

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
Eighteenth Region

NORTHEAST IOWA TELEPHONE COMPANY

Employer

and

TEAMSTERS 421, affiliated with the INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS

Petitioner

Case 18-RC-17190

NORTHEAST IOWA TELEPHONE COMPANY

and

TEAMSTERS 421, affiliated with the INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS

Case 18-CA-17200

**REPORT ON OBJECTIONS, ORDER DIRECTING HEARING,  
ORDER CONSOLIDATING CASES, AND NOTICE OF HEARING**

Pursuant to a petition filed on October 10, 2003, and a Decision and Direction of Election issued on November 7, 2003, an election by secret ballot was conducted on December 3, 2003, among certain employees of the Employer<sup>1</sup>. On November 19, 2003, the Employer filed a Request for Review of the Decision and Direction of Election that resulted in the Region impounding the ballots from the December 3, 2003 election. On April 30, 2004, the Board issued an Order denying the Employer's Request for Review and on May 5, 2004, the ballots from the December 3, 2003 election were

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<sup>1</sup> The appropriate collective bargaining unit is as follows:

**Unit A:** all full time and regular part time technicians employed by the Employer at its Monona and Decorah, Iowa facilities; excluding office clerical employees, and guards and supervisors as defined in the National Labor Relations Act, as amended.

**Unit B:** All full-time an regular part-time office clerical employees employed by the Employer at its Monona and Decorah, Iowa facilities; excluding office clerical employees, and guards and supervisors as defined in the National Labor Relations Act, as amended.

opened and counted by the Region. The Tally of Ballots served on the parties on May 5, 2004 shows that in Unit A there were approximately 8 eligible voters, there were no void ballots, 4 votes were cast for the Petitioner, 2 votes were cast against the Petitioner, and there was 1 challenged ballot, a number insufficient to affect the results of the election. In addition, the Tally of Ballots shows that in Unit B there were approximately 2 eligible voters, there were no void ballots, 2 votes were cast for the Petitioner, 0 votes were cast against the Petitioner, and there were no challenged ballots.

On May 11, 2004, the Employer filed timely objections to conduct affecting the results of the election, a copy of which was duly served upon the Petitioner. Pursuant to Section 102.69 of the National Labor Relations Board's Rules and Regulations, Series 8, as amended, I have caused an investigation of the objections to be conducted and hereby report as follows:

### **THE OBJECTIONS**

Attached is a copy of the objections, as filed by the Employer. The Petitioner denies that it has engaged in the objectionable conduct.

### **CONCLUSION AND ORDER**

I conclude that the Employer's objections raise substantial and material issues of fact that can best be resolved upon record testimony received in a formal hearing.

**IT IS HEREBY ORDERED** that a hearing be held in the above-referenced matter for the purpose of receiving evidence to resolve the issues raised by the Employer's objections as set forth above.

Complaint and Notice of Hearing having issued in Case 18-CA-17200, which hearing is scheduled for August 10, 2004 at 9:00 a.m. in a room at the Monona County Community Center, 104 South Egbert, Monona, Iowa, and it having been ordered by the undersigned in Case 18-RC-17190 that a hearing be held to resolve the issues raised by the objections as set forth above, which can best be resolved by the disposition of the alleged unfair labor practices set out in the Complaint in Case 18-CA-17200, and

**IT HAVING BEEN DETERMINED** by the General Counsel for the Board, by the undersigned, after due consideration that consolidation for the purposes of hearing Cases 18-RC-17190 and 18-CA-17200 is necessary in order to effectuate the purposes of the Act, and to avoid unnecessary costs and delay,

**IT IS FURTHER ORDERED**, pursuant to Section 102.33 of the Board's Rules and Regulations, Series 8, as amended, that these cases be, and hereby are, consolidated for purposes of hearing, ruling and decision by an administrative law judge, and thereafter, Case 18-RC-17190 shall be transferred to and continued before the Board in Washington, DC, and that the provisions of Section 102.46 and 102.69(e) of the Board's Rules and Regulations shall govern the filing of exceptions.

### **NOTICE OF HEARING**

PLEASE TAKE NOTICE that on the 10<sup>th</sup> day of August, 2004, at 9:00 a.m. in a room at the Monona County Community Center, 104 South Egbert, Monona, Iowa, a hearing will be conducted before a duly designated Administrative Law Judge of the National Labor Relations Board on the allegations set forth in the Complaint in

Case 18-CA-17200 and the issues as specified above in the Order Directing Hearing in Case 18-RC-17190, at which time and place you will have the right to appear in person or otherwise and give testimony.

Dated at Minneapolis, Minnesota, this 1st day of July 2004.

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Ronald M. Sharp, Regional Director  
National Labor Relations Board  
Eighteenth Region  
330 Second Avenue South, Suite 790  
Minneapolis, MN 55401-2221

Attachment