

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

RC PETITION

DO NOT WRITE IN THIS SPACE

Case No.

22-RC-258810

Date Filed

4/6/2020

INSTRUCTIONS: Unless e-Filed using the Agency's website, www.nlr.gov, submit an original of this Petition to an NLRB office in the Region in which the employer concerned is located. The petition must be accompanied by both a showing of interest (see 6b below) and a certificate of service showing service on the employer and all other parties named in the petition of: (1) the petition; (2) Statement of Position form (Form NLRB-505); and (3) Description of Representation Case Procedures (Form NLRB 4812). The showing of interest should only be filed with the NLRB and should not be served on the employer or any other party.

1. PURPOSE OF THIS PETITION: RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees. The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

2a. Name of Employer
Evergreen Industrial Services

2b. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code)
Phillips 66 Refinery 1400 Park Avenue
NJ Linden 07036-

3a. Employer Representative - Name and Title
Nuno Santos

3b. Address (If same as 2b - state same)
1240 Saratoga Road
NY Ballston Spa 12020-

3c. Tel. No.
(908) 347-5453

3d. Cell No.
(908) 347-5453

3e. Fax No.

3f. E-Mail Address
nuno.santos@enais.com

4a. Type of Establishment (Factory, mine, wholesaler, etc.)
Construction

4b. Principal product or service
Environmental Cleanup

5a. City and State where unit is located:
Linden, NJ

5b. Description of Unit Involved

Included: See Attached Page 2 for additional details

Excluded: See Attached Page 2 for additional details

6a. No. of Employees in Unit:
23

6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner? Yes ☒ No ☐

Check One: ☐ 7a. Request for recognition as Bargaining Representative was made on (Date) _____ and Employer declined recognition on or about _____ (Date) (If no reply received, so state).

☐ 7b. Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8a. Name of Recognized or Certified Bargaining Agent (If none, so state).

8b. Address

8c. Tel. No.

8d. Cell No.

8e. Fax No.

8f. E-Mail Address

8g. Affiliation, if any

8h. Date of Recognition or Certification

8i. Expiration Date of Current or Most Recent Contract, if any (Month, Day, Year)

9. Is there now a strike or picketing at the Employer's establishment(s) involved? _____ If so, approximately how many employees are participating? _____
(Name of labor organization) _____, has picketed the Employer since (Month, Day, Year) _____.

10. Organizations or individuals other than Petitioner and those named in items 8 and 9, which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in the unit described in item 5b above. (If none, so state)

10a. Name

10b. Address

10c. Tel. No.

10d. Cell No.

10e. Fax No.

10f. E-Mail Address

11. Election Details: If the NLRB conducts an election in this matter, state your position with respect to any such election.

11a. Election Type: ☒ Manual ☐ Mail ☐ Mixed Manual/Mail

11b. Election Date(s):
April 20, 2020

11c. Election Time(s):
6AM-715AM; 4PM-5PM

11d. Election Location(s):
Phillips 66 Refinery (21st Gate), 1400 Park Avenue, Linden, New Jersey

12a. Full Name of Petitioner (including local name and number)
Kevin Young
International Union of Operating Engineers, Local 825

12b. Address (street and number, city, state, and ZIP code)
65 Springfield Avenue
NJ Springfield 07081-

12c. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state)
International Union of Operating Engineers

12d. Tel. No.
(732) 713-5049

12e. Cell No.
(732) 713-5049

12f. Fax No.

12g. E-Mail Address
kyoung@iuoe825.org

13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.

13a. Name and Title
Lauren Bonaguro Attorney
DeCotiis Fitzpatrick Cole & Giblin LLP

13b. Address (street and number, city, state, and ZIP code)
61 Paramus Road
NJ Paramus 07652-

13c. Tel. No.
(646) 210-0132

13d. Cell No.
(646) 210-0132

13e. Fax No.

13f. E-Mail Address
lbonaguro@decotiislaw.com

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name (Print)
Lauren Bonaguro

Signature
Lauren Bonaguro

Title
Attorney

Date
04/6/2020 08:44:35

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Attachment

DO NOT WRITE IN THIS SPACE	
Case	Date Filed

Employees Included

All full-time and part-time vacuum truck operators, operators, field technicians, foreman, working foreman, safety coordinator, mechanics, welders, and crew leaders

Employees Excluded

all other employees, including office clerical employees, managerial employees, guards, and supervisors as defined by the Act.

