



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
10 Causeway St Fl 6
Boston, MA 02222-1001

Agency Website: www.nlr.gov
Telephone: (617)565-6700
Fax: (617)565-6725

September 28, 2018

(b) (6), (b) (7)(C)

Re: NATIONAL RURAL LETTER CARRIER
ASSOCIATION
(United States Postal Service)
Case 01-CB-221419

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that National Rural Letter Carrier Association has violated the National Labor Relations Act and the Postal Reorganization Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlr.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlr.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **October 12, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a

delivery service no later than **October 11, 2018**. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 12, 2018**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after **October 12, 2018, even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

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Very truly yours,

A handwritten signature in dark ink, appearing to read "Paul J. Murphy", written in a cursive style.

PAUL J. MURPHY
Acting Regional Director

Enclosure

cc: Jean Marc Favreau, Attorney
Peer Gan & Gisler LLP
1730 Rhode Island Ave NW, Suite 715
Washington, DC 20036-3115

NATIONAL RURAL LETTER CARRIER - 3 - September 28, 2018
ASSOCIATION (United States Postal
Service)
Case 01-CB-221419

National Rural Letter Carrier Association
1630 Duke Street
Alexandria, VA 22314-3467

Roderick D. Eves, Deputy Managing
Counsel
United States Postal Service
1720 Market Street
Rm 2400
St. Louis, MO 63155-9948



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September 26, 2018

(b) (6), (b) (7)(C)

Re: American Postal Workers Union, Central
Massachusetts Area Local
(United States Postal Service)
Case 01-CB-221733

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that AMERICAN POSTAL WORKERS UNION has violated the National Labor Relations Act.

Decision to Dismiss: The investigation disclosed insufficient evidence to establish that the Union violated Section 8(b)(1)(A) of the Act by refusing to process the your grievance for arbitrary or discriminatory reasons or in bad faith. I am, therefore, refusing to issue complaint in this matter.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

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Very truly yours,

A handwritten signature in cursive script, appearing to read "Paul J. Murphy".

PAUL J. MURPHY
Acting Regional Director

PJM:cds
Enclosure

American Postal Workers Union, Central
Massachusetts Area Local (United States
Postal Service)
Case 01-CB-221733

- 3 -

September 26, 2018

cc:

(b) (6), (b) (7)(C)

American Postal Workers Union
65 Southbridge Street, Ste 101b
Auburn, Ma 01501-2566

(b) (6), (b) (7)(C)

United States Postal Service
93 Sawyer St
South Lancaster, Ma 01561-9800

Roderick D. Eves, Deputy Managing Counsel
United States Postal Service
1720 Market Street, Rm 2400
St. Louis, MO 63155-9948



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

Agency Website: www.nlrb.gov
Telephone: (860)240-3522
Fax: (860)240-3564

September 26, 2018

(b) (6), (b) (7)(C)

Re: Teamsters Local 251
(Lifespan)
Case 01-CB-222129

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that the Union has violated the National Labor Relations Act.

Decision to Dismiss: Your charge alleges that the Union discriminatorily billed you because of your (b) (6), (b) (7)(C) status with another employer with whom the Union was having a labor dispute and threatened you and (b) (6), (b) (7)(C) for the same unlawful reason. The investigation revealed insufficient evidence to support these allegations. Rather, the investigation established that the Union sought payment for back dues from you and approximately 1,500 other fellow employees as a result of a financial audit by the International Union. Although the letter seeking the payment of dues arrived during a contentious strike at your (b) (6), (b) (7)(C) place of employment and erroneous statements were initially made about the nature of the money owed to the Union, the basis for the dues arrearage was fully and correctly explained to you. Moreover, it is noted that the amount of arrearage was reduced by about 75 percent upon your request for a (b) (6), (b) (7)(C) reduction. Thus, despite the alleged statements suggesting that the amount owed was tied to the labor dispute involving your (b) (6), (b) (7)(C) employer, the evidence revealed that the dues arrearage applied to a significant portion of the bargaining unit and neither you nor your (b) (6), (b) (7)(C) were treated any differently from other similarly situated union members.

