

**NTA Graphics, Inc. and Graphic Communications  
International Union, Detroit-Toledo Local 289,  
AFL-CIO-CLC. Case 8-CA-24277**

January 20, 1995

**SUPPLEMENTAL DECISION AND ORDER**

**BY CHAIRMAN GOULD AND MEMBERS STEPHENS  
AND BROWNING**

On July 24, 1992, the National Labor Relations Board issued its Decision and Order in the captioned case.<sup>1</sup> The Board found that the Respondent, NTA Graphics, Inc., had violated Section 8(a)(5) and (1) of the Act by refusing to bargain with the Union, which had been certified as the bargaining agent for a unit of the Respondent's employees. The Board ordered the Respondent to cease and desist from refusing to bargain and to bargain with the Union. On June 21, 1993, the United States Court of Appeals for the Sixth Circuit enforced the Board's Order.<sup>2</sup>

On December 6, 1993, the Respondent filed a petition for a writ of certiorari with the United States Supreme Court. On February 28, 1994, the Court granted the Respondent's petition.

<sup>1</sup> 307 NLRB No. 224 (not reported in Board volumes).

<sup>2</sup> *NLRB v. NTA Graphics, Inc.*, 996 F.2d 1216 (table).

By letter dated April 20, 1994, the Union advised the Respondent that, because of the passage of time and employee turnover since the election, it was disclaiming any interest in representing the employees in the bargaining unit. In view of the Union's representation, the Solicitor General, on behalf of the Board, moved that the Court vacate the judgment of the court of appeals as moot and remand the case to the court with instructions to remand it to the Board to vacate the Board's Order and its certification of the Union. On May 31, 1994, the Supreme Court granted the Solicitor General's motion, vacated the court's judgment as moot, and remanded the case to the court of appeals. On September 15, 1994, the court of appeals remanded the case to the Board with instructions to vacate the Board's Order and the certification on which the Order was based. The Board has accepted the court's remand.

The Board has delegated its authority in this proceeding to a three-member panel.

Pursuant to the instructions of the court of appeals, the Board enters the following

**ORDER**

It is ordered that the Board's Order of July 24, 1992, in Case 8-CA-24277 is vacated.

IT IS FURTHER ORDERED that the Union's certification, issued in Case 8-RC-13648, is vacated.