

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS
BOARD REGION 29**

PLANET WASTE SERVICES, INC.

Employer

and

**LEAGUE OF INTERNATIONAL
FEDERATED EMPLOYEES, LOCAL 890**

Case No. 29-RC-193479

Petitioner

and

**INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, LOCAL 813**

Intervenor

ORDER CANCELLING ELECTION

On February 22, 2017, League of International Federated Employees, Local 890 (the Petitioner), filed a petition in the above-captioned matter seeking to represent certain employees employed by Planet Waste Services, Inc. (the Employer). On March 6, 2017, the undersigned approved a Stipulated Election Agreement in which the parties agreed to hold an election in a bargaining unit including all full time and regular part time drivers and helps, but excluding all office clerical, mechanics, welders, managers, guards and supervisors as define by the Act.

An election was scheduled to be held on Wednesday, March 22, 2017, between the hours of 3:00 p.m. and 5:00 p.m. in the garage located at 59-05 57th Street, Maspeth, NY.

On February 27, 2017, International Brotherhood of Teamsters, Local 813 (the Intervenor) filed a charge against the Employer in Case No. 29-CA-193817. The charge alleges that with in the previous six months, the Employer threatened to retaliate against employees if they joined or supported a union, promised better working conditions if employees did not join or support a union and provided unlawful assistance and support to a labor organization, in violation of the National Labor Relations Act.

After an administrative investigation of the charge, it appears that the Intervenor has presented evidence sufficient to support a *prima facie* showing of the unfair labor practice charge noted above. In

these circumstances, such unfair labor practices, if true, would preclude a fair election among the employees at the Employer's facility.

ACCORDINGLY, IT IS **HERBY ORDERED** that the election scheduled for March 22, 2017, is canceled. Upon disposition of the unfair labor practice charge, the election will be rescheduled, if appropriate.

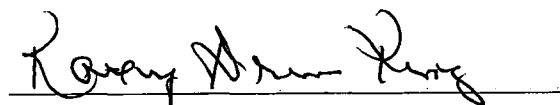
The Employer is requested to remove the Notices of election and post a copy of this Order so that the bargaining Unit employees may be informed that the election is canceled.

RIGHT TO REQUEST REVIEW

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a Request for Review of this Order may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1015 Half Street SE, Washington, D.C. 20570-0001. This Request for Review must conform to the requirements of Sections 102.67(e) and (i)(1) of the Board's Rules and Regulations and must be received in Washington by 5:00 p.m., EST on **March 31, 2017**.

A Request for Review also may be E-filed through the Agency's website, but may not be filed by facsimile. To E-file the Request for Review, go to www.nlrb.gov, select E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. If not E-filed, the Request for Review should be mailed to the above address. A party filing a Request for Review must serve a copy on the other parties and file a copy with the Regional Director. A certificate of service must be filed with the Board together with the Request for Review.

Dated at Brooklyn, New York on this March 17, 2017



Kathy Drew-King
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 29
Two Metro Tech Center
Suite 5100
Brooklyn, NY 11201-3838