

April 5, 2007

Mr. Jesus Ramos
P.O. Box 8
Haverhill, MA 01831

Re: Polartec, LLC
Case 1-RD-2095

Dear Mr. Ramos:

The above-captioned case, petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, has been investigated and considered.

Decision to Dismiss: Your petition in this case was filed on March 30, 2007. The investigation disclosed that on March 19, 2007, the Employer and the Union executed a collective bargaining agreement covering the bargaining unit involved. The contract was effective retroactive to the commencement of operations of the Employer on March 13, 2007 and continues in effect until October 31, 2010.

Under the Board's contract bar rules, in order to be timely with respect to an existing contract, a petition in a case such as this must be filed more than 60 days but less than 90 days before the expiration of the contract, or after the expiration of an agreement. *Leonard Wholesale Meats*, 136 NLRB 1000 (1962). Your petition was filed while the contract was in effect and well before the 60 to 90 day period prior to the expiration of the contract. Accordingly, your petition must be dismissed.

Right to Obtain Review: Section 102.71(b) of the National Labor Relations Board Rules and Regulations permit you to obtain a review of this action by filing a request for review with the National Labor Relations Board. If you wish to file request for review, your attention is directed to the following, which summarizes the provisions of Section 102.71(c) of the Rules:

Request Due Date: The request for review must be received by the Executive Secretary of the Board in Washington, D.C. by the close of business at 5 p.m. on April 19, 2007. However, if you mail the request, it will be considered timely if it is postmarked no later than one day before the due date. The request MAY NOT be filed by facsimile transmission.

Extension of Time to File Request: If you provide a good reason, the National Labor Relations Board may grant you an extension of time to file the request for review. You may file a request for an extension of time by mail, or by facsimile transmission. The fax number is (202) 273-4270. Any request for an extension of time must be received by the due date indicated above. A copy of any request for extension of time should be sent to me.

Request Contents: The request for review (eight copies) must contain a complete statement setting forth the facts and the reasons why you believe the decision to dismiss the petition is incorrect.

Address for Request for Review: The request should be sent to the Executive Secretary of the National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570 by the due date specified above. You should send a copy of the request to me, and one copy of the request to each of the parties whose names and addresses are listed below.

Very truly yours,

/s/ Rosemary Pye

Rosemary Pye
Regional Director

cc:

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