UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 25

MASTERSPAS, LLC

Employer

and

Case 25-RC-390920

INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL NO. 414

Petitioner

DECISION AND DIRECTION OF ELECTION

On July 17, 2026, International Brotherhood of Teamsters Local No. 414 ("Petitioner) filed a representation petition under Section 9(c) of the National Labor Relations Act ("Act") seeking to represent certain employees employed by MasterSpas, LLC ("Employer") at its facility in Fort Wayne, Indiana. Specifically, Petitioner seeks a unit of all full-time and regular part-time shipping dock workers and dock worker team leads[1] employed by the Employer at its facility on Lincoln Parkway in Fort Wayne, Indiana, where the Employer manufactures and distributes hot tubs and swim spas. There are approximately 14 employees in the petitioned-for unit[2]—13 shipping dock workers and one shipping dock worker lead.

The Employer maintains the unit sought by Petitioner is not appropriate and the only appropriate unit must also include yard jockeys, shipping clerks, cargo-and-freight specialists, small part clerks, and dealer support representatives. There are approximately 28 employees in the Employer's proposed unit.

A hearing was held on July 28, 2026, before a hearing officer of the National Labor Relations Board ("Board"). At the outset of the hearing, the hearing officer set forth the burden for proving if the petitioned-for unit must be expanded to include additional classifications, including the Board's standard of specific detailed evidence. The parties were provided with an opportunity to present their positions; call, examine, and cross-examine witnesses; to introduce into the record evidence of the significant facts that support their contentions; and to orally argue their respective positions.

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[1] Also referred to as shipping dock associates and shipping dock associate team leads, respectively. However, because the parties stipulated to "shipping dock worker" and "dock worker team lead" in Board Exh. 2, these are the terms I use throughout this decision.

[2] Board Exh. 3 as introduced into the record, which is the Employer's statement of position, inadvertently left off the attachments, including a list of employees included in the petitioned-for unit (Attachment B) and a list of employees the Employer believes must be added to the petitioned-for unit (Attachment C). I take administrative notice of the attachments to the Employer's statement of position, which the Employer timely filed with the Region and served on Petitioner.

The Board has delegated its authority in this proceeding to me under Section 3(b) of the Act. Based on the entire record in this proceeding and relevant Board law, I find that the Employer failed to meet its burden of showing additional classifications should be added to the petitioned-for unit. Accordingly, I shall order an election in the petitioned-for unit.

I. THE EMPLOYER'S OPERATIONS

The Employer's facility consists of a "campus" of around 50 acres for its manufacturing and distribution operations in Fort Wayne, Indiana. The campus consists of eight buildings all within about ½ mile distance. The record also references a ninth building, an offsite warehouse located elsewhere in Fort Wayne, which is not involved in the instant matter. The Employer has no other manufacturing facilities. Each of the eight campus buildings houses different functions, with Building 3 housing shipping and dealer support services and Building 6 handling small parts.

Kevin Richards is the Employer's CEO. Vice President of Manufacturing Michael Rees, National Sales Manager Kari Drerup, and the rest of the executive team (unidentified in the record) report to Richards.

Operations Manager Sean McKinney[3] reports to Rees and oversees Bryce Badiac, who is the Shipping Manager and oversees Shipping Supervisors Jeff Dahl and Byron Econ. The petitioned-for shipping dock workers and dock worker team lead work under Dahl, Econ, and Badiac.

Supply Chain Manager Nancy Cunningham oversees Warehouse & Small Parts Manager Emily Christoffel, who in turn oversees Small Parts Supervisor Emily Mizner.[4] Approximately eight small parts clerks report to Mizner.

Manager of Dealer Support Kate Ewing reports to Drerup. Approximately three dealer support representatives and one cargo-and-freight specialist report to Ewing.

Generally, the employees involved in this case all play roles in getting the Employer's finished product to its dealers, from taking initial orders to moving product within its campus, to directing and loading outbound trucks.

A. Dealer Support Representatives

When dealers want to request a product and/or parts for shipment, the incoming order is directed to a dealer support representative. The representatives are not performing a direct sales function, but rather helping to fulfil orders the dealers want to place. Dealers usually place finished products and small parts in the same order to save on freight costs. The dealer support representatives monitor inventory and can answer questions from dealers about when particular

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[3] At the time of the hearing, the Employer employed one yard jockey, who reported directly to McKinney. Previously, the yard jockey reported to the Maintenance Manager, however, according to McKinney, that position was currently vacant.

