



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 30, 2018

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

Re: United States Postal Service  
Case 07-CA-217112  
and  
Branch 2184, National Association of  
Letter Carriers (NALC), AFL-CIO  
Case 07-CB-217115

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

We have carefully investigated and considered your charges that United States Postal Service and Branch 2184, National Association of Letter Carriers (NALC), AFL-CIO 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;
- 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 **December 14, 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 December 13, 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 December 14, 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 December 14, 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,

A handwritten signature in black ink, appearing to read "Terry Morgan". The signature is fluid and cursive, with the first name "Terry" and last name "Morgan" clearly distinguishable.

Terry Morgan  
Regional Director

BJ:kar

Enclosure

cc: Eugene Kolbusz, Postmaster  
United States Postal Service  
24837 Goddard Road  
Taylor, MI 48180

Roderick D. Eves, Deputy Managing  
Counsel  
United States Postal Service (Law  
Department - NLRB Unit)  
1720 Market St.  
Rm. 2400  
St. Louis, MO 63155-9948

Tonya L. Kennish, Paralegal Specialist  
United States Postal Service(Law  
Department - NLRB Unit)  
1720 Market Street  
Room 2400  
Saint Louis, MO 63155-9948

Mark Judd, President  
Branch 2184, National Association of  
Letter Carriers (NALC), AFL-CIO  
6969 Monroe Boulevard  
Taylor, MI 48180

Kate M. Swearengen, Esq.  
Cohen, Weiss and Simon, LLP  
900 Third Avenue, 21st Floor  
New York, NY 10022-4869



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 28, 2018

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

Re: Kautex  
Case 07-CA-226128

and

Local 22, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
Case 07-CB-226134

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

We have carefully investigated and considered your charges that Textron Automotive Co, Inc. d/ba Kautex, Inc. and Local 22, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO 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;
- 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 **December 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 December 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 December 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 December 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,

A handwritten signature in black ink, appearing to read "Terry Morgan", with a stylized, flowing script.

Terry Morgan  
Regional Director

BP-M:kar

Enclosure

cc: Yvette Nance, Manager HR Detroit and Windsor  
750 Stephenson Hwy., 3rd Floor  
Troy, MI 48083

Textron Automotive Co, Inc. d/ba  
Kautex, Inc.  
2627 Clark Street  
Detroit, MI 48210-3265

Tammie J. Tischler, Esq.  
International Union, United Automobile,  
Aerospace & Agricultural Implement  
Workers of America (UAW), AFL-CIO  
8000 E. Jefferson Street  
Detroit, MI 48214

Local 22, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
4300 Michigan Avenue  
Detroit, MI 48210



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7

Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 26, 2018

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

Re:     Leadec  
          Case 07-CA-226190  
          and  
          Local 900, International Union, United  
          Automobile, Aerospace and Agricultural  
          Implement Workers of America (UAW),  
          AFL-CIO  
          Case 07-CB-226213

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

We have carefully investigated and considered your charges that Leadec and Local 900, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO 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;
- 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 **December 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 December 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 December 10, 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 December 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.

**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,

A handwritten signature in black ink, appearing to read "Terry Morgan", with a stylized, flowing script.

Terry Morgan  
Regional Director

BP-M:kar

Enclosure



cc: Alex Koncz  
Leadec  
36200 Plymouth Road  
Livonia, MI 48150

Matt Westfall, Director-Labor Relations  
9395 Kenwood Road  
Suite 200  
Cincinnati, OH 45242

Larry Johnson  
Local 900, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
38200 Michigan Ave  
Wayne, MI 48184-2808

Michael D. Smith, Vice President  
Local 900, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
38200 Michigan Avenue  
Wayne, MI 48184

Dave Pagac, International Representative  
Region 1A, International Union United  
Automobile Aerospace and Agricultural  
Implement Workers of America UAW  
AFL CIO  
9650 Telegraph Road  
Taylor, MI 48180



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 23, 2018

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

Re: MGM Grand Detroit, LLC d/b/a MGM  
Grand Detroit Casino  
Case 07-CA-226331

Local 24, UNITE-HERE!, AFL-CIO  
(MGM Grand Detroit, LLC d/b/a MGM  
Grand Detroit Casino)  
Case 07-CB-226344

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

We have carefully investigated and considered your charges that MGM Grand Detroit, LLC d/b/a MGM Grand Detroit Casino and Local 24, UNITE HERE!, AFL-CIO 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;
- 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 **December 7, 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 December 6, 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 December 7, 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 December 7, 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,



Terry Morgan  
Regional Director

Enclosure

cc: Michael Neubecker, President and COO  
MGM Grand Detroit Casino Hotel  
1777 Third Street  
Detroit, MI 48226

Ashley G. Eddy, Atty.  
MGM Resorts International  
6385 S. Rainbow Blvd., Ste. 500  
Las Vegas, NV 89118-3201

Nia Winston  
UNITE HERE Local 24  
300 River Place Drive  
Detroit, MI 48207

Marshall J. Widick, Esq.  
Mami Kato, Esq.  
Sachs Waldman, P.C.  
2211 E. Jefferson Ave., Ste. 200  
Detroit, MI 48207



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 28, 2018

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

Re: General Motors LLC  
Case 07-CA-226761

Local 652, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
(General Motors LLC)  
Case 07-CB-226767

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

We have carefully investigated and considered your charges that General Motors LLC and Local 652, International Union, United Automobile Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO have violated the National Labor Relations Act.

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

**Case 07-CA-226761**

You allege in Case 07-CA-226761 that the Employer involuntarily transferred you in violation of your contractual rights and that you were harassed by supervision. The investigation disclosed that on or about May 1, 2018, the Employer and Union signed a Letