

Winona, MN

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

**WINONA COUNTY SHERIFF'S DEPARTMENT
Employer**

and

Case 18-WH-074674

**LAW ENFORCEMENT LABOR SERVICES, INC.
Petitioner**

**CERTIFICATION OF REPRESENTATIVE AS BONA FIDE
UNDER SECTION 7(B) OF THE FAIR LABOR STANDARDS ACT OF 1938**

On February 16, 2012, Law Enforcement Labor Services, Inc. filed with the Regional Director for Region 18 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. Sec. 207(b).

On February 22, 2012, the Regional Director served on the parties an Order to Show Cause why the Board should not grant the request. No response was filed. As the Region's investigation revealed that the Petitioner is the recognized collective-bargaining representative of the unit employees,¹ the Regional Director recommended to the Board that the requested certification be issued.

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board hereby certifies that Law Enforcement Labor Services, Inc. is a bona fide representative, for purposes of Section 7(b) of the FLSA, of

¹ The record indicates that on February 11, 1980, the State of Minnesota Bureau of Mediation Services issued a Certification of Exclusive Representative certifying the Petitioner as the exclusive collective-bargaining representative of the unit employees. In addition, the record includes a copy of the parties' most recent collective-bargaining agreement, effective from January 1, 2011 through December 31, 2013, and from year to year thereafter, unless changed or terminated.

the employees employed in the Winona County Sheriff's Department in the following unit:²

All essential employees of the Winona County Sheriff's Department whose employment service exceeds the lesser of 14 hours per week or 35 percent of the normal work week and more than 67 work days per year, excluding supervisory and confidential employees.

Dated, Washington, D.C., April 20, 2012.

By direction of the Board:

Lester A. Heltzer

Executive Secretary

² A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).