

DO NOT WRITE IN THIS SPACE	
Case No. 25-RC-257451	Date Filed 3/4/20

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: Irving Materials, INC. **2b. Address(es) of Establishment(s) involved (Street and number, City, State, ZIP code):** 4300 Sun Air Dr. Muncie, IN. 47303

3a. Employer Representative - Name and Title: Michael Vasquez V.P. Human Resources **3b. Address (if same as 2b - state same):** 8032 N. State Rd. 9 Greenfield, IN 46140

3c. Tel. No. 317-326-3101 **3d. Cell No.** **3e. Fax No.** 317-326-2016 **3f. E-Mail Address** Michael.Vasquez@irvmat.com

4a. Type of Establishment (Factory, mine, wholesaler, etc.) Construction **4b. Principal Product or Service** Ready-Mix **5a. City and State where unit is located:** Muncie, IN

5b. Description of Unit Involved:
Included: All full time and regular part-time drivers employed at the Employers auxiliary Muncie, IN facility.
Excluded: All office clerical, professional employees, guards and supervisors as defined in The Act and all mechanics.

6a. Number of Employees in Unit: 4 **6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner?** Yes No

Check One: **7a. Request for recognition as Bargaining Representative was made on (Date) 2-28-2020 and Employer declined recognition on or about (Date) 2-28-2020 (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? NO 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 None **10b. Address** **10c. Tel. No.** **10d. Cell No.** **10e. Fax No.** **10f. E-Mail Address**

11. Election Details: If the NLRB conducts and election in this matter, state your position with respect to any such election: **11a. Election Type:** Manual Mail Mixed Manual/Mail

11b. Election Date(s): March 20, 2020 **11c. Election Time(s):** 7:00 to 7:30 AM **11d. Election Location(s):** The Employers Muncie Aux. Location

12a. Full Name of Petitioner (including local name and number): Teamsters Local Union No. 135 **12b. Address (street and number, city, State and ZIP code):** 1233 Shelby St. Indpls. IN 46203

12c. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state): The International Brotherhood of Teamsters

12d. Tel. No. 317-639-3541 **12e. Cell No.** **12f. Fax No.** 317-639-3581 **12g. E-Mail Address** droach@local135.com

13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.

13a. Name and Title: Dustin Roach - Organizer **13b. Address (street and number, city, State and ZIP code):** 1233 Shelby St. Indpls. IN 46203

13c. Tel. No. 317-639-3541 **13d. Cell No.** 317-490-5005 **13e. Fax No.** 317-639-3581 **13f. E-Mail Address** Droach@local135.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) Dustin Roach **Signature** *Dustin Roach* **Title** Organizer **Date** 3-3-2020

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 may cause the NLRB to decline to invoke its processes.