



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 8  
1240 E 9TH ST  
STE 1695  
CLEVELAND, OH 44199-2086

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (216)522-3715  
Fax: (216)522-2418

September 28, 2018

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

Re: Conti-Tech Continental AG  
Case 08-CA-214964  
United Steelworkers Local 843(Conti-Tech  
Continental AG)  
Case 08-CB-214962

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

We have carefully investigated and considered your charges that Conti-Tech Continental AG and United Steelworkers, Local 843L have violated the National Labor Relations Act.

**Decision to Dismiss:** You allege that the Union unlawfully modified the terms of the contract without the bargaining unit members' agreement and/or joined and urged the Employer to agree to a subsequent contract that the bargaining unit had voted against in violation of Section 8(b)(1)(A) and (2). You also allege that the Employer unilaterally agreed to the terms of a subsequent collective bargaining agreement by using an invalid ratification vote in order to discriminate against bargaining unit employees in violation of Section 8(a)(1), (3), and (5), and 8(d).

I have determined that both cases, which stem out of a ratification vote held on August 16, 2017 at the Employer's Marysville facility, are without merit. Specifically, you claim that the ratification procedures were improper so that the resulting Marysville local supplement to the master agreement should not have been implemented by the parties. However, it is well established that a union is not obligated to obtain employee ratification. "Rather as the designated representative, [a] union is free to negotiate and make binding agreements, with or without the formal consent or ratification of the unit employees." *International Longshoremen ILA Local 1575 (Navieras, NPR)*, 332 NLRB 1336 (2000). Unless the parties agree that employee ratification is a condition prerequisite to reaching an agreement, a ratification vote is purely an internal union matter.

There is no evidence that the parties made the acceptance of the Marysville supplemental agreement contingent on the approval of the members of Local 843L. Accordingly, I am refusing to issue complaint in these matters.

**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](http://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](http://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.

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Very truly yours,

/s/ Allen Binstock

ALLEN BINSTOCK  
Regional Director

Enclosure

cc: Bryan Mandzak, Human Resources  
Manager  
Conti-Tech Continental AG  
13601 Industrial Pkwy  
Marysville, OH 43040-8890

Courtney Burks  
90 S 7th St Ste 4950  
Minneapolis, MN 55402-4111

Brian Easley, Attorney  
Jones Day  
90 South Seventh Street  
Suite 5090  
Minneapolis, MN 55402

Randy Young, President  
United Steelworkers, Local 843L  
169 Grove Street  
Marysville, OH 43040

Nancy A. Parker, Assistant GC1  
United Steelworkers, AFL-CIO  
60 Boulevard of the Allies, Room 807  
Pittsburgh, PA 15222-1209



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September 26, 2018

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

Re: General Motors Inc.  
Case 08-CA-224363  
United Automobile, Aerospace &  
Agricultural Implement Workers of  
America, International Union, Local 1112  
(General Motors)  
Case 08-CB-224364

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

We have carefully investigated and considered your charges that General Motors and UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, LOCAL 1112 have violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charges 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](http://www.nlr.gov) and:

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Very truly yours,

/s/ Allen Binstock

ALLEN BINSTOCK  
Regional Director

Enclosure

cc: ED DRIVER, LABOR RELATIONS  
GENERAL MOTORS  
2300 HALLOCK YOUNG RD SW  
WARREN, OH 44481-9247

General Motors Inc.  
Case 08-CA-224363  
UAW (General Motors Inc.)  
Case 08-CB-224364

- 3 - September 26, 2018

KELLEN MYERS, COUNSEL  
GENERAL MOTORS, LLC  
300 RENAISSANCE CTR  
MAIL CODE: 482-C25-A36  
DETROIT, MI 48265

KELLEN T. MYERS, ESQ.  
GENERAL MOTORS  
TOWER 300 - MAIL CODE: 482-C25-A68  
300 RENAISSANCE CTR  
DETROIT, MI 48265

**(b) (6), (b) (7)(C)**  
UNITED AUTOMOBILE, AEROSPACE AND  
AGRICULTURAL IMPLEMENT WORKERS OF  
AMERICA, LOCAL 1112  
11471 REUTHER DR SW  
WARREN, OH 44481-9561

