochrin, owner, appeared for and represented the Employer. At the conference the petition was amended to show the correct title of the Employer to be as indicated above.

It was disclosed at the conference that a collective bargaining contract was in full force and effect, covering the same employees, between the Employer and Local #463, Shelton Industrial Local Union, affiliated with Playthings, Jewelry and Novelty Workers International Union, CIO, and that the said contract is to terminate on June 22, 1949. A representative of Local #463 had served oral notice on the parties, including the employees, that it was withdrawing its claim of representation. On May 27, 1949, notice of the pendency of the instant conference was served upon Local #463 and its International Union, with proof of service. In a letter to the Board dated May 31, 1949, the International Union withdrew its
claim to representation and stated that it had no objection to the Board proceeding with the instant matter.

The parties executed a written agreement which in part provided that:

1. A question or controversy had arisen concerning representation of the employees of the Employer within the meaning of Section 938h of the Act;

2. A public hearing on the issues raised by the petition be dispensed with;

3. All employees in the classifications of spotters, dry cleaners, pressers, checker, driver and general help, excluding executives, bookkeeper, foremen and part time help employed by the Employer constitute a unit appropriate for the purposes of collective bargaining with respect to rates of pay, wages, hours or other conditions of employment within the meaning of Section 938h of the Act and that the Board may so find;

4. The employees within said appropriate unit who were in the employ of the Employer on ~,rtaY 23, 1949 and who were employees at the time of the election shall be el1gibll" to vote in the election agreed upon;

5. An election by secret ballot be conducted under the supervision of the Board, at a time and place to be fixed by it, among the eligible employees within the said appropriate unit;

6. If a majority of the eligible persons voting in said election indicated their desire to be represented by the Union for the purpose of collective bargaining, the Board may certify that the Union has been duly designated by the majority of the employees within said appropriate unit as their representative for the purposes of collective bargaining, and is the exclusive representative of all the employees within said appropriate unit for the purposes of collective bargaining within the meaning of Section 938h of the Act.

Upon the entire record in the proceedings including the written agreement of the parties, the Board finds that all employees in the classifications of spotters, dry cleaners, pressers, checker, driver and general help, excluding executives, bookkeeper, foremen and part time help employed by the Employer constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 938h-subsection 2-of the Act.

Pursuant to an agreement of the parties, an election by secret ballot was conducted under the supervision of the Board on June 2, 1949 at Seymour, Connecticut. The result of the election was as follows:
Total number of votes cast ................................................................. 10
Total number of votes IN FAVOR OF the Union ..................................... 6
Total number of votes NOT IN FAVOR OF THE Union ........................... 3
Total number of blank ballots .............................................................. 0
Total number of void ballots .............................................................. 0
Total number of challenged votes ...................................................... 1

The right of Anna Cipows to vote in the election was challenged by the Union. Said employee was permitted to vote a challenged ballot, which ballot was deposited in a separate sealed envelope provided for such purpose and on which was marked the reason for the challenge. The challenged ballot was insufficient to affect the result of the election and therefore no determination with respect to it was made.

CERTIFICATION OF REPRESENTATIVES

By virtue of and pursuant to the power vested in the Connecticut State Board of Labor Relations by Section 938h of the Connecticut State Labor Relations Act, it is hereby

CERTIFIED that Cleaners & Dyers Union, Local 364, ACWA, CIO has been designated and selected as the representative for the purposes of collective bargaining by all employees in the classifications of spotters, dry cleaners, pressers, checker, driver and general help, excluding executives, bookkeeper, foremen and part time help employed by Benjamin Sochrin d/b/a Seymour Cleaning and Dyeing Works and that such Union is the exclusive representative of all such employees for the purpose of collective bargaining with respect to rates of pay, hours of employment, wages, or other conditions of employment.

CONNECTICUT STATE BOARD OF LABOR RELATIONS

BY:

Chairman
Membe

Membe
To:

Benjamin Sohrin d/b/a
Seymour Cleaning & Dyeing Works
21 Bank Street
Seymour, Connecticut (RRR)

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