[4] Because neither an organizational chart nor similar evidence was introduced into the record, it is not entirely clear which other categories of staff, if any, the various executives, managers, and supervisors may also oversee.

products might ship. Once a dealer has placed an order, the representative prepares the paperwork and forwards that information to the shipping clerks so the requested products can be prepared and consolidated for shipment. When issues arise with a shipment—for example, a requested item is backordered or there is not enough space on the truck for all ordered items—the dealer support representatives work with the shipping team to resolve the issue. The representatives also deal with invoicing the dealers for orders placed.

The dealer support representatives do not use any specialized software to perform their work, just off-the-shelf products like Microsoft Excel. Dealer support representatives have an office area in Building 3 on the opposite end of the building from the shipping clerks. They generally work a single shift of 7:00 a.m. to 5:00 p.m., Monday through Thursday, and 8:00 a.m. to noon on Fridays. The dealer support representatives report to Kate Ewing, the Manager of Dealer Support.

The Employer has three dealer support representatives.

B. Small Parts Clerks

The small parts clerks are responsible for filling small parts orders from dealers and retailers and for stocking service trucks. Parts orders come to the small parts clerks from various places, including from a shipping clerk (who received the order from a dealer service representative). Once a parts order is received by the small parts clerks, they pull the requested parts from inventory in Building 6 and prepare it for shipping. Sometimes they ship the product directly via a service such as FedEx while other times the requested parts are consolidated with an existing order that is shipping out of Building 3.

A majority of the small parts clerks are forklift-certified to operate the department's lone stand-up electric forklift when pulling parts from inventory. The clerks work out of Building 6 but, on occasion, deliver parts to Building 3. The record does not reflect how frequently clerks deliver parts to Building 3. Emily Mizner is Small Parts Supervisor who oversees the small parts clerks.

The Employer has seven small parts clerks.

C. Yard Jockeys

The yard jockey[5] operates a tractor-trailer to move finished products from the Employer's manufacturing facilities (Buildings 1, 2, and 4) to Building 3, where it is stored until being shipped to a dealer. When the yard jockey brings a full trailer to Building 3, the shipping dock workers unload it, and the yard jockey returns the empty trailer to the production facility where it can be loaded again. The yard jockey also occasionally travels to Building 7, an offsite warehouse, to drop off and pick up product. This position also spends less than 10 percent of work time performing preventative maintenance work as part of overflow tasks from the maintenance group.[6]

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[5] Also referred to by the nickname "yard dog."

[6] No party is seeking to include any maintenance group employees in the unit (other than the yard jockey).

The yard jockey is required to have a commercial driver's license ("CDL") and receives extra compensation because of that license. The yard jockey works a single shift of 6:00 a.m. until 4:00 p.m. The yard jockey position was originally a part of the maintenance group, but the position may now be in transition.[7] The yard jockey currently reports directly to Operations Manager McKinney.

The Employer has one yard jockey.

D. Cargo-and-Freight Specialists

The cargo-and-freight specialist is responsible for dealing with freight brokers to ensure trucks arrive on time to pick up outbound product and parts shipments. In other words, the cargo-and-freight specialist responsibility is to organize the arrival of trucks at the Employer's campus; the shipping clerks, discussed below, handle the trucks once they are on campus.

The cargo-and-freight specialist has a small office near the shipping clerks in Building 3. The position reports to the Manager of Dealer Support, Kate Ewing.

The Employer has one cargo-and-freight specialist.

E. Shipping Clerks

The two shipping clerks at the Employer's campus each have relatively distinct functions from each other. One shipping clerk is primarily responsible for handling offsite trucks as they come and go to Building 3 to pick up outbound product. That shipping clerk prioritizes and assigns incoming trucks to specific loading bays for receiving product or stages the trucks across the street—depending on the type of truck and the availability of loading bays. Throughout the process, that shipping clerk regularly communicates with the various truck drivers. Similarly, that clerk communicates with the yard jockey via radio to determine available bays where finished product can be dropped off for later shipment. They also prepare a clipboard with the bill of lading listing the products required for each truck, which the shipping dock workers then use to identify which items to pick from the yard and which truck to load them on. The record does not establish whether this shipping clerk is forklift-certified.

The second shipping clerk is primarily responsible for organizing small parts and handling orders for covers of hot tubs and swim spas. This shipping clerk brings parts from Building 6 to Building 3 for shipment and also helps pull parts already stored in Building 3 to consolidate them for shipment, including using a forklift when retrieving and staging parts for shipment.