DENNIS HAINES, ESQ.  
GREEN HAINES SGAMBATI CO., LPA  
PO BOX 849  
CITY CENTRE ONE, SUITE 800  
YOUNGSTOWN, OH 44501-0849



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September 28, 2018

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We have carefully investigated and considered your charges that Conti-Tech Continental AG and United Steelworkers, Local 843L have violated the National Labor Relations Act.

**Decision to Dismiss:** You allege that the Union unlawfully modified the terms of the contract without the bargaining unit members' agreement and/or joined and urged the Employer to agree to a subsequent contract that the bargaining unit had voted against in violation of Section 8(b)(1)(A) and (2). You also allege that the Employer unilaterally agreed to the terms of a subsequent collective bargaining agreement by using an invalid ratification vote in order to discriminate against bargaining unit employees in violation of Section 8(a)(1), (3), and (5), and 8(d).

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There is no evidence that the parties made the acceptance of the Marysville supplemental agreement contingent on the approval of the members of Local 843L. Accordingly, I am refusing to issue complaint in these matters.

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Conti-Tech Continental AG  
Case 08-CA-214964  
United Steelworkers Local 843  
08-OCB-214962

- 3 -

September 27, 2018

Very truly yours,

/s/ Allen Binstock

ALLEN BINSTOCK  
Regional Director

Enclosure

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Manager  
Conti-Tech Continental AG  
13601 Industrial Pkwy  
Marysville, OH 43040-8890

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September 26, 2018

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

Re: United Auto Workers, Local 1250 (Ford  
Motor Company)  
Case 08-CB-216932

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

We have carefully investigated and considered your charge that United Auto Workers 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.

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/s/ Allen Binstock

ALLEN BINSTOCK  
Regional Director

Enclosure

cc: Carol Roberts  
Ford Motor Company  
Cleveland Engine Plant #1  
17601 Brookpark Road  
Brookpark, OH 44142

Mark Payne  
United Auto Workers  
17601 Brookpark Rd  
Brookpark, OH 44142-1518

James A. Britton, Esq.  
International Union, United Automobile,  
Aerospace and Agricultural Implement  
Workers of America (UAW), AFL-CIO  
8000 East Jefferson Avenue  
Detroit, MI 48214-2699



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September 14, 2018

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

Re: Chicago Midwest Regional Joint Board  
Workers United, Local 323 (Aramark  
Corporation)  
Case 08-CB-217684

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

We have carefully investigated and considered your charge that Chicago Midwest Regional Joint Board Workers United, Local 323 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.

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/s/ Allen Binstock

ALLEN BINSTOCK  
Regional Director

Enclosure

cc: Michael Purkatt, Plant Manager  
Aramark Uniform Services, Inc.  
5120 Advantage Dr  
Toledo, OH 43612-3876

Chicago Midwest Regional Joint Board  
Workers United, Local 323 (Aramark  
Corporation)  
Case 08-CB-217684

- 3 - September 14, 2018

Chris Rose, Staff Director  
Chicago Midwest Regional Joint Board  
Workers United, Local 323  
2300 Ashland Ave, Ste 212  
Toledo, OH 43620-1280

David P. Lichtman, Esq.  
Dowd Bloch Bennett Cervone Auerbach  
& Yokich  
8 S Michigan Ave Fl 19  
Chicago, IL 60603-3315



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September 26, 2018

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

Re: United Association of Plumbers and  
Pipefitters Local 776 (Various Employers)  
Case 08-CB-221625

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

We have carefully investigated and considered your charge that United Association of Plumbers and Pipefitters Local 776 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.

