

principles concerning successorship set forth in Authority precedent.

#### 4. Questions on Which Briefs Are Solicited

The Authority granted the application for review under 5 CFR 2422.31(c). The Authority found that there are genuine issues with respect to whether the Regional Director correctly applied principles relating to appropriateness of units, successorship and accretion in determining the representational status of employees in the two job series. In granting the application on these grounds, the Authority found that it appears that there is an absence of precedent that applies where a union seeks to continue to represent a group of employees who have been geographically relocated to an activity and the positions they encumber are specifically excluded from the unit at the activity represented by that union and included in the description of a unit represented by another union.

The Authority has directed the parties in the case to file briefs addressing the following questions, among others:

1. How, if at all, should successorship and accretion principles be applied to determine the representational status of employees who have been geographically relocated from a facility with one bargaining unit to a facility with two bargaining units, both of which are alleged to include the relocated employees?

a. Does the fact that the positions encumbered by the employees are specifically excluded from one of the bargaining units in the gaining facility and specifically included in the other bargaining unit affect the application of these principles? If so, how?

b. Does the fact that, before their reassignment, the employees were represented in the same consolidated unit that specifically excludes their positions at the gaining facility affect the application of these principles? If so, how? Do "severance" principles apply to this situation?

c. When, if at all, is an election appropriate in such circumstances? Is this determination affected by the relative size of the employee complements?

2. Do successorship principles apply where employees are relocated under a program such as the DOD Priority Placement Program?

3. Under what circumstances, if at all, should geographically relocated employees be considered comparable to newly hired employees?

4. Has a party waived its right to raise the effects of a reorganization on the appropriateness of a unit if it did not

file a petition at the time of the reorganization?

As these matters are likely to be of concern to agencies, labor organizations, and other interested persons, the Authority finds it appropriate to provide for the filing of amicus briefs addressing these issues.

Dated: June 11, 1997.

**Edward F. Bachman,**

*Acting Director, Case Control Office, Federal Labor Relations Authority.*

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## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than July 10, 1997.

**A. Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63102-2034:

1. *First Eldorado Bancshares, Inc.*, Eldorado, Illinois; to acquire 100 percent of the voting shares of Dana Bancorp, Inc., Dana, Indiana, and thereby indirectly acquire First National Bank of Dana, Dana, Indiana.

Board of Governors of the Federal Reserve System, June 10, 1997.

**Jennifer J. Johnson,**

*Deputy Secretary of the Board.*

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**A. Federal Reserve Bank of Dallas** (Genie D. Short, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *First Marshall Bancshares, Inc.*, Marshall, Texas, and First Marshall Delaware Bancshares, Inc., Dover, Delaware; to become bank holding companies by acquiring 100 percent of the voting shares of First Marshall Corporation, Marshall, Texas, and thereby indirectly acquire East Texas National Bank of Marshall, Marshall, Texas.