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[7] Vice President of Manufacturing Rees testified that the yard jockey was part of the maintenance group and reports to the Maintenance Supervisor, Dave Schoovner, while Operations Manager McKinney testified that the Maintenance Supervisor position was currently vacant and might be rolled into another supervisory position. McKinney indicated he had not yet advised Rees of that potential plan. Although it is not clear from the record, the transition may also be a function of the current yard jockey previously working in maintenance before obtaining his CDL and filling the yard jockey position.

Particularly when interacting with the small parts department, the shipping clerks will use Microsoft Teams to communicate. The shipping clerks have office space in Building 3 near the supervisors where the cargo-and-freight specialist is located, which is on the opposite end of the building from the dealer support representative offices. The dock area, where the shipping dock workers and dock worker team leads work, is in between. The shipping clerks work a single shift from 7:00 a.m. until 4:00 p.m., which can vary depending on workload. The shipping clerks both report to Shipping Manager Bryce Badiac.

The Employer has two shipping clerks.

F. Shipping Dock Workers and Dock Worker Team Leads

The shipping dock workers are the final step before a product is shipped to dealers from the Employer's campus. They work out of Building 3. Once production is completed, the finished product is delivered to Building 3 via truck driven by the yard jockey. A shipping dock worker will unload the truck and store the product in Building 3 or the "yard" until it is needed for outbound shipping. When products are ordered by dealers, the shipping dock worker will review a clipboard with the invoice/packing slip, locate the needed product in the yard or other storage area, and will consolidate or "stage" the ordered product until a truck arrives to take the product away. When an order includes small parts, a shipping dock worker who is authorized to drive one of the Employer's vehicles may travel to Building 6 to obtain the parts before consolidating them with the rest of the order.[8] Once the outbound truck arrives, a shipping dock worker loads the requested product onto the truck. If issues arise during that process (such as the ordered products not all fitting on the truck or product not being able to be located), the shipping dock worker contacts their supervisor or manager, who contacts the dealer support representative (where the order originated) to determine next steps; other times the shipping dock worker may directly contact a dealer support representative to try and resolve the problem.

Shipping dock workers operate a sit-down, propane-powered forklift when performing their duties; there are 15 to 20 such forklifts in the Shipping Department. Because of the large size of the product they typically move around, they must operate the forklifts in reverse to enable a clearer field of vision.[9] The shipping dock workers work on one of two weekday shifts: 6:00 a.m. to 3:00 p.m. (6:00 a.m. to 10:00 a.m. on Fridays) or 10:00 a.m. to 7:00 p.m. (10:00 a.m. to 2:00 p.m. on Fridays). The shipping dock workers and dock worker team lead report to Shipping Supervisors Jeff Dahl and Byron Econ or Shipping Manager Bryce Badiac.

The dock worker team lead classification performs the same work as shipping dock workers, plus a few additional tasks. For example, the dock worker team lead is responsible for the initial training of other employees (presumably shipping dock workers) before handing them

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[8] The record does not reflect how many shipping dock workers (or other employees, for that matter) are certified to drive one of the Employer's vehicles. It appears such authorized employees have to pass a test and be able to be on the Employer's insurance, but there is no indication of what type of test is required or what is required for an employee to be placed on the Employer's insurance.

[9] Other than generic references to being "forklift certified," the record does not reflect what training or experience is required for shipping dock workers to operate a forklift, much less to operate a forklift in reverse.

off to senior shipping dock workers who will finish the training. The dock worker team lead is also responsible for moving the largest pieces of product for loading.

The Employer has 13 shipping dock workers and one dock worker team lead.

II. BOARD LAW

It is well-established that a union is not required to seek a bargaining unit that is the most appropriate unit. The Act merely requires that the unit sought by a petitioner be *an* appropriate unit. *Morand Bros. Beverage Co.*, 91 NLRB 409, 417–418 (1950), enfd. 190 F.2d 576 (7th Cir. 1951); see also *Overnite Transportation Co.*, 322 NLRB 723, 723 (1996) (citations omitted). In making that determination, "the Board looks first to the unit sought by the petitioner, and if it is an appropriate unit, the Board's inquiry ends." *Wheeling Island Gaming, Inc.*, 355 NLRB 637, 637 fn. 2 (2010) (citing *Overnite Transportation*, above); *P. J. Dick Contracting, Inc.*, 290 NLRB 150 (1988)); *Black & Decker Mfg. Co.*, 147 NLRB 825, 828 (1964) ("our declared policy [is] to consider only whether the requested unit is an appropriate one even though it may not be the optimum or most appropriate unit for collective bargaining"); accord *Country Ford Trucks, Inc. v. NLRB*, 229 F.3d 1184, 1191 (DC Cir. 2000) ("the [Board] may simply look at the Union's proposed unit and, if it is an appropriate unit, accept that unit determination without any further inquiry," citing *Cleveland Construction, Inc. v. NLRB*, 44 F.3d 1010, 1013 (DC Cir. 1995))).

