

London, Kentucky

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

HEARTHSIDE FOOD SOLUTIONS, LLC

and

BAKERY, CONFECTIONARY, TOBACCO WORKERS
AND GRAIN MILLERS INTERNATIONAL UNION, LOCAL
280, AFL-CIO-CLC

Cases 09-CA-046342
09-CA-060058
09-CA-060071
09-CA-060361
09-RC-018351

**ORDER
AND
CERTIFICATION OF RESULTS OF ELECTION**

On March 1, 2012, Administrative Law Judge Paul Buxbaum of the National Labor Relations Board issued his Decision in the above-entitled proceeding and, on the same date, the proceeding was transferred to and continued before the Board in Washington, D.C. The Administrative Law Judge found that the Respondent has not engaged in certain unfair labor practices, and recommended that the complaint be dismissed. The Administrative Law Judge also recommended that the Union's objections to the election held on June 2 and 3, 2011, be overruled, and that the results of the election be certified.

No statement of exceptions having been filed with the Board, and the time allowed for such filing having expired,

Pursuant to Section 10(c) of the National Labor Relations Act, as amended, and Section 102.48 of the National Labor Relations Board Rules and Regulations, the Board adopts the findings and conclusions of the Administrative Law Judge as contained in his Decision, and the recommended Order of the Administrative Law Judge becomes the Order of the Board. Accordingly, the complaint is dismissed.

In addition, as the Union failed to receive a majority of the valid ballots cast in the election conducted on June 2 and 3, 2011, the Board will certify the results of the election.¹

¹ The tally of ballots showed that there were 168 ballots cast for and 416 against the Union, with 1 void ballot and 8 challenged ballots, an insufficient number to affect the results.

CERTIFICATION OF RESULTS OF ELECTION

IT IS CERTIFIED that a majority of the valid ballots have not been cast for Bakery, Confectionary, Tobacco Workers and Grain Millers International Union, Local 280, AFL-CIO-CLC, and that it is not the exclusive representative of these bargaining unit employees.

Dated, Washington, D.C., April 10, 2012.

By direction of the Board:

Henry S. Breiteneicher

Associate Executive Secretary