



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlr.gov
Telephone: (312)353-7570
Fax: (312)886-1341

September 18, 2018

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

Re: United Auto Workers (UAW) Local 2335
(Lear Corporation)
Case 13-CB-202341

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

We have carefully investigated and considered your charge that United Auto Workers (UAW) Local 2335 has violated the National Labor Relations Act.

Decision to Dismiss: On September 28, 2017, I informed you of my intention to dismiss this charge in 6 months unless a new meritorious charge was filed within that time alleging that the Union has engaged in other unfair labor practices that make dismissal of your charge inappropriate. No such charge has been filed. Accordingly, I have concluded that further proceedings are not warranted and I am 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.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 2, 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

September 18, 2018

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 1, 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 2, 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 2, 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,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

VR/lab

Enclosure

cc: Andrea Johnson, Manager
Employee and Labor Relations
Lear Corporation
1401 165th Street
Hammond, IN 46320-2816

Jaime Luna, President
United Auto Workers (UAW) Local 2335
PO Box 4239
Hammond, IN 46324-0239

Niraj Ganatra, General Counsel
International Union, United Automobile, Aerospace and
Agricultural Implement Workers of America (UAW), AFL-CIO
Law Department
8000 East Jefferson Avenue
Detroit, MI 48214

Jeff Sodko, Deputy General Counsel
International Union, United Automobile, Aerospace and
Agricultural Implement Workers of America (UAW), AFL-CIO
Law Department
8000 East Jefferson Avenue
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September 26, 2018

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

Re: United Food and Commercial Workers
Local 1546 (South Chicago Packing Co.)
Case 13-CB-216929

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

We have carefully investigated and considered your charge that United Food and Commercial Workers Local 1546 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union violated the Act by refusing to take your discharge grievance against the Employer to arbitration and by refusing to process grievances over a three day suspension for attendance and a three day suspension for harassment because of arbitrary and discriminatory reasons. However, the evidence is insufficient to show that the Union's failure to process your grievances as far as you desire, or to achieve the results you desire, was for unfair, arbitrary or discriminatory reasons, rather than its judgment as to the merits of your grievances.

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:

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Appeal Due Date: The appeal is due on **October 10, 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 9, 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,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Robert O'Toole
United Food and Commercial Workers
Local 1546
1649 W. Adams Street, Fl. 2
Chicago, IL 60612-4819

Nicholas W. Clark, General Counsel
United Food & Commercial Workers
International Union (UFCW)
1775 K Street, NW Bsmt.
Washington, DC 20006-1598

Marisel A. Hernandez, Attorney
Jacobs Burns Orlove & Hernandez
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Chicago, IL 60601

Megan Robinson, HR Manager
South Chicago Packing Co.
845 W. 38th Street
Chicago, IL 60609



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September 19, 2018

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

Re: Bakery Confectionary Tobacco and Grain
Millers Union, Local 1 (Tootsie Roll, Inc.)
Case 13-CB-220224

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

We have carefully investigated and considered your charge that Bakery, Confectionery, Tobacco Workers and Grain Millers International Union, Local 1 has violated the National Labor Relations Act.

Decision to Dismiss: Based on the investigation, it appears that the portion of your charge alleging that the Union breached its duty of fair representation in its communications with you regarding your grievance may have merit. However, I have decided to conditionally dismiss that portion of the charge 6 months from today because there have not been any meritorious charges against Bakery, Confectionary, Tobacco Workers and Grain Millers International Union, Local 1 within the past several years and because the investigation failed to show that the Union was motivated by animus or other unlawful considerations in its processing of your grievance.

If a meritorious charge involving other unfair labor practices is filed against the Charged Party during that period, I will reconsider whether further proceeding on this charge are warranted. All other allegations raised in your charge remain outstanding for separate resolution.

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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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.

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Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

VR/lab

Enclosure

Bakery Confectionary Tobacco and Grain - 3 - September 19, 2018
Millers Union, Local 1 (Tootsie Roll, Inc.)
Case 13-CB-220224

cc: Donald Woods
 Bakery, Confectionery, Tobacco Workers and Grain Millers
 International Union, AFL-CIO-CLC, Local Union No. 1
 7310 39th Street
 Lyons, IL 60534-1247



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September 19, 2018

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

Re: Bakery Confectionary Tobacco and Grain
Millers Union, Local 1 (Tootsie Roll, Inc.)
Case 13-CB-220224

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

We have carefully investigated and considered your charge that Bakery, Confectionery, Tobacco Workers and Grain Millers International Union, Local 1 has violated the National Labor Relations Act.