In *American Steel Construction, Inc.*, 372 NLRB No. 23 (2022), the Board reinstated the framework from *Specialty Healthcare & Rehabilitation Center of Mobile*, 357 NLRB 934 (2011), enfd. sub nom. *Kindred Nursing Centers East, LLC v. NLRB*, 727 F.3d 552 (6th Cir. 2013), that applies in cases where a party asserts a petitioned-for unit must include additional job classifications to be appropriate.[10] Under this framework, the Board will find a petitioned-for unit to be appropriate where the grouping of employee classifications: 1) shares an internal community of interest; 2) is readily identifiable as a group based on job classifications, departments, functions, work locations, skills, or similar factors; and 3) is sufficiently distinct from other employees. Id., slip op. at 17.

If a party contends the petitioned-for unit is not sufficiently distinct—that is, the smallest appropriate unit contains additional employees—then the Board applies its traditional community-of-interest factors to determine whether there is an "overwhelming community of interest" between the petitioned-for and excluded employees, such that there is no rational basis for the exclusion. *American Steel*, 372 NLRB No. 23, slip op. at 17. To make that determination, the Board examines:

> whether the employees are organized into a separate department; have distinct skills and training; have distinct job functions and perform distinct work, including inquiry into the amount and type of job overlap between classifications; are functionally integrated with the employer's other employees; have frequent contact with other employees; interchange with other employees; have distinct terms and conditions of employment; and are separately supervised.

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[10] In doing so, the Board explicitly overruled *PCC Structurals, Inc.*, 365 NLRB 1696 (2017), and *Boeing Co.*, 368 NLRB No. 67 (2019).

United Operations, Inc., 338 NLRB 123, 123 (2002).

"Crucially, … the presence of *some* overlapping interests between the petitioned-for and excluded employees does not invalidate the petitioned-for unit, even if those overlapping interests indicate that a larger unit would also be appropriate for collective bargaining" (emphasis in original). *American Steel*, above, slip op. at 5 (citing *Engineered Storage Products Co.*, 334 NLRB 1063, 1063 (2001)). See also *Overnite Transportation*, above at 723 ("there is more than one way in which employees of a given employer may be appropriately grouped for purposes of collective bargaining").

The party contesting the petitioned-for unit bears the burden of proving that there is an "overwhelming community of interest" between the petitioned-for and excluded employees. *American Steel*, above, slip op. at 6 (citing *Specialty Healthcare*, above at 944). See also, *Northrop Grumman Shipbuilding, Inc.*, 357 NLRB 2015, 2017 fn. 8 (2011).

III. APPLICATION OF BOARD LAW TO THE FACTS OF THIS CASE

As discussed below, I find the petitioned-for shipping dock workers and shipping dock worker team lead are an appropriate unit. They share an internal community of interest, are readily identifiable as a group, and are sufficiently distinct from the classifications the Employer seeks to add. While the petitioned-for employees have some contact and functional integration with the employees the Employer seeks to add, they share distinct immediate supervision, perform distinct tasks using distinct equipment, receive distinct training, and have minimal interchange with the employees the Employer seeks to add. Thus, I find the evidence is insufficient to meet the Employer's burden of showing an overwhelming community of interest between the petitioned-for employees and any of the classifications the Employer seeks to add.

A. The Petitioned-for Classifications Share a Community of Interest

The parties stipulated that shipping dock workers and dock worker team leads share a community of interest, and the Employer does not contend employees in the petitioned-for unit do not share an internal community of interest. Rather, the Employer maintains the smallest appropriate unit must also include shipping clerks, cargo-and-freight specialists, dealer support representatives, small parts clerks, and yard jockeys.

B. The Petitioned-for Classifications Are a Readily Identifiable Group

In concluding the employees in the petitioned-for unit are "readily identifiable as a group," I note they share a unique function of loading and unloading trucks at Building 3. They are the only employees involved in this case that use sit-down propane-powered forklifts to perform their duties and have a two-shift schedule. Also, shipping dock workers and dock worker team leads share common supervision in Shipping Manager Badiac and Shipping Supervisors Dahl and Econ and train together to learn the tasks required for the job.

