



United States Government
NATIONAL LABOR RELATIONS BOARD
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March 13, 2009

LeGene Jenkins
3331 Charles Drive
Mesick, MI 49668

Re: Cerion, LLC, d/b/a Metavation, LLC
Case GR-7-RD-3635

Dear Mr. Jenkins:

The above-captioned case, petitioning for an investigation and decertification of representative under Section 9(c) of the National Labor Relations Act, has been carefully investigated and considered. As a result of the investigation, I find that further proceedings are unwarranted.

Based on a charge filed by the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO, and its Local 3032 in Case GR-7-CA-51741, the undersigned has concluded that there is reasonable cause to believe that the Employer violated Section 8(a)(1) and (5) of the Act involving the bargaining unit herein. A Complaint and Notice of Hearing issued on March 12, 2009, in said case alleging, *inter alia*, in paragraphs 10-14, that the Employer told employees that it would not recognize the UAW, coercively interrogated employees about their union activities, interfered with the employees' union activities, unilaterally changed terms and conditions of employment, and unlawfully withdrew recognition from the UAW.

The alleged conduct of the Employer, as noted above, constitutes a repudiation of its bargaining relationship with the UAW. The relief sought in the complaint includes an affirmative bargaining order. Accordingly, as a question concerning representation may not appropriately be raised at this time, I am, therefore, dismissing the petition in this matter.

The petition is subject to reinstatement, if appropriate, upon Petitioner's application, upon disposition of the unfair labor practice proceeding. In order that the Petitioner promptly may be notified of such disposition, I have directed that the Petitioner be made a party of interest to the unfair labor practice proceeding in Case GR-7-CA-51741. Petitioner's interest in the unfair labor practice case will be limited solely to receipt of a copy of the order or other documents that finally disposes of that proceeding.

Pursuant to the National Labor Relations Board's Rules and Regulations, any party may obtain a review of this action by filing a request therefore with the National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570-0001. A copy of the request for review must be served on each of the other parties to the proceeding, as well as on the undersigned. This request for review must contain a complete statement setting forth the facts and reasons on which it is based. The request for review (eight copies) must be received by the Executive Secretary of the Board by close of business on **March 27, 2009**, except that the Board may, upon good cause shown, grant special permission for a longer period within which to file. The request for review **MAY NOT** be filed by facsimile transmission. A request for extension of time, which **MAY** be filed by facsimile transmission, should be submitted to the Board in Washington, D.C. no later than the date set forth above for filing of the request for review, and a copy of any such request for extension of time should be submitted to the undersigned and to the other parties to this proceeding.

The request for review and any request for extension of time must include a statement that a copy has been served on this office and on each of the other parties to this proceeding in the same or a faster manner as that utilized in filing the request with the Board.

The request for review may be filed electronically through E-Gov on the Board's website, www.nlr.gov. To file the request for review electronically, go to www.nlr.gov and select the E-Gov tab. Then click on the E-Filing link on the menu. When the E-File page opens, go to the heading Board/Office of Executive Secretary and click on the File Documents button under that heading. A page then appears describing the E-Filing terms. At the bottom of that page, the user must check the box next to the statement indicating that the user has read and accepts the E-Filing terms and then click the Accept button. Then complete the E-Filing form, attach the document containing the request for review, and click the Submit Form button. Guidance for E-Filing is contained in the attachment supplied with the Regional Office's initial correspondence on this matter and is located under E-Gov on the Board's web site, www.nlr.gov.

If you file the request for review electronically it will be considered timely filed if the transmission of the entire document through the Agency's website is accomplished **no later than 11:59 p.m. Eastern Time** on the due date.

If the Agency's E-Filing system is unable to receive documents for an intermittent or continuous period of more than 2 hours after 12 noon (in the time zone of the receiving office), the site will be declared to be in technical failure. Notice of the technical failure determination will be posted on the website as soon as possible. Scheduled service, system maintenance or upgrades or when the system will be unavailable to receive filings will also be posted. If the system is determined to be in technical failure on the due date for the filing of a document and the failure prohibited a party from E-Filing, the document must be filed by the close of business of the receiving office on the next business day.

In the event the document being filed electronically is required to be served on another party to a proceeding, the other party shall be served by electronic mail (email), if possible. If the other party does not have the ability to receive electronic service, the other party shall be notified by telephone of the substance of the transmitted document and a copy of the document

shall be served by personal service no later than the next day, by overnight delivery service, or, with the permission of the party receiving the document, by facsimile transmission.

Very truly yours,

Stephen M. Glasser
Regional Director

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cc: Executive Secretary
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