Decision to Partially Dismiss: Based on that investigation, I have decided to dismiss that portion of the charge alleging that the Union failed to arbitrate your grievance for arbitrary or discriminatory reasons. The evidence showed that the union conducted an investigation which fulfilled their duty to represent you fairly and their decision to withdraw the grievance was based on their good faith evaluation of the merits of the grievance and not upon any unlawful considerations. All other aspects of the charge remain outstanding for separate disposition.

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,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

VR/lab

Enclosure

cc: Donald Woods
Bakery, Confectionery, Tobacco Workers and Grain Millers
International Union, AFL-CIO-CLC, Local Union No. 1
7310 39th Street
Lyons, IL 60534-1247



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September 27, 2018

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

Re: Service Employees International Union,
Local 1 (Corporate Cleaning Services, Inc.)
Case 13-CB-221444

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

We have carefully investigated and considered your charge that Service Employees International Union, Local 1 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that for the past six months, Service Employees International Union, Local 1 has failed and refused to assist you with your grievance against the Employer for arbitrary and discriminatory reasons. However, the evidence is insufficient to prove that the events complained of in your charge occurred within 6 months before the filing and service of the instant charge. Therefore, Section 10(b) of the National Labor Relations Act bars further proceedings on 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:

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Very truly yours,

/s/Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Laila Battaglia, Lead Grievance
Representative
Service Employees International Union,
Local 1
111 E Wacker Dr. Suite 1700
Chicago, IL 60601-4504

Michele N. Cotrupe, Esq., Associate
Counsel
Service Employees International Union,
Local 1
111 East Wacker Drive
Suite 1700
Chicago, IL 60601

Charles Adkins
Corporate Cleaning Services, Inc.
21 W Elm St
Chicago, IL 60610-6420



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September 27, 2018

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

Re: IBT 705 (3MD Relocation Services)
Case 13-CB-221668

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

We have carefully investigated and considered your charge that International Brotherhood of Teamsters, Local 705 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union violated the Act by refusing to take your discharge grievance to arbitration and by refusing to provide you a copy of the CBA. However, the evidence established that the Union provided you with a copy of the CBA prior to your discharge. Moreover, there was insufficient evidence to establish that the Union's refusal to arbitrate your grievance was based on other than a good faith evaluation of the merits of your claim. Nor did the evidence establish that the Union breached its duty of fair representation towards you in any other manner.

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

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Kristian Parker, Counsel
International Brotherhood of Teamsters,
Local 705
1645 W. Jackson Blvd.
Chicago, IL 60612

John Fahey, Owner
3MD Relocation Services
1915 Janice Avenue
Melrose Park, IL 60160-1008



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September 17, 2018

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

Re: SEIU Local 1 (Admiral Security)
Case 13-CB-222117

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

We have carefully investigated and considered your charge that SEIU Local 1 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that that within the previous six months, SEIU, Local 1 ("Union") has failed in its duty of fair presentation towards you. However, the evidence is insufficient to prove that the Union's refusal to file or process your grievances as far as you desire, or to achieve the results you desire, was for unlawful reasons. In addition, the evidence is insufficient to demonstrate that the Union engaged in disparate treatment or denied your request to view video footage due to unlawful reasons, or for reasons other than those advanced by the Union.