C. The Employees the Employer Contends Must Be Added to the Unit Do Not Share an Overwhelming Community of Interest with the Employees in the Classifications Sought by Petitioner

I conclude that the employees the Employer seeks to add to the unit do not share an overwhelming community of interest warranting their inclusion with the employees sought by Petitioner. In reaching this conclusion, I find that the yard jockey, shipping clerks, cargo-and-freight specialist, small part clerks, and dealer support representatives, by and large, are separately supervised, work separately from and perform distinct tasks from, and have minimal interchange with the classifications sought by Petitioner.

The petitioned-for employees are the only ones supervised by Shipping Supervisors Dahl and Econ. The shipping clerks are supervised by Shipping Manager Badiac, which is the first level of common management between the petitioned-for employees and the employees the Employer seeks to add to the bargaining unit. The yard jockey reports to Operations Manager McKinney, which is one level above Badiac and three levels above the petitioned-for employees.[11] The other classifications the Employer seeks to add are under completely separate managerial chains. The small parts clerks report to Small Parts Supervisor Mizner as part of supply chain operations while Dealer Support Manager Ewing supervises the cargo-and-freight specialist and dealer support representatives as part of the national sales team. The supervisory chain for the latter classifications do not converge with the supervisory chain for the petitioned-for unit until the level of CEO Richards. It is not entirely clear from the record where the supply chain operations hierarchy converges with shipping supervision, but it is at least the level of VP of Manufacturing Reese.

The petitioned-for employees are dock workers, driving sit-down propane-powered forklifts to load and unload trucks with the Employer's finished product. The evidence does not demonstrate that anyone else the Employer seeks to add operates a sit-down propane-powered forklift to perform their jobs. The petitioned-for employees work in the dock area of Building 3 or in the yard, while the shipping clerks, cargo-and-freight specialist, and dealer support representatives work in office areas of Building 3. The small parts clerks work in an entirely different building (Building 6). And while the yard jockey may spend a significant amount of time parked at the docks in Building 3, there is no evidence that position does any of the same work as the petitioned-for employees.

The only evidence of interchange in the record between petitioned-for employees and those the Employer would add is limited to when the dock worker team lead fills in for one of the shipping clerks (the one who handles small parts and operates a forklift) when that clerk is on vacation. The record indicates neither the frequency nor the amount of time this occurs. There is no other evidence of petitioned-for employees transferring to the other classifications the Employer seeks to add, or vice versa.

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[11] The record indicates the yard jockey previously reported to the Maintenance Manager, a position that was currently vacant at the time of the hearing, one level below McKinney, and a separate chain-of-command from Badiac and Econ and Dahl.

The petitioned-for employees and those the Employer contends must be included in the unit share the same benefits, are paid on an hourly basis, and all start out at approximately the same wage rate. However, the petitioned-for employees are eligible for a premium based on their forklift certification, something the record shows only one shipping clerk and one yard jockey may also possess. Similarly, the yard jockey receives a premium based on his CDL license that is not provided to other employees. Some of the classifications the Employer seeks to add are also, to a certain extent, functionally integrated with the shipping dock workers. The yard jockey moves finished product from the production buildings to Building 3 to be stored until needed for shipment. The shipping clerks bring small parts to Building 3 and coordinate the trucks once they arrive at Building 3, where the shipping dock workers then load the trucks with products and parts. The small parts clerks also perform a shipping function, albeit from another location and often using a different means of shipment. In other words, all the employees involved in this case are, at some level, part of the process of getting finished product out the door. The Board has held that functional integration is present "when employees must work together and depend on each other in order to accomplish their overall duties—not simply when they perform work in the same general field and in service of the same overall goal." *Leo Marine Services, Inc.*, Case 19-RC-330385 (May 11, 2026) (unpublished) (citing *WideOpenWest Illinois, LLC*, 371 NLRB No. 107, slip op. at 7 fn. 16 (2022)). Similarly, "the integrated nature of the operations does not by itself reflect functional integration." *Nissan North America, Inc.*, 372 NLRB No. 48, slip op at 13 (2023). Here, the evidence does not show that the additional classifications the Employer seeks to add to the unit share any greater functional integration than performing various tasks associated with achieving the Employer's general goal of product distribution.

