

**OBARS Machine & Tool Co. and District Lodge 57,  
International Association of Machinists and  
Aerospace Workers, AFL-CIO. Case 8-CA-  
27412**

September 30, 1996

**DECISION AND ORDER**

BY CHAIRMAN GOULD AND MEMBERS BROWNING  
AND FOX

On July 24, 1996, Administrative Law Judge Richard A. Scully issued the attached decision. The Respondent filed exceptions and a supporting brief.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Board has considered the decision and the record in light of the exceptions and brief and has decided to affirm the judge's rulings, findings, and conclusions and to adopt the recommended Order.

**ORDER**

The National Labor Relations Board adopts the recommended Order of the administrative law judge and orders that the Respondent, OBARS Machine & Tool Co., Toledo, Ohio, its officers, agents, successors, and assigns, shall take the action set forth in the Order.

*Mark F. Neubecker, Esq.*, for the General Counsel.  
*R. Kevin Greenfield, Esq.*, of Sylvania, Ohio, for the Respondent.  
*Frank Forgione*, of Willowick, Ohio, for the Charging Party.

**DECISION**

**STATEMENT OF THE CASE**

RICHARD A. SCULLY, Administrative Law Judge. Upon a charge filed on May 22, 1995, by District Lodge 57, International Association of Machinists and Aerospace Workers, AFL-CIO (the Union), the Regional Director for Region 8 of the National Labor Relations Board (the Board) issued a complaint on November 30, 1995, alleging that OBARS Machine & Tool Co. (the Respondent) had committed certain violations of Section 8(a)(1) and (3) of the National Labor Relations Act (the Act). The Respondent filed a timely answer denying that it had committed any violation of the Act.

A hearing was held in Toledo, Ohio, on March 13, 1996, at which all parties were given a full opportunity to examine and cross-examine witnesses and to present other evidence and argument. Briefs submitted on behalf of the General Counsel and the Respondent have been given due consideration. On the entire record, and from my observation of the demeanor of the witnesses, I make the following

**FINDINGS OF FACT**

**I. THE BUSINESS OF THE RESPONDENT**

At all times material, the Respondent was an Ohio corporation with an office and place of business in Toledo,

Ohio, where it engaged in the manufacture of machine tooling and component parts. Annually, in the conduct of its business operations, the Respondent sold and shipped from its Toledo, Ohio facility goods valued in excess of \$50,000 directly to points outside the State of Ohio. The Respondent admits, and I find, that it is an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

**II. THE LABOR ORGANIZATION INVOLVED**

The Respondent admits, and I find, that at all times material, the Union was a labor organization within the meaning of Section 2(5) of the Act.

**III. THE ALLEGED UNFAIR LABOR PRACTICES**

**A. Section 8(a)(1)**

**1. Conversations between Michael Webber and James Connell**

The complaint alleges that the Respondent violated Section 8(a)(1) of the Act in April 1995<sup>1</sup> when Supervisor Michael Webber coercively interrogated an employee concerning employees' union activities. With the consent of the Respondent, part of an affidavit given to the Board by former employee James Connell was read into the record in connection with this allegation. Connell had been subpoenaed by counsel for the General Counsel but failed to appear at the hearing.<sup>2</sup> According to his affidavit, within 2 weeks prior to April 19, Webber approached Connell while he was working at the plant and asked him if he had heard anyone talking about getting a union into the shop. Connell responded that he had been hearing such talk about unions in the shop for 10 years. Webber asked what he had heard this time and who was talking about a union. Connell refused to identify anyone because it was "all hearsay" and he "wasn't sure about any of it." Webber again asked which employees were talking about a union and said it would be just between the two of them. Connell refused to identify anyone. About a half-hour later, Webber came back and asked Connell if he would write the names of the people talking about a union on a piece of paper if he didn't want to say the names out loud. Connell refused to do so.

Michael Webber testified that he has been the Respondent's vice president of operations since early 1995. In April, he was called over by Connell while he was in the shop getting a cup of coffee near Connell's work station. Connell said that he might be able to find out if there was union activity going on at the shop and offered to serve as a spy for Webber. Webber responded that Connell could "do what he had to do," but that Webber "could not ask him to do any thing like that." Webber did not ask Connell what he had heard, who had been talking about a union, or any other questions about union activity. He did not tell Connell that any information would be just between the two of them and

<sup>1</sup> Hereinafter, all dates are in 1995.