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Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: (b) (6), (b) (7)(C)
SEIU Local 1
111 E. Wacker Drive
Suite 1700
Chicago, IL 60601-4504

Michele N. Cotrupe
Service Employees International Union,
Local 1
111 E. Wacker Drive
Suite 1700
Chicago, IL 60601

Gene Weisskopf, Vice President
Admiral Security Services, Inc.
5550 W. Touhy Avenue, Suite 101
Skokie, IL 60077



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341

September 25, 2018

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

Re: United Brotherhood of Carpenters Local 10
(Momentum Management)
Case 13-CB-224568

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

We have carefully investigated and considered your charge that United Brotherhood of Carpenters Local 10 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union violated the Act by operating a hiring hall in a manner that is arbitrary, discriminatory, or in bad faith. However, the evidence was insufficient to show that the Union operates a hiring hall for trade show carpenters or has authority to assign or deny you work, or that the Union otherwise violated 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.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 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 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,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Randy Bott, President CEO
Momentum Management
12390 Arnold Mill Road, Suite B
Alpharetta, GA 30004-6643

Rick Bellerjeau, General Manager
Momentum Management
12390 Arnold Mill Road, Suite B
Alpharetta, GA 30004-6643

Kevin McLaughlin, President
United Brotherhood of Carpenters
Local 10
7625 W 100th Place
Bridgeview, IL 60455-2432

Nicholas E. Kasmer
Whitfield McGann & Ketterman
111 East Wacker Drive, Suite 2600
Chicago, IL 60601-4208

John Ramaglia, Vice President
Momentum Management
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Alpharetta, GA 30004-6643



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September 7, 2018

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

Re: SEIU Local 1 (The Jel Sert Comany)
Case 13-CB-224727

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

We have carefully investigated and considered your charge that SEIU Local 1 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union did not process your grievance against the Employer fairly. However, the evidence is insufficient to show that the Union's failure to process your grievance as far as you desire, or to achieve the results you desire, was for unfair, arbitrary, or discriminatory reasons, rather than its judgment as to the merits of your grievance.

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 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 **September 21, 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 **September 20, 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 September 21, 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 **September 21, 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,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Edward Bowen, Grievance Director
SEIU Local 1
111 E Wacker Dr Ste 2500
Chicago, IL 60601-4200

Michelle Cotrupe, Associate Counsel
Local 1 SEIU
111 East Wacker Drive
Suite 1700
Chicago, IL 60601

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Manager
The Jel Sert Co.
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Gary A. Wincek, Esq.
Laner Muchin Ltd.
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September 10, 2018

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

Re: Teamsters Local 727 (Standard Parking
Plus)
Case 13-CB-225241

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

We have carefully investigated and considered your charge that Teamsters Local 727 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union breached its duty of fair representation by its failure to process a grievance regarding your desire to be compensated by your Employer for taking a (b) (6), (b) (7)(C) in order to receive (b) (6), (b) (7)(C) through your (b) (6), (b) (7)(C). However, the evidence is insufficient to show that the Union's failure to process your grievance as far as you desire, or to achieve the results you desire, was for unfair, arbitrary or discriminatory reasons, rather than its judgment as to the merits of your grievance.

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 **September 24, 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 September 23, 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 September 24, 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 September 24, 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,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Mike Hardy, Manager
Standard Parking Plus (Sandburg)
1455 North Clark
Chicago, IL 60601

Jayna Brown, Assistant General Counsel
Teamsters Local 727
1300 W. Higgins Rd
Ste 111
Park Ridge, IL 60068-5764

Ben Rodriguez, Business Agent Local 727
Teamsters Local 727
1300 W. Higgins Rd
Ste 111
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September 26, 2018

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

Re: Teamsters Local 734 (Pepsico/Frito-Lay)
Case 13-CB-225751

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

We have carefully investigated and considered your charge that Teamsters Local 734 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union refused to process your grievance concerning your (b) (6), (b) (7)(C) 2018 suspension and (b) (6), (b) (7)(C) 2018 final written warning. However, the evidence is insufficient to show that the Union's failure to process your grievance as far as you desire, or to achieve the results you desire, was for unfair, arbitrary, or discriminatory reasons, rather than its judgment as to the merits of your grievance.

You have also alleged that the Union refused to process your grievance regarding your (b) (6), (b) (7)(C) 2018 suspension and (b) (6), (b) (7)(C) 2018 termination. However, the evidence is insufficient to establish that you did, in fact, file a grievance. I am, therefore, declining to issue complaint.

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 10, 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 9, 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 10, 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 10, 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,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Jeff Brodzioc, Warehouse Manager
Pepsico/Frito-Lay
4170 166th St
Oak Forest, IL 60452-4600

Scott Kunz, Secretary Treasurer
Teamsters Local 734
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