The petitioned-for employees also have regular interaction with the shipping clerks, who put assignments on a clipboard the shipping dock workers use to figure out what product is to be loaded on which truck. The shipping dock workers may also interact with the dealer support representatives if an issue comes up with loading a truck, but it is also the case that a Shipping Supervisor or the Shipping Manager may be the ones to raise the issue with the dealer support representatives. The petitioned-for employees may also interact with the small parts clerks, especially when last-minute additions are made to an outbound shipment. However, the cargo-and-freight specialist has no work-related interaction at all with the petitioned-for employees. While the employees who work in Building 3 do share a common breakroom, the petitioned-for employees have set break times while the other employees the Employer seeks to add to the unit do not. The employees all generally work a Monday through Friday schedule, but the petitioned-for employees are the only ones that operate with two shifts.

While the Employer's contentions may establish that the broader unit sought by the Employer is an appropriate unit, they are insufficient to establish that the yard jockey, shipping clerks, cargo-and-freight specialist, small part clerks, and dealer support representatives share an overwhelming community of interest which would require their inclusion in the unit.

IV. CONCLUSIONS AND FINDINGS

Based upon the entire record in this matter and in accordance with the discussion above, I conclude and find as follows:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.

2. The Employer is engaged in commerce within the meaning of the Act, and it will effectuate the purposes of the Act to assert jurisdiction in this case.[12]

3. The Petitioner is a labor organization which claims to represent certain employees of the Employer.

4. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.

5. The following employees of the Employer constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

> **Included:** All full-time and regular part-time shipping dock workers and dock worker team leads employed by the Employer at its 6601 Lincoln Parkway, Fort Wayne, Indiana facility.
>
> **Excluded:** All cargo-and-freight specialists, dealer support representatives, shipping clerks, small parts clerks, yard jockeys, office clerical employees, managers, guards, professional employees and supervisors as defined in the Act.

V. DIRECTION OF ELECTION

The National Labor Relations Board will conduct a secret ballot election among the employees in the unit found appropriate above. Employees will vote whether or not they wish to be represented for purposes of collective bargaining by International Brotherhood of Teamsters Local No. 414.

A. Election Details

The election will be held on Friday, September 25, 2026, from 9:30 a.m. to 10:30 a.m., in the Building 3 breakroom at the Employer's facility located at 6601 Lincoln Parkway, Fort Wayne, Indiana.

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[12] The Employer, MasterSpas, LLC, is an Indiana limited liability company with a principal office located in Fort Wayne, Indiana, and a facility located at 6601 Lincoln Parkway, Fort Wayne, Indiana, where it is engaged in the manufacture and distribution of hot tubs and swim spas. During the past 12 months, a representative period of time, the Employer derived gross revenue in excess of $1,000,000 from all sales and performance of services. During the same representative period, the Employer purchased and received goods at its Fort Wayne, Indiana, facility valued in excess of $50,000 directly from suppliers located outside the State of Indiana.

B. Voting Eligibility

Eligible to vote are those in the unit who were employed during the payroll period ending **Thursday, September 3, 2026**, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. In a mail ballot election, employees are eligible to vote if they are in the unit on both the payroll period ending date and on the date they mail in their ballots to the Board's designated office.

Employees engaged in an economic strike, who have retained their status as strikers and who have not been permanently replaced, are also eligible to vote. In addition, in an economic strike that commenced less than 12 months before the election date, employees engaged in such strike who have retained their status as strikers but who have been permanently replaced, as well as their replacements, are eligible to vote. Unit employees in the military services of the United States may vote if they appear in person at the polls.

Ineligible to vote are (1) employees who have quit or been discharged for cause since the designated payroll period, and, in a mail ballot election, before they mail in their ballots to the Board's designated office; (2) striking employees who have been discharged for cause since the strike began and who have not been rehired or reinstated before the election date; and (3) employees who are engaged in an economic strike that began more than 12 months before the election date and who have been permanently replaced.

C. Voter List

As required by Section 102.67(l) of the Board's Rules and Regulations, the Employer must provide the Regional Director and parties named in this decision a list of the full names (that employees use at work), work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available home and personal cell telephone numbers) of all eligible voters.

To be timely filed and served, the list must be *received* by the regional director and the parties by **September 14, 2026**. The list must be accompanied by a certificate of service showing service on all parties. **The region will no longer serve the voter list.**

Unless the Employer certifies that it does not possess the capacity to produce the list in the required form, the list must be provided in a table in a Microsoft Word file (.doc or .docx) or a file that is compatible with Microsoft Word (.doc or .docx). The first column of the list must begin with each employee's last name and the list must be alphabetized (overall or by department) by last name. Because the list will be used during the election, the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at www.nlrb.gov/what-we-do/conduct-elections/representation-case-rules-effective-april-14-2015.