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Very truly yours,

/s/ Allen Binstock

ALLEN BINSTOCK  
Regional Director

Enclosure

cc: Mike Knisley, Business Manager  
United Association of Plumbers and  
Pipefitters Local 776  
1300 Bowman Rd  
Lima, OH 45804-3413

Kera L. Paoff, Esq.  
WIDMAN & FRANKLIN LLC  
405 Madison Avenue  
Suite 1550  
Toledo, OH 43604



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 8  
1240 E 9TH ST  
STE 1695  
CLEVELAND, OH 44199-2086

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (216)522-3715  
Fax: (216)522-2418

September 28, 2018

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

Re: Teamsters Local 507 a/w International  
Brotherhood of Teamsters (Mameco  
International, Inc. a division of Tremco)  
Case 08-CB-222102

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

We have carefully investigated and considered your charge that Teamsters Local 507 a/w International Brotherhood of Teamsters has violated the National Labor Relations Act.

**Decision to Dismiss:** You allege that your Union violated Section 8(b)(1)(A) of the National Labor Relations Act by failing to process your termination grievance to arbitration.

The investigation showed that you participated in a grievance hearing on your termination on (b) (6), (b) (7)(C), 2018. By letter dated (b) (6), (b) (7)(C) 2018, you were notified that the grievance was denied. As a (b) (6), (b) (7)(C), you were aware that the Union only advances grievances upon request of the grievant, yet you took no timely action to make such a request. The investigation failed to show that the Union acted arbitrarily, discriminatorily, or in bad faith in the processing of your grievance. 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](http://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](http://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](http://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.

**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/ Allen Binstock

ALLEN BINSTOCK  
Regional Director

Enclosure

Teamsters Local 507 a/w International  
Brotherhood of Teamsters (Mameco  
International, Inc. a division of Tremco)  
Case 08-CB-222102

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September 28, 2018

cc: Brian Pyclik, Plant Manager  
Mameco International, Inc.  
a division of Tremco  
Mameco International  
4475 E 175th St  
Cleveland, OH 44128-3599

Stephen J. Sferra, Attorney at Law  
Littler Mendelson PC  
1100 Superior Avenue, 20th Floor  
Cleveland, OH 44114

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

Teamsters Local 507 a/w  
International Brotherhood of Teamsters  
5425 Warner Rd Ste 7  
Cleveland, OH 44125-1147

George H. Faulkner, Esq.  
FAULKNER, HOFFMAN & PHILLIPS, LLC  
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Cleveland, OH 44135-6029



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Telephone: (216)522-3715  
Fax: (216)522-2418

September 26, 2018

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

Re: General Motors Inc.  
Case 08-CA-224363  
United Automobile, Aerospace &  
Agricultural Implement Workers of  
America, International Union, Local 1112  
(General Motors)  
Case 08-CB-224364

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

We have carefully investigated and considered your charges that General Motors and UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, LOCAL 1112 have violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charges 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](http://www.nlr.gov) and:

- 1) Click on E-File Documents;
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- 3) Follow the detailed instructions.

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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/ Allen Binstock

ALLEN BINSTOCK  
Regional Director

Enclosure

cc: ED DRIVER, LABOR RELATIONS  
GENERAL MOTORS  
2300 HALLOCK YOUNG RD SW  
WARREN, OH 44481-9247

General Motors Inc.  
Case 08-CA-224363  
UAW (General Motors Inc.)  
Case 08-CB-224364

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KELLEN MYERS, COUNSEL  
GENERAL MOTORS, LLC  
300 RENAISSANCE CTR  
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DETROIT, MI 48265

KELLEN T. MYERS, ESQ.  
GENERAL MOTORS  
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DAVID GREEN, PRESIDENT  
UNITED AUTOMOBILE, AEROSPACE AND  
AGRICULTURAL IMPLEMENT WORKERS OF  
AMERICA, LOCAL 1112  
11471 REUTHER DR SW  
WARREN, OH 44481-9561

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