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APA 7th ed.

(1989). Classified Index of Decisions of the Regional Directors of the National Labor Relations Board in Representation Proceedings, 1989, [i]-[ii].

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**CLASSIFIED INDEX OF DECISIONS**  
**of the**  
**REGIONAL DIRECTORS**  
**of the**  
**NATIONAL LABOR RELATIONS BOARD**  
**in**  
**REPRESENTATION PROCEEDINGS**



**DECEMBER 1989**

## PREFACE

The classifications and scope notes of Regional Directors decisions in this classified index have been prepared by the Board's regional offices as an index to decisions issued by the Regional Directors of the National Labor Relations Board pursuant to the Board's delegation of decisional authority to them under the provisions of § (3)(b) of the National Labor Relations Act, as amended (see FR 3911, April 28, 1961). They are in no sense official rulings or pronouncements of the Board or the Regional Directors, nor are they to be construed as official interpretations of the Regional Directors decisions.

This publication covers Regional Directors decisions in representation cases issued 1983 through 1989. It supplements the publications of the same title dated December 1976, December 1981, and December 1984. All other publications of the same title may be discarded.

The index entries consist of the name of the case in which the decision or order was issued, the case number, the date of issuance of the decision or order, and an accession number which is a discrete number assigned to that decision for purposes of ready identification. Where factual detail beyond that afforded by the outline classification heading structure was necessary for adequate identification of cases a parenthetical scope note is included as part of the entry. An example of an entry containing those constituent elements follows:

<u>Hana Boys Center</u>	20RC15178	04/11/88	204388
[jurisdiction constitutionality of the Act-religious clause of 1st amendment]			

Final opinions and orders made by Regional Directors in the adjudication of representation cases pursuant to the delegation of authority from the Board under § 3(b) of the Act are available to the public for inspection and copying at the Regional Office where issued and at the public reading room of the National Labor Relations Board, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570 during normal business hours.

Persons requesting decisions should identify the decision by the full identification contained in the index including the case name, the case number, the date of issuance and the accession number. Such requests may be subject to the imposition of charges under the fee schedule established by § 102.117(c)(2)(iv) of the Board's Rules and Regulations.

STATUTORY DEFINITIONS-177

2484-1250-7550—Cont.

<i>Holly Farms Foods, Inc.</i>	11RC5583	03/10/89	110866
[Transportation from fields of independent growers not agricultural work]			
<b>2484-1275 Activities not exempt as agricultural</b>			
<i>Mann Packing</i>	32RD911	03/30/89	320867
<b>2484-1275-2500 Poultry feed mill processing and distribution</b>			
<i>Holly Farms Foods, Inc.</i>	11RC5583	03/10/89	110866
[Activities not exempt as agricultural; poultry feed mill processing and distribution]			
<b>2484-1275-3300 Processing poultry independent of farm</b>			
<i>Holly Farms Foods, Inc.</i>	11RC5583	03/10/89	110866
[Processing poultry independent of farm]			
<b>2484-1275-4200 Egg production, hatchery and poultry raising operations</b>			
<i>Decoster Egg Farms</i>	01RC18992	12/16/87	012609
<i>Holly Farms Foods, Inc.</i>	11RC5583	03/10/89	110866
<i>Showell Farms Hatchery</i>	15RC7462	07/19/89	150646
<b>2484-1275-5000 Growing, packing and/or distributing produce or horticultural products</b>			
<i>Jack T. Baillie Co., Inc.</i>	32UC207	12/14/87	320794
<i>Hyponex Corporation</i>	33RC3369	03/13/89	330836
<b>2484-2500 'Any individual employed ... in domestic service'</b>			
<i>Heyes Day &amp; Nite Pest Control</i>	32RC2873	04/20/89	320870
[Individual employed by parents]			
<b>2484-3700 'Any individual employed by his parent or spouse'</b>			
<i>Tech Roofing Service, Inc.</i>	1RC18261	12/31/84	01-8444
<i>Perma-Lite of PA, Inc.</i>	6RC9650	02/28/86	06-1393
<i>Honey Electric, Inc.</i>	07RC8936	05/05/89	072650
<i>Robert J. Motors, Inc.</i> (statutory exclusion from unit)	12RC6370	06/16/85	12-1746
<i>Cook Construction Company</i> (Ee of partnership excluded where father owned 50% and brother remaining 50%)	14RC9985	07/11/85	14-1388
<i>Pak Fabricators, Limited and Kustom Pak Foods, Limited</i> [Son of owner not employee, excluded from unit]	18RC14495	03/21/89	181143
<i>Harbor Carting Corp.</i> (children of 100% owners of closely held corporation excluded from unit because they are not Ees w/i the meaning of Section 2(3) of the Act)	29RC6424	11/08/85	29-3129
<i>Schmidt Enterprises, Inc.</i>	30RD957	09/20/89	301601
<i>Hub's Super Valu</i>	30RC4763	03/24/88	301543
<i>Heating, Ventilation and Air Conditioning Mechanical Corporation, Inc.</i> (any individual employed by his parent or spouse)	32RM446	09/26/85	32-0678
<b>2484-5000 Independent contractor</b>			
<i>N.S.L., Incorporated</i>	07RC18580	03/31/88	072576
<i>The Argus-Press Company</i>	07RC18484	12/23/87	072557
<i>Contract Courier Services, Inc.</i>	7RC17534	03/29/85	07-2316
<i>Fox Associates, A Limited Partnership</i>	14RC10706	04/12/89	141582
<i>Roadway Package Systems, Inc.</i>	14RC10312	02/03/88	141506
<b>2484-5033 Indicia of status</b>			
<i>Milbank Freightways, Inc.</i>	18RC14212	12/04/87	181092
<b>2484-5033-0100 Generally</b>			
<i>Gold Star Distributors, Inc.</i>	01RC18863	05/08/87	012573
<i>H.A. Fafard &amp; Sons Construction, Inc.</i>	1RC18221	12/19/84	01-8442

