

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

RC PETITION

DO NOT WRITE IN THIS SPACE

Case No.
14-RC-243942

Date Filed
June 26, 2019

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 MBC Construction Co.		2b. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code) 6002 North 89th Circle NE Omaha 68134-	
3a. Employer Representative - Name and Title Gregory Armstrong		3b. Address (If same as 2b - state same) 6002 North 89th Circle NE Omaha 68134-	
3c. Tel. No. (402) 571-1110	3d. Cell No.	3e. Fax No.	3f. E-Mail Address
4a. Type of Establishment (Factory, mine, wholesaler, etc.) Construction		4b. Principal product or service concrete construction	
4c. City and State where unit is located: Omaha, NE		5a. City and State where unit is located: Omaha, NE	
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: 3 6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner? Yes <input checked="" 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).		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.

11b. Election Date(s): July 18, 2019	11c. Election Time(s): 7:00 a.m.	11d. Election Location(s): neutral site
12a. Full Name of Petitioner (including local name and number) Jose Jacinto Operative Plasterers and Cement Masons Local Union 538		12b. Address (street and number, city, state, and ZIP code) 5418 South 27th Street, Suite 5 NE Omaha 68107-

12c. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state)
Operative Plasterers and Cement Masons International Association

12d. Tel No. (402) 333-7921	12e. Cell No.	12f. Fax No. (402) 330-4240	12g. E-Mail Address opcma538@yahoo.com
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13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.

13a. Name and Title Donald D Schwartz Attorney Arnold and Kadjan, LLP		13b. Address (street and number, city, state, and ZIP code) 35 East Wacker Drive, Suite 600 IL Chicago 60601-	
13c. Tel No. (312) 236-0415	13d. Cell No. (312) 388-2944	13e. Fax No. (312) 341-0438	13f. E-Mail Address dds@aandklaw.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) Donald D Schwartz	Signature Donald D. Schwartz	Title Attorney	Date 06/25/2019 14:41:08
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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

Employees Included
concrete finishers

Employees Excluded
supervisors and office personnel

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