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
RC PETITION

DO NOT WRITE IN THIS SPACE

Case No.
22-RC-259714

Date Filed
APRIL 28, 2020

INSTRUCTIONS: Unless e-Filed using the Agency's website, www.nlr.gov, submit an original of this Petition to an NLRB office in the Region in which the employer concerned is located. The petition must be accompanied by both a showing of interest (see 6b below) and a certificate of service showing service on the employer and all other parties named in the petition of: (1) the petition; (2) Statement of Position form (Form NLRB-505); and (3) Description of Representation Case Procedures (Form NLRB 4812). The showing of interest should only be filed with the NLRB and should not be served on the employer or any other party.

1. PURPOSE OF THIS PETITION: RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees. The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.


2a. Name of Employer Shorelands Construction, Inc.		2b. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code) 7 Columbus Drive, Monmouth Beach, NJ 07750	
3a. Employer Representative - Name and Title Paul R. Lewis, Esq.		3b. Address (if same as 2b - state same) Stevens and Lee, 620 Freedom Business Center, Suite 200, King of P	
3c. Tel. No. 610-205-6047	3d. Cell No.	3e. Fax No. 6103717979	3f. E-Mail Address pri@stevenslee.com
4a. Type of Establishment (Factory, mine, wholesaler, etc.) Contractor		4b. Principal product or service Building and Construction	
5a. City and State where unit is located: Monmouth Beach, NJ		5b. Description of Unit Involved Included: All full time and regular part time Building Construction Laborers employed by the Employer in the State of New Jersey Excluded: all other trade workers and excluding office clerical employees, project managers, project superintendents, project supervisors, supervisors, guards and all other employees.	
6a. No. of Employees in Unit: 11		6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner? Yes <input type="checkbox"/> No <input type="checkbox"/>	

Check One: ☐ 7a. Request for recognition as Bargaining Representative was made on (Date) _____ and Employer declined recognition on or about _____ (Date) (If no reply received, so state).
☒ 7b. Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8a. Name of Recognized or Certified Bargaining Agent (if none, so state). NJ Building Construction Laborers District Council		8b. Address 1588 Parkside Avenue, Ewing, NJ 08638	
8c. Tel No. 609-882-7080	8d. Cell No.	8e. Fax No. 609-882-7291	8f. E-Mail Address
8g. Affiliation, if any Laborers International Union of North America		8h. Date of Recognition or Certification 9/8/15	8i. Expiration Date of Current or Most Recent Contract, if any (Month, Day, Year) April 30, 2021

9. Is there now a strike or picketing at the Employer's establishment(s) involved? **No** If so, approximately how many employees are participating? _____
(Name of labor organization) _____, has picketed the Employer since (Month, Day, Year) _____

10. Organizations or individuals other than Petitioner and those named in Items 8 and 9, which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in the unit described in Item 5b above. (If none, so state)

10a. Name		10b. Address		10c. Tel. No.		10d. Cell No.	
				10e. Fax No.		10f. E-Mail Address	
11. Election Details: If the NLRB conducts an election in this matter, state your position with respect to any such election.				11a. Election Type: <input type="checkbox"/> Manual <input checked="" type="checkbox"/> Mail <input type="checkbox"/> Mixed Manual/Mail			
11b. Election Date(s): May 21, 2020		11c. Election Time(s):		11d. Election Location(s):			
12a. Full Name of Petitioner (including local name and number) NJ Building Construction Laborers District Council				12b. Address (street and number, city, state, and ZIP code) 1588 Parkside Avenue, Ewing, NJ 08638			
12c. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state) Laborers International Union of North America							
12d. Tel No. 609-862-7080		12e. Cell No.		12f. Fax No. 609-882-7291		12g. E-Mail Address	
13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.							
13a. Name and Title Raymond G. Heineman, Esq.				13b. Address (street and number, city, state, and ZIP code) 99 Wood Ave., South, Suite 307, Iselin, NJ, 08830			
13c. Tel No. 732-491-2104		13d. Cell No. 732-266-8287		13e. Fax No. 732-491-2120		13f. E-Mail Address rheineman@krollfirm.com	
I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.							
Name (Print) Raymond G. Heineman		Signature 		Title Attorney		Date April 28, 2020	

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.