<i>Clarion County Counseling Center Incorporated</i>	06RC9970	03/25/88	061474
<i>The Butler Group, Inc./ Metro Tech, Inc., d/b/a Metro Temporaries, Inc.</i>	09RC15364	10/21/88	092617
<b>2484-5033-0133 Amount of control reserved by person for whom work is done</b>			
<i>Roadway Package System Inc.</i>	01RC18883	07/01/87	012584
<i>Attleboro Radio Association, Inc., d/b/a Wara</i>	01RD1437	04/09/87	012571
<i>Community Newsdealers, Inc.</i> (drivers and carriers not found to be independent contractors)	1RC18479	09/23/85	01-2492
<i>Industrial Mutual Association</i>	07UC314	02/16/88	072572
<i>Milbank Freightways, Inc.</i>	18RC14212	12/04/87	181092
<i>Jeffrey a Long, A Sole Proprietor d/b/a Central Valley Insulation</i>	28RC4572	10/20/88	281139
<i>Lin Construction, Inc.</i>	28RC4575	10/20/88	281141
<i>The Daily Mining Gazette, a Division of Thomson Newspapers (Michigan), Inc.</i>	30RC4346	04/10/84	30-1403
<i>Aaron Spelling Productions, Inc., et al.</i>	31RC5755	12/14/84	31-0306
(composers and lyricists in the motion picture and television industry held independent contractors based on their retention of control over the manner and means by which music and lyrics are produced, notwithstanding that they do not retain control over the final musical product itself)			
<b>2484-5067 Specific operations</b>			
<b>2484-5067-2000 Contract drivers</b>			
<i>Williams Motor Transfer, Inc.</i> (mechanics included)	1RC18491	06/21/85	01-2465
<i>Contract Courier Services, Inc.</i>	7RC17534	03/29/85	07-2316
<i>The Daily Mining Gazette, a Division of Thomson Newspapers (Michigan), Inc.</i>	30RC4346	04/10/84	30-1403
<b>2484-5067-6000 Taxicab drivers</b>			
<i>Yellow Cab Company of Tampa, Inc.</i> (taxicab drivers are independent contractors)	12RC6693	04/10/85	12-1761
<i>ABC Cab, Inc.</i>	28RC4659	05/04/89	281153
<b>2484-5067-7000 Newspaper dealers</b>			
<i>The Argus-Press Company</i> [independent contractor - newspaper dealers]	07RC18484	12/23/87	072557
<i>The Daily Mining Gazette, a Division of Thomson Newspapers (Michigan), Inc.</i>	30RC4346	04/10/84	30-1403
<b>2484-5067-8000 Newspaper carriers</b>			
<i>The Argus-Press Company</i> [independent contractor - newspaper carriers]	07RC18484	12/23/87	072557
<b>2484-5067-8400 University faculty</b>			
<i>Paul Smith's College</i>	3RC8790	09/23/85	03-1673
<i>Lewis and Clark College</i>	36RC4988	04/01/88	19-2080
<b>2484-5067-9400 Musicians</b>			
<i>Fox Associates, A Limited Partnership</i> [Statutory definitions; statutory exclusions from employee status; specific operations; musicians]	14RC10706	04/12/89	141582
<i>Aaron Spelling Productions, Inc., et al.</i> (composers and lyricists in the motion picture and television industry held independent contractors based on their retention of control over the manner and means by which music and lyrics are produced, notwithstanding that they do not retain control over the final musical product itself)	31RC5755	12/14/84	31-0306
<b>2484-6200 Supervisor (for definition see 177-8500)</b>			
<i>Save 'N' Gain Food Emporium</i> (meat dept. mgr. and fish dept mgr. found to be supervisors within meaning of the Act. Both had authority to hire and fire and discipline)	16RC8809	11/07/85	16-1006
<i>Pacific Towboat &amp; Salvage Company</i>	21RC17210	10/06/83	21-2424
<i>Rural/Metro Corporation</i>	28RC4666	05/02/89	281155