With regard to the allegation that the Union threatened you and your (b) (6), (b) (7)(C) because (b) (6), (b) (7)(C) is a (b) (6), (b) (7)(C) or an employer with which the Union had a labor dispute, the evidence failed to establish that any alleged threatening statements made during the contentious labor dispute were made by union representatives or agents. Regarding the alleged statement made by a union representative to a (b) (6), (b) (7)(C) that you owed money to the Union for crossing the picket line, the Union's subsequent communications to you regarding the reason for your dues arrearage clearly identified the basis for the delinquency, which was unrelated to any picket line activity. Accordingly, I am refusing to issue complaint in this matter.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

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Very truly yours,

Paul J. Murphy
Acting Regional Director

A handwritten signature in black ink that reads "Michael C. Cass". The signature is written in a cursive, flowing style.

By:

Michael C. Cass
Officer in Charge

Enclosure

cc: Paul Santos, Business Agent
Teamsters Local 251
121 Brighton Avenue
East Providence, RI 02914-3901

Anthony D. Rizzotti, Esq.
Richard Marks, Esq.
Littler Mendelson, P.C
1 International Pl Ste 2700
Boston, MA 02110-2607

Lifespan
c/o Rhode Island Hospital
593 Eddy St
Providence, RI 02903-4923



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September 27, 2018

(b) (6), (b) (7)(C)

Re: MASSACHUSETTS NURSES
ASSOCIATION
(Northeast Health Systems)
Case 01-CB-222202

(b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that MASSACHUSETTS NURSES ASSOCIATION has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlr.gov and:

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Very truly yours,



PAUL J. MURPHY
Acting Regional Director

PJM:cds
Enclosure

cc:

(b) (6), (b) (7)(C)

Massachusetts Nurses Association
340 Turnpike Street, 2nd Floor
Canton, MA 02021-2711

Alan J. McDonald, ESQ.
McDonald, Lamond, Canzoneri
352 Turnpike Road, Suite 310
Southborough, MA 01772-1756

Kristen A. Barnes, Atty.
McDonald, Lamond, Canzoneri
352 Turnpike Road, Suite 310
Southborough, MA 01772-1756

Northeast Health Systems
85 Herrick Street
Beverly, MA 01915



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

Agency Website: www.nlr.gov
Telephone: (860)240-3522
Fax: (860)240-3564

September 20, 2018

(b) (6), (b) (7)(C)

Re: Boilermakers NEAAC, Local 237
(IPC Lydon @ Millstone Power Plant)
Case 01-CB-222883

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that the Union has violated the National Labor Relations Act.

Decision to Dismiss: Despite repeated written and telephonic requests from the investigating Board agent, no evidence was proffered in support of your charge. Accordingly, I am refusing to issue complaint in this matter.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlr.gov and:

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Appeal Due Date: The appeal is due on **October 4, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be

September 20, 2018

completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 3, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

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Very truly yours,

Paul J. Murphy
Acting Regional Director



By:

Michael C. Cass
Officer in Charge

Enclosure

cc: see attached

cc:

(b) (6), (b) (7)(C)

Int'l Brotherhood of Boilermakers, Iron
Ship Builders, Blacksmiths, Forgers
& Helpers, Local 237
297 Burnside Ave
East Hartford, CT 06108-2317

Stephen F. McEleney, Esq.
112 Spencer St Ste 3A
Manchester, CT 06040-4601

Jesse Killgore, Supervisor
IPC Lydon @ Millstone Power Plant
284 Bodwell Street
Avon, MA 02322



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

Agency Website: www.nlr.gov
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September 25, 2018

(b) (6), (b) (7)(C)

Re: Local 1746 Machinists Workers
(Pratt & Whitney)
Case 01-CB-223221

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that the Union has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss the charge for the reasons discussed below.

The investigation failed to establish, as alleged, that the Union refused to process or “put on hold” your client’s grievances because (b) (6) is pursuing a related (b) (6), (b) (7)(C) claim against the Employer in United States District Court. To the contrary, the available evidence revealed that the Union processed (b) (6) grievances on (b) (6), (b) (7)(C) behalf and advised (b) (6), (b) (7)(C) of the results; one of which provided for a reduction in discipline and payment of backpay. There was no evidence that the Union otherwise refused to process any grievances filed on (b) (6), (b) (7)(C) behalf.