<sup>2</sup> Connell could not be contacted on the day of the hearing. He had informed counsel for the General Counsel on the previous day that he was ill. All parties consented to the use of an excerpt from the affidavit he had given the Board on June 9, 1995, in lieu of his live testimony.

Connell did not say that he had been hearing talk about unions in the shop for 10 years. A day or so later, Connell told Webber that there was going to be a union meeting, that he might be able to attend, and that he might possibly provide information from the meeting. Webber testified that he did not recall what he said to Connell during this conversation, but that he did not encourage him to obtain information and that Connell did not mention anyone who was involved.

#### Analysis and Conclusions

This is strictly a question of credibility. Having seen Webber while testifying, I found nothing in his demeanor to indicate he was not telling the truth about his conversations with Connell. Connell's failure to appear at the hearing raises doubts as to the credibility of the affidavit he gave the Board. Although Connell is not mentioned in the list of employees who left the Respondent's employ during 1995 in the record, other documents, including employee lists, work schedules, and payroll records, indicate that he was no longer working for the Respondent at the time he gave the affidavit. Consequently, I do not consider his testimony to be entitled to the enhanced credibility usually given to that of a current employee testifying adversely to his employer's interests. In his affidavit, Connell stated that when he spoke to Webber there were other employees present, including a Tim Smith, who knew what they were talking about; however, no one was produced to corroborate Connell's testimony or dispute Webber's. Under the circumstances, I find no basis for believing the affidavit testimony of Connell over the credible live testimony of Webber. Based on Webber's description of his conversations with Connell, I find there was no coercive interrogation. In an apparent attempt to curry favor with management, Connell made an unsolicited offer to provide information concerning the union activities of his fellow employees. Webber neither encouraged nor discouraged his doing so, asked no questions concerning that activity and made no effort to follow up on Connell's offer. Considering all the circumstances surrounding these conversations, I find there was no violation of the Act and shall recommend that this allegation be dismissed.

#### 2. Conversation between Steve Obarski and Kevin Morgan

The complaint alleges that the Respondent violated Section 8(a)(1) on April 19 by Supervisor Steve Obarski telling an employee that he had been terminated in order to make an example of prounion employees.

As is discussed in detail below, employee Kevin Morgan was laid off by the Respondent on April 19, an action alleged in the complaint to be unlawful and to be based on Morgan's union support and activity. Prior to that date, Morgan was a friend of and had socialized with Steve Obarski, a supervisor and the brother of Company President Gregory Obarski. Morgan testified that on the evening of April 19 he received a telephone call from Steve Obarski. Obarski began the conversation by saying he was "really sorry about all of this" and that he could not believe that his brother was doing this. He said that it had always been a company policy, no matter what, to not lay off a person, but to find some kind of work in the plant. He said that that his brother was wrong and needed to be taught a lesson and that Morgan

should not back down. Obarski also said that "he felt it was due to the Union dealings why this happened" and that Morgan "was being made an example so nobody would vote [for] the Union."

Steve Obarski testified that he called Morgan on the evening of April 19 to see how he was since when he had left the plant that day he had slammed a door and appeared to Obarski to be "visibly angry." Obarski told Morgan he was sorry about his being laid off and asked how he was. Morgan said that he had been fired because of his union activities and that he had been in contact with union lawyers about it. Obarski said that he "wasn't aware of any of this" and that he was sure that if his brother had done something wrong, "he would be told about." Obarski denied telling Morgan that there was a company policy not to lay off anyone, that his brother needed to be taught a lesson, that he felt Morgan had been laid off because of his union activity, or that he was being made an example. He testified that at the time he made the call he was unaware that Morgan was attempting to organize a union at the plant and that during this conversation Morgan told him that he was "the contact person" for the Union.

#### Analysis and Conclusions

Considering their testimony, which was not corroborated by any other evidence, I found no basis for crediting that of Morgan over that of Obarski. Considering their demeanor while testifying, I found Obarski to be a more credible and persuasive witness. First, I believed Obarski's testimony that he did not tell Morgan that there was a company policy not to lay off anyone, since there is evidence in the record that employee Kevin Snider was laid off in November 1994 due to lack of work. Given their friendship, it was reasonable for Obarski to call to see how Morgan was doing after he was laid off. I find it unlikely that another purpose of the call was to inform Morgan that he was the victim of discrimination because of his union activity, activity Obarski credibly denied knowing anything about. Here, as in the case of the meeting in which he was informed of his layoff, discussed below, Morgan appeared to paraphrase what was actually said in an attempt to serve his own interests. He admitted that he had never told Obarski about his involvement with the Union, but made the self-serving claim that he was aware of it "in a round-about way." When asked to explain this, Morgan described an alleged incident he said took place in a parking lot of a sports bar before a Monday night football game during which Obarski told him that the plant would close before a union ever got in, asked him what his feelings about a union, and told him that he was going to get himself fired. Morgan testified that in response he "tried to blow it off" and said, "I'm not doing nothing." Even assuming that this incident happened, it would have had to have been long before Morgan's involvement with the Union, which according to his testimony began in mid-March 1995 and would have established only that Morgan had denied any union involvement.

I credit Obarski's testimony that he had no knowledge of Morgan's union activity<sup>3</sup> and about what was said during the

<sup>3</sup> I give no credence to Morgan's testimony that he was informed on March 20, 2 days after he and employee Said Boraby first met with union representatives and began talking to employees about the

telephone conversation on April 19. Accordingly, I find that he did not tell Morgan he was terminated because of his union activity or to make an example of him because of his support for the Union. I shall recommend that this allegation be dismissed.

### 3. Conversation between Robert Rummel and Kevin Morgan

Morgan testified that after being laid off he received a telephone call from Robert Rummell, his supervisor in the plant's "Backroom." Rummell told him that there was no lack of work in the Backroom and that he had been laid off as "a scare tactic" by management, "to scare everybody to not be associated with the Union." In his testimony, Rummell admitted that he had told Morgan that he felt he had been laid off as punishment for being involved with the Union. He also testified that the statement was based purely on conjecture on his part, that no one in management had told him that union activity was the reason for Morgan's lay-off and that he had no personal knowledge that it was the reason. Rummell had no knowledge of Morgan's union activity until this telephone conversation in which Morgan revealed it to him. He was not involved in the layoff decision and did not learn of it until a few minutes before the meeting on April 19 in which Morgan was informed about it.

#### Analysis and Conclusions

Considering all the surrounding circumstances, I find that Rummell's statement to Morgan that he had been laid off because of his union activity was coercive and violated Section 8(a)(1). *Valley Material Co.*, 316 NLRB 704, 708 (1995). Although it may now be clear that Rummell had no factual basis for the statement and was merely stating his personal opinion about the reason for the layoff, there is no evidence that he made any such disclaimer at the time he made the statement to Morgan. He was Morgan's immediate supervisor and ostensibly in a position to know the reason for the layoff. The fact that Rummell was not specifically authorized by the Respondent to inform Morgan of the reason for the layoff does not exonerate it. He was an admitted statutory supervisor and the Respondent is bound by and responsible for his conduct. *Ideal Elevator Corp.*, 295 NLRB 347 fn. 2 (1989).

#### B. Section 8(a)(3) and (1)

The complaint alleges that the Respondent terminated the employment of Kevin Morgan on April 19 in retaliation for his activity and support for the Union and to discourage such support by other employees. The Respondent contends that Morgan was laid off on that date due to lack of work.

In cases where the employer's motivation for a personnel action is in issue, it must be analyzed in accordance with the test outlined by the Board in *Wright Line*, 251 NLRB 1083 (1980), enf. 662 F.2d 800 (1st Cir. 1981), cert. denied 455

Union, that Steve Obarski told Boraby that they had better "cool" their union activity or they would be fired. Morgan claimed he was told this by Union Representative John Richards. Obarski denied ever speaking to Boraby about union activity and I credit his denial over Morgan's self-serving, triple hearsay testimony, which I did not believe and to which I give no weight. Neither Richards nor Boraby, who are presumably favorably disposed toward the Union, were called to corroborate Morgan's story.

U.S. 989 (1982), approved in *NLRB v. Transportation Management Corp.*, 462 U.S. 393 (1983). Under *Wright Line*, the General Counsel must make a prima facie showing sufficient to support the inference that protected activity was a motivating factor in the employer's decision. Once that has been done, the burden shifts to the employer to demonstrate that it would have taken the same action even in the absence of protected activity on the part of its employees.

The General Counsel's prima facie case is established by proof of protected activity on the part of the employee, employer knowledge of that activity and employer animus toward it. *W. R. Case & Sons Cutlery Co.*, 307 NLRB 1457, 1463 (1992); *Associated Milk Producers*, 259 NLRB 1033, 1035 (1982). There is clear evidence that Morgan was engaged in protected activity, including, contacting the Union about organizing the Respondent's employees, talking to several employees about union representation and inviting them to a meeting with the Union to be held on April 19. It is also clear that Company President Gregory Obarski, who made the decision to lay off Morgan, had knowledge of Morgan's involvement with the Union as he testified that he was informed about it by employee Tom Tinsley on April 19, the date of the layoff. The remaining question is whether the Respondent had union animus and whether "the hostility or opposition to the union manifested is strong enough to support a conclusion that the Respondent was willing to violate the law, by discriminating against employees, in order to keep the Union out." *Raysel-IDE, Inc.*, 284 NLRB 879, 880 (1987); *Fibracan Corp.*, 259 NLRB 161, 171-172 (1981). The only credible evidence of animus is the statement of Rummell to Morgan, that he felt Morgan was laid off because of his involvement with the Union, which I have concluded, under the circumstances, was coercive and constituted a violation of Section 8(a)(1). However, given Rummell's credible testimony that he had no factual basis for his statement to Morgan and that it was conjecture on his part, I do not believe that this technical violation of Section 8(a)(1) establishes a degree of hostility toward the Union on the Respondent's part that is strong enough to support the conclusion that it was willing to violate the law in order to keep the Union out.

In the event that the Board should disagree and conclude that a prima facie case of discrimination has been established, I also find that the Respondent has demonstrated that it would have taken the same action even in the absence of protected activity on Morgan's part. The General Counsel points to several things surrounding Morgan's layoff on April 19 that are alleged to be suspicious, such as, the precipitous nature of the layoff, the timing of the layoff on the same day as the first scheduled union meeting, and the fact that Morgan had not completed the orders he was working at the time of his layoff due to lack of work. However, I find that in each instance the argument is premised on testimony by Morgan that I do not credit or that the Respondent has provided a reasonable explanation for its actions which refutes a discriminatory motive.

Morgan testified that he was operating two machines about 9 a.m. on April 19 when he was called into the office where Rummell, Webber, and Plant Manager Robert Seigel were present. Webber spoke first and told Morgan he was discharging or laying him off due to lack of work. Rummell said there was no lack of work and asked why he had not

been informed of the layoff. Morgan said that laying him off was wrong because there were other employees who had more problems than he did. Seigel said that it did not matter as the Respondent was an "at-will" employer and could hire and fire at will. Webber told Morgan he wanted him gone and that he should leave right away, so he got up and quietly walked out of the office and down the hallway although Webber was hollering at him to come back. On cross-examination, Morgan said that Webber told him that he was being "terminated" and that, when he asked why, Webber said it did not matter, but they were letting him go for lack of work. Webber also said that Morgan may or may not be called back and then said, "I'm telling you right now, we're not calling you back." When asked if Webber had said he was being laid off immediately, Morgan insisted that he said that he was being terminated.

Robert Seigel testified that he had served as the Respondent's plant manager from September 1994, until June 29, 1995, when he was laid off. On the morning of April 19 he was informed by Webber that Morgan was being laid off due to a shortage of work in the Backroom but he had no involvement in the layoff decision. He and Webber had discussed how Morgan would be informed of the layoff and they agreed that, as plant manager, Seigel should do it. When Morgan came into the office Seigel told him he was being permanently laid off because of lack of work. He explained that the layoff was "permanent" because they did not have a date on which Morgan would be recalled and that it needed to be so designated for unemployment compensation purposes. He also told Morgan what he had to do to get unemployment. Morgan said that he had more seniority than some other employees. Seigel told him that the Respondent was an at-will employer that did not go by seniority, but also pointed out that Morgan was the least senior person in the Backroom. Seigel testified that he told Morgan he was being laid off "immediately" as, based on his experience, it was his judgment that it is best to get a laid-off employee out of the plant so that there will be no "rabble-rousing" or "causing trouble with other employees." He said that is how it had been handled in his previous employment, although he had no reason to believe that Morgan would cause any trouble in the shop. He testified that he did not use the word "termination" during the meeting and did not believe that Webber used it. He also testified that at the meeting he had none of the paperwork that is normally used in exit interviews with employees who quit or are terminated.

Webber testified that he was informed by Gregory Obarski on April 19 that because of lack of work in his area and his low skill level Morgan was to be laid off. He did not give any instructions but left it up to Webber and Seigel as to how it was handled. They met with Morgan in a conference room and Seigel informed him that he was being laid off because lack of work necessitated reducing manpower. Seigel said that the layoff was permanent for unemployment compensation purposes. Webber said that he did not tell Morgan that he was terminated but told him directly that the layoff was temporary. Although Obarski had indicated that Morgan could finish out the day, Webber and Seigel felt that he should leave immediately and not remain around the shop. During the meeting Morgan became upset and got up and walked out of the room. Webber hollered at him to come back so they could finish but he did not return and they

heard a door slam. He testified that during the meeting Rummell did not say that there was not a lack of work or that the layoff was unnecessary and that Rummell had previously informed him that there was not enough work in the Backroom.

Gregory Obarski credibly testified that in 1995 the majority of the Respondent's manual machining work, the type performed by Morgan, was from a single customer, Champion Sparkplug. In late February and early March, the normal volume of orders from Champion had been reduced by about half and had not picked back up in a week or two as it normally did. On March 24, backroom employee John Dunne was terminated and was not replaced. By the first of April, orders had not increased and backroom employees were working fewer hours and producing internal stock items in order to stay busy. In April, after the Respondent received two orders from Champion, Obarski called a purchasing agent at Champion to see if this was the "start of something" and was told there was "nothing else in the pipeline." At that point, the first order was almost completed and he had determined that it was necessary to reduce work hours companywide. On April 13, he also learned that employee Kevin Snider who had been temporarily assigned to OMT Manufacturing, a newly formed division of the company, to prepare its building for manufacturing operations, would complete that assignment as of April 19. This meant he had too many employees without enough work for them. Obarski testified that on April 13 he decided to lay off Morgan and terminate Porter from the Backroom. In other areas of the plant, he decided to transfer an employee to OMT and to do nothing to prevent the departure of two others that he had heard were thinking of leaving because of the reduction in their overtime. He testified that he decided to put Snider in the Backroom when he returned on April 20 and to lay off Morgan because he considered Snider a better employee who was more versatile and could perform jobs in other areas of the plant that Morgan could not. He was also influenced by the fact that Snider had been laid off for a time in November 1994 and he feared that if he were laid off again he might not come back. It was his intention that Morgan's layoff would be temporary and that he would be recalled when Snider had to be used elsewhere, but that he did not know what its duration would be. He subsequently decided, based Morgan's actions during the layoff meeting and his "relatively long history of previous employment problems," that it was not worth bringing him back and his layoff status was changed to permanent.

I found the credible and consistent testimony of Seigel, Webber, and Obarski to be more believable than that of Morgan. I find there is no credible evidence that Morgan was told that he was terminated on April 19 or that it was the Respondent's intention to do so. On the contrary, the evidence shows he was informed that he was being laid off because of lack of work in the backroom and that, while it was designated as "permanent" for unemployment purposes, it was a temporary layoff. I also find that the evidence establishes that the Respondent had experienced a reduction in the amount of work available for employees in the backroom and that was the reason that Morgan, considered by his supervisors to be a marginal employee with few skills and a bad

attitude, was selected for layoff.<sup>4</sup> The evidence does not support Morgan's claim that there was not a lack of work for the backroom.<sup>5</sup> It may be true that he had not completed the two orders he was working on at the time of the layoff, but Obarski's credible testimony was that there was nothing in the pipeline beyond those orders, that he had Snider coming back, and that he planned to use him in the backroom to complete those orders. The timing of an employer's action can be persuasive evidence of its motivation. *Limestone Apparel Corp.*, 255 NLRB 722, 736 (1981). Although the fact that Morgan's layoff occurred on the same date as the first union meeting he had helped solicit employees to attend raises suspicions, I find the evidence establishes that the timing of the layoff was related to Snider's becoming available to replace Morgan, beginning on April 20. I find that neither the fact that Rummell was not informed of the layoff until a few minutes before it occurred nor that Morgan was not allowed to finish out the day to be evidence of discriminatory intent on the Respondent's part. There is no evidence that Rummell had any input into personnel decisions of this kind. There is also nothing in the record to support the contention that it was "not normal" for an employee of the Respondent to be laid off in the middle of the week and the workday. Gregory Obarski made the decision to lay off Morgan but left the implementation to Webber and Seigel. It was their decision that Morgan should leave immediately rather than completing the day in order to avoid any disruption in the shop, as that was the way Seigel had handled layoffs in his previous employment. Morgan was paid for the full day. Finally, having found that the Respondent's decision to lay off Morgan was not improperly motivated, there is no basis to conclude that its subsequent decision to not recall him, based on his conduct during the layoff meeting, was discriminatory. I shall recommend that this allegation be dismissed.

#### CONCLUSIONS OF LAW

1. The Respondent, OBARS Machine & Tool Co., is an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

2. The Union is a labor organization within the meaning of Section 2(5) of the Act.

3. The Respondent violated Section 8(a)(1) of the Act by informing an employee that he had been laid off because of his activity on behalf of and his support for the Union.

<sup>4</sup>The term "attitude" has sometimes been used as an indirect reference to an employee's union activities or support. E.g., *Virginia Metalcrafters*, 158 NLRB 958, 961-962 (1966); *Winn-Dixie Greenville*, 157 NLRB 657, 662 (1966). I find that is not the case here and that it is related to an incident in which Morgan made derogatory remarks about the company's controller, for which he was required to apologize.

<sup>5</sup>Rummell, who Morgan claims disputed that there was a lack of work during the April 19 layoff meeting, testified that prior to that date he had spoken with Webber about the lack of work in the backroom.

4. The aforesaid unfair labor practice is an unfair labor practice affecting commerce within the meaning of Section 2(6) and (7) of the Act.

5. The Respondent did not engage in the unfair labor practices alleged in the complaint not specifically found herein.

#### REMEDY

Having found that the Respondent has engaged in certain unfair labor practices, I shall recommend that it be ordered to cease and desist therefrom and to take certain affirmative action designed to effectuate the policies of the Act.

On the foregoing findings of fact and conclusions of law and on the entire record, I issue the following recommended<sup>6</sup>

#### ORDER

The Respondent, OBARS Machine & Tool Co., Toledo, Ohio, its officers, agents, successors, and assigns, shall

1. Cease and desist from

(a) Telling employees that they have been laid off because of their activities on behalf of and their support for the Union or any other labor organization.

(b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act.

(a) Within 14 days after service by the Region, post at its facility in Toledo, Ohio, copies of the attached notice marked "Appendix."<sup>7</sup> Copies of the notice, on forms provided by the Regional Director for Region 8, after being signed by the Respondent's authorized representative, shall be posted by the Respondent immediately upon receipt and maintained for 60 consecutive days in conspicuous places including all places where notices to employees are customarily posted. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. In the event that during the pendency of these proceedings, the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its expense, a copy of the notice to all current employees and former employees at any time since May 22, 1995.

(b) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

<sup>6</sup>If no exceptions are filed as provided by Sec. 102.46 of the Board's Rules and Regulations, the findings, conclusions, and recommended Order shall, as provided in Sec. 102.48 of the Rules, be adopted by the Board and all objections to them shall be deemed waived for all purposes.

<sup>7</sup>If this Order is enforced by a judgment of a United States court of appeals, the words in the notice reading "Posted by Order of the National Labor Relations Board" shall read "Posted Pursuant to a Judgment of the United States Court of Appeals Enforcing an Order of the National Labor Relations Board."

## DECISIONS OF THE NATIONAL LABOR RELATIONS BOARD

## APPENDIX

NOTICE TO EMPLOYEES  
POSTED BY ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government

The National Labor Relations Board has found that we violated the National Labor Relations Act and has ordered us to post and abide by this notice.

WE WILL NOT tell our employees that they have been laid off because of their activities on behalf of and support for District Lodge 57, International Association of Machinists and Aerospace Workers, AFL-CIO or any other labor organization.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights guaranteed you by Section 7 of the Act.

OBARS MACHINE & TOOL CO.