

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

In the Matter of

DUNKIN' DONUTS NORTHEAST
DISTRIBUTION CENTER

Employer

And

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS LOCAL UNION NO. 25

Petitioner

Case 1-RC-22303

NOTICE OF SECOND ELECTION

Pursuant to a Stipulated Election Agreement executed by the parties on March 4, 2009, and thereafter approved on March 5, 2009, an election was conducted on March 31 and April 1, 2009 among certain employees of the Employer.

The tally of ballots cast at the election is as follows:

Approximate number of eligible voters.....	198
Void ballots.....	0
Votes cast for Petitioner.....	87
Votes cast against participating labor organization.....	102
Valid votes counted.....	189
Challenged ballots.....	0
Valid votes counted plus challenged ballots.....	189

The challenges are not sufficient in number to affect the results of the election.

The Petitioner filed timely Objections to conduct affecting the results of the election. A hearing was held, and on July 1, 2009, a Hearing Officer's Report and Recommendation on Objections issued. The Report recommended that the election conducted on March 31 and April 1 be set aside and that a new election be conducted. No exceptions were filed to the Hearing Officer's Report and Recommendation. Accordingly,

PLEASE TAKE NOTICE that the election conducted in this matter on March 31 and April 1, 2009, is hereby set aside and a second election shall be held in this case. The parties have agreed on the details set forth below regarding this rerun election.

1. PAYROLL PERIOD FOR ELIGIBILITY: The payroll period ending Saturday, July 18, 2009.

2. DATE, HOURS AND PLACE OF ELECTION:

DATE: Tuesday, August 11, 2009 and Wednesday, August 12, 2009

TIME: 12:00 p.m. to 2:00 p.m. and 3:00 p.m. to 6:00 p.m.

PLACE: Training Room at 150 Depot Street, Bellingham, MA

DATE: Tuesday, August 11, 2009 and Wednesday, August 12, 2009

TIME: 2:00 p.m. to 5:00 p.m. on August 11, and 2:00 p.m. to 4:00 p.m. on August 12

PLACE: Comfort Inn, Conference Room, 144 Prospect Hill Road, East Windsor, CT

DATE: Tuesday, August 11, 2009

TIME: 2:00 p.m. to 5:00 p.m.

PLACE: Howard Johnson Hotel, Conference Room, 675 Main St., South Portland, ME

DATE: Tuesday, August 11, 2009

TIME: 2:00 p.m. to 5:00 p.m.

PLACE: Comfort Suites, Conference Rm, 102 Ballardvale Dr., White River Junction, VT

BALLOTS WILL BE COMMINGLED AND COUNTED AT APPROXIMATELY 6:00 P.M. AT THE EMPLOYER'S 150 DEPOT ST., BELLINGHAM, MA FACILITY.

3. The voting group in the rerun election will be the same as in the original election. In addition, the Notice of Election to be issued subsequently will contain the language adapted from *Lufkin Rule Co.*, 147 NLRB 341 (1964), as described in the NLRB Representation Casehandling Manual, Section 11452.3.

Dated at Boston, Massachusetts this 21st day of July 2009.¹

/s/ Ronald S. Cohen

Ron Cohen, Acting Regional Director
National Labor Relations Board
Thomas P. O'Neill, Jr. Federal Building
10 Causeway Street, Room 601
Boston, Massachusetts 02222-1072

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¹ In order to assure that all eligible voters may have the opportunity to be informed of the issues of the exercise of the statutory right to vote, all parties to the election should have access to a list of voters and their addresses, which may be used to communicate with them. *Excelsior Underwear, Inc.*, 156 NLRB 1236 (1966); *NLRB v. Wyman-Gordon Company*, 394 U. S. 759 (1969). Accordingly, it is hereby directed that within seven days of the date of this Notice, two copies of an election eligibility list containing the full names and addresses of all the eligible voters, shall be filed by the Employer with the Regional Director, who shall make the list available to all parties to the election. *North Macon Health Care Facility*, 315 NLRB 359 (1994). In order to be timely filed, such list must be received by the Regional Office, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 601, Boston, Massachusetts 02222-1072, on or before July 28, 2009. No extension of time to file this list may be granted except in extraordinary circumstances, nor shall the filing of a request for review operate to stay the requirement hereby imposed.