

B. Refusal to Bargain

About December 11, 1998, and again on March 21, 1999, the Unions requested the Respondent to bargain, and, about December 29, 1998, and about March 30, 1999, the Respondent refused. We find that these refusals constitute an unlawful refusal to bargain in violation of Section 8(a)(5) and (1) of the Act.

CONCLUSION OF LAW

By refusing on and after December 29, 1998, and March 30, 1999, to bargain with the Unions as the exclusive collective-bargaining representative of employees in the appropriate unit, the Respondent has engaged in unfair labor practices affecting commerce within the meaning of Section 8(a)(5) and (1) and Section 2(6) and (7) of the Act.

REMEDY

Having found that the Respondent has violated Section 8(a)(5) and (1) of the Act, we shall order it to cease and desist, to bargain on request with the Unions, and, if an understanding is reached, to embody the understanding in a signed agreement.

To ensure that the employees are accorded the services of their selected bargaining agent for the period provided by the law, we shall construe the initial period of the certification as beginning the date the Respondent begins to bargain in good faith with the Unions. *Mar-Jac Poultry Co.*, 136 NLRB 785 (1962); *Lamar Hotel*, 140 NLRB 226, 229 (1962), *enfd.* 328 F.2d 600 (5th Cir. 1964), *cert. denied* 379 U.S. 817 (1964); *Burnett Construction Co.*, 149 NLRB 1419, 1421 (1964), *enfd.* 350 F.2d 57 (10th Cir. 1965).

ORDER

The National Labor Relations Board orders that the Respondent, Joseph T. Ryerson and Son, Inc., Chicago, Illinois, its officers, agents, successors, and assigns, shall

1. Cease and desist from

(a) Refusing to bargain with Machinery, Scrap Iron, Metal and Steel Chauffeurs, Warehousemen, Handlers, Helpers, Alloy Fabricators, Theatrical Exposition, Convention, and Trade Show Employees, Chicago and Vicinity, Local 714, affiliated with International Brotherhood of Teamsters, AFL-CIO, and United Steelworkers of America, AFL-CIO as the exclusive bargaining representative of the employees in the bargaining unit.

(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) On request, bargain with the Unions as the exclusive representative of the employees in the following appropriate unit on terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

All full-time and regular part-time production and maintenance employees employed by the Employer at its North, Center, South, West and Plastics Plants presently located at 16th and Rockwell, Chicago, Illinois; at its East Plant presently located at 83rd Street and Stewart, Chicago, Illinois; Midwest Coil Processing, Ryerson Coil Pickling, and Brite Line facilities presently located at 720 East 111th Street, Chicago, Illinois; and at its Grinding facility presently located at 900 East 103rd Street, Chicago, Illinois; excluding all summer students employees, salaried employees, office clerical employees, employees represented by other labor organizations, employees of independent contractors, professional employees, guards and supervisors as defined in the Act.

(b) Within 14 days after service by the Region, post at its facilities in Chicago, Illinois, copies of the attached notice marked "Appendix."³ Copies of the notice, on forms provided by the Regional Director for Region 13, after being signed by the Respondent's authorized representative, shall be posted by the Respondent 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 own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since December 29, 1998.

(c) 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.

³ 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."

Dated, Washington, D.C. August 6, 1999

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Sarah M. Fox,	Member
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Wilma B. Liebman,	Member
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Peter J. Hurtgen,	Member

(SEAL) 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 refuse to bargain with Machinery, Scrap Iron, Metal and Steel Chauffeurs, Warehousemen, Handlers, Helpers, Alloy Fabricators, Theatrical Exposition, Convention, and Trade Show Employees, Chicago and Vicinity, Local 714, Affiliated with International Brotherhood of Teamsters, AFL-CIO and United Steelworkers

of America, AFL-CIO as the exclusive representative of the employees in the bargaining unit.

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.

WE WILL, on request, bargain with the Unions and put in writing and sign any agreement reached on terms and conditions of employment for our employees in the bargaining unit:

All full-time and regular part-time production and maintenance employees employed by the us at our North, Center, South, West and Plastics Plants presently located at 16th and Rockwell, Chicago, Illinois; at its East Plant presently located at 83rd Street and Stewart, Chicago, Illinois; Midwest Coil Processing, Ryerson Coil Pickling, and Brite Line facilities presently located at 720 East 111th Street, Chicago, Illinois; and at its Grinding facility presently located at 900 East 103rd Street, Chicago, Illinois; excluding all summer students employees, salaried employees, office clerical employees, employees represented by other labor organizations, employees of independent contractors, professional employees, guards and supervisors as defined in the Act.

JOSEPH T. RYERSON AND SON, INC.