Although it was also asserted that the Union violated the Act by refusing to honor a request to be represented by a specific steward, there was no evidence the Union denied your client’s request based upon any unlawful considerations. Rather, the investigation disclosed that the Union’s decision was based upon legitimate business considerations. See, e.g., *Pacific Gas & Electric*, 253 NLRB 1143 (1981) (Union’s assignment of stewards at both locations reflected its concern that employees have readily available representation wherever they were working.)

Accordingly, I am refusing to issue Complaint in this matter.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

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September 25, 2018

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Very truly yours,

Paul J. Murphy
Acting Regional Director

Michael C. Cass

By:
Michael C. Cass
Officer in Charge

Enclosure

cc: (b) (6), (b) (7)(C)
Machinists Local 1746
357 Main Street
East Hartford, CT 06118

William Rudis, Grand Lodge Rep.
Machinists and Aerospace Workers
District Lodge 4
26 Court Street, Suite 1710
Brooklyn, NY 11242

(b) (6), (b) (7)(C)

Raja Maharajh, Vice Pres. and GC
Robert C. Jenkins, Assoc. GC
Pratt & Whitney
400 Main St
East Hartford, CT 06108-0968



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 34
450 Main St Ste 410
Hartford, CT 06103-3078

Agency Website: www.nlrb.gov
Telephone: (860)240-3522
Fax: (860)240-3564

September 24, 2018

(b) (6), (b) (7)(C)

Re: Teamsters Local 191
(Sportech Venues, Inc.)
Case 01-CB-223303

Dear (b) (6), (b) (7)(C):

We have carefully considered your charge that the Union has violated the National Labor Relations Act.

Decision to Dismiss: Despite repeated telephonic requests from the investigating Board agent and her supervisor, and a written request dated September 7, 2018, no evidence was proffered in support of your charge. Accordingly, I am refusing to issue complaint in this matter.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

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Appeal Due Date: The appeal is due on **October 9, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by

delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 8, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 9, 2018.** The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 9, 2018, **even if it is postmarked or given to the delivery service before the due date.** Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

Paul J. Murphy
Acting Regional Director



By:
Michael C. Cass
Officer in Charge

Enclosure

cc: see attached

cc:

Mr. Robert Digirolamo
Teamsters Local 191
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John T Fussell, Esq.
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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
10 Causeway St Fl 6
Boston, MA 02222-1001

Agency Website: www.nlrb.gov
Telephone: (617) 565-6700
Fax: (617) 565-6725

September 21, 2018

JONATHAN KESELENKO, ATTORNEY
FOLEY HOAG, LLP
155 SEAPORT BOULEVARD
BOSTON, MA 02210

Re: UNITE HERE LOCAL 26 (Boston
Management LLC d/b/a Battery Wharf
Hotel)
Case 01-CB-223890

Dear Mr. Keselenko:

We have carefully investigated and considered your charge that UNITE HERE LOCAL 26 has violated the National Labor Relations Act.

Decision to Dismiss: Your charge alleges that the UNITE HERE, Local 26 (Union) violated Section 8(b)(3) of the Act by failing and refusing to furnish requested information to Battery Management LLC d/b/a Battery Wharf Hotel (Employer) related to a contract proposal that the Union made during negotiations for a successor collective-bargaining agreement. The investigation disclosed that although the Union never provided the Employer with the requested information, the Union withdrew the contract proposal upon which the request was predicated. Therefore, at the point that the Union withdrew its proposal, the information was no longer relevant. Furthermore, the parties did not meet to bargain or exchange any proposals during the period in which the information request was pending and for reasons that were totally unrelated to the outstanding information request. Therefore, the Union's failure to provide the information did not impede bargaining or prejudice the Employer. Under these circumstances, assuming without finding that the Union was obligated to provide any of the requested information, further proceedings would not effectuate the purposes and policies of the Act. I am therefore, dismissing your charge.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlrb.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlrb.gov. You are encouraged to also submit a complete statement of the

September 21, 2018

facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **October 5, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service **no later than October 4, 2018**. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. **by 5:00 p.m. Eastern Time on the appeal due date**. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 5, 2018**. The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file **an appeal received after October 5, 2018, even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

September 21, 2018

Very truly yours,

A handwritten signature in dark ink, appearing to read "Paul J. Murphy". The signature is fluid and cursive, with the first name "Paul" being more prominent.

PAUL J. MURPHY
Acting Regional Director

PJM/rg

Enclosure

cc: BRIAN LANG, PRESIDENT
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