When feasible, the list shall be filed electronically with the Region and served electronically on the other parties named in this decision. The list may be electronically filed with the Region by using the E-filing system on the Agency's website at www.nlrb.gov. Once

the website is accessed, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions.

Failure to comply with the above requirements will be grounds for setting aside the election whenever proper and timely objections are filed. However, the Employer may not object to the failure to file or serve the list within the specified time or in the proper format if it is responsible for the failure.

No party shall use the voter list for purposes other than the representation proceeding, Board proceedings arising from it, and related matters.

D. Posting of Notices of Election

Pursuant to Section 102.67(k) of the Board's Rules, the Employer must post copies of the Notice of Election accompanying this Decision in conspicuous places, including all places where notices to employees in the unit found appropriate are customarily posted. The Notice must be posted so all pages of the Notice are simultaneously visible. In addition, if the Employer customarily communicates electronically with some or all of the employees in the unit found appropriate, the Employer must also distribute the Notice of Election electronically to those employees. The Employer must post copies of the Notice at least 3 full working days prior to 12:01 a.m. of the day of the election and copies must remain posted until the end of the election. For purposes of posting, working day means an entire 24-hour period excluding Saturdays, Sundays, and holidays. However, a party shall be estopped from objecting to the nonposting of notices if it is responsible for the nonposting, and likewise shall be estopped from objecting to the nondistribution of notices if it is responsible for the nondistribution. Failure to follow the posting requirements set forth above will be grounds for setting aside the election if proper and timely objections are filed.

VI. RIGHT TO REQUEST REVIEW

Pursuant to Section 102.67 of the Board's Rules and Regulations, a request for review may be filed with the Board at any time following the issuance of this Decision until 10 business days after a final disposition of the proceeding by the Regional Director. Accordingly, a party is not precluded from filing a request for review of this decision after the election on the grounds that it did not file a request for review of this Decision prior to the election. The request for review must conform to the requirements of Section 102.67 of the Board's Rules and Regulations.

A request for review must be E-Filed through the Agency's website and may not be filed by facsimile. To E-File the request for review, go to www.nlrb.gov, select E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. If not E-Filed, the request for review should be addressed to the Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001, and must be accompanied by a statement explaining the circumstances concerning not having access to the Agency's E-Filing system or why filing electronically would impose an undue burden. A party filing a request for review must serve a copy of the request on the other parties and file a copy with the Regional Director. A certificate of service must be filed with the Board together with the request for review. Neither

the filing of a request for review nor the Board's granting a request for review will stay the election in this matter unless specifically ordered by the Board.

Dated: September 10, 2026

Colleen M. Maples

Colleen M. Maples, Regional Director
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Form NLRB-707
(4-2015)

United States of America
National Labor Relations Board

NOTICE OF ELECTION

PURPOSE OF ELECTION: This election is to determine the representative, if any, desired by the eligible employees for purposes of collective bargaining with their employer. A majority of the valid ballots cast will determine the results of the election. Only one valid representation election may be held in a 12-month period.

SECRET BALLOT: The election will be by SECRET ballot under the supervision of the Regional Director of the National Labor Relations Board (NLRB). A sample of the official ballot is shown on the next page of this Notice. Voters will be allowed to vote without interference, restraint, or coercion. Electioneering will not be permitted at or near the polling place. Violations of these rules should be reported immediately to an NLRB agent. Your attention is called to Section 12 of the National Labor Relations Act which provides: ANY PERSON WHO SHALL WILLFULLY RESIST, PREVENT, IMPEDE, OR INTERFERE WITH ANY MEMBER OF THE BOARD OR ANY OF ITS AGENTS OR AGENCIES IN THE PERFORMANCE OF DUTIES PURSUANT TO THIS ACT SHALL BE PUNISHED BY A FINE OF NOT MORE THAN $5,000 OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BOTH.

ELIGIBILITY RULES: Employees eligible to vote are those described under the VOTING UNIT on the next page and include employees who did not work during the designated payroll period because they were ill or on vacation or temporarily laid off, and also include employees in the military service of the United States who appear in person at the polls. Employees who have quit or been discharged for cause since the designated payroll period and who have not been rehired or reinstated prior to the date of this election are *not* eligible to vote.

SPECIAL ASSISTANCE: Any employee or other participant in this election who has a handicap or needs special assistance such as a sign language interpreter to participate in this election should notify an NLRB Office as soon as possible and request the necessary assistance.

PROCESS OF VOTING: Upon arrival at the voting place, voters should proceed to the Board agent and identify themselves by stating their name. The Board agent will hand a ballot to each eligible voter. Voters will enter the voting booth and mark their ballot in secret. DO NOT SIGN YOUR BALLOT. Fold the ballot before leaving the voting booth, then personally deposit it in a ballot box under the supervision of the Board agent and leave the polling area.

CHALLENGE OF VOTERS: If your eligibility to vote is challenged, you will be allowed to vote a challenged ballot. Although you may believe you are eligible to vote, the polling area is not the place to resolve the issue. Give the Board agent your name and any other information you are asked to provide. After you receive a ballot, go to the voting booth, mark your ballot and fold it so as to keep the mark secret. DO NOT SIGN YOUR BALLOT. Return to the Board agent who will ask you to place your ballot in a challenge envelope, seal the envelope, place it in the ballot box, and leave the polling area. Your eligibility will be resolved later, if necessary.

WARNING: This is the only official notice of this election and must not be defaced by anyone. Any markings that you may see on any sample ballot or anywhere on this notice have been made by someone other than the National Labor Relations Board, and have not been put there by the National Labor Relations Board. The National Labor Relations Board is an agency of the United States Government, and does not endorse any choice in the election.

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(4-2015)

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AUTHORIZED OBSERVERS: Each party may designate an equal number of observers, this number to be determined by the NLRB. These observers (a) act as checkers at the voting place and at the counting of ballots; (b) assist in identifying voters; (c) challenge voters and ballots; and (d) otherwise assist the NLRB.

VOTING UNIT

EMPLOYEES ELIGIBLE TO VOTE:

Those eligible to vote are: **All full time and regular part-time shipping dock workers and dock worker team leads employed by the Employer at its 6601 Lincoln Parkway, Fort Wayne, Indiana facility during the payroll period ending September 3, 2026.**

EMPLOYEES NOT ELIGIBLE TO VOTE:

Those not eligible to vote are **All cargo-and-freight specialists, dealer support representatives, shipping clerks, small parts clerks, yard jockeys, office clerical employees, managers, guards, professional employees and supervisors as defined in the Act.**

DATE, TIME AND PLACE OF ELECTION

DATE: Friday, September 25, 2026 **HOURS:** 9:30 a.m. to 10:30 a.m.

PLACE: In the Building 3 breakroom at the Employer's facility located at 6601 Lincoln Parkway, Fort Wayne, Indiana.

EMPLOYEES ARE FREE TO VOTE AT ANY TIME THE POLLS ARE OPEN.

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UNITED STATES OF AMERICA

National Labor Relations Board

25-RC-390920

OFFICIAL SECRET BALLOT

For certain employees of

MASTERSPAS, LLC

Do you wish to be represented for purposes of collective bargaining by
INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL NO. 414?

MARK AN "X" IN THE SQUARE OF YOUR CHOICE

YES	NO
☐	☐

Sample

DO NOT SIGN OR WRITE YOUR NAME OR INCLUDE OTHER MARKINGS THAT WOULD REVEAL YOUR IDENTITY. MARK AN "X" IN THE SQUARE OF YOUR CHOICE ONLY.

If you make markings inside, or anywhere around, more than one square, return your ballot to the Board Agent and ask for a new ballot. If you submit a ballot with markings inside, or anywhere around, more than one square, your ballot will not be counted.

The National Labor Relations Board does not endorse any choice in this election. Any markings that you may see on any sample ballot have not been put there by the National Labor Relations Board.

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RIGHTS OF EMPLOYEES - FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union
- Choose representatives to bargain with your employer on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities
- In a State where such agreements are permitted, the Union and Employer may enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the Union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the Union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).

It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.

The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both Employers and Unions to know what is expected of them when it holds an election.
If agents of either Unions or Employers interfere with your right to a free, fair, and honest election the election can be set aside by the Board. When appropriate, the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

The following are examples of conduct that interfere with the rights of employees and may result in setting aside of the election:

- Threatening loss of jobs or benefits by an Employer or a Union
- Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises
- An Employer firing employees to discourage or encourage union activity or a Union causing them to be fired to encourage union activity
- Making campaign speeches to assembled groups of employees on company time where attendance is mandatory, within the 24-hour period before the mail ballots are dispatched
- Incitement by either an Employer or a Union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a Union or an Employer to influence their votes

The National Labor Relations Board protects your right to a free choice.

Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law

Anyone with a question about the election may contact the NLRB Office at (317)226-7381 or visit the NLRB website www.nlrb.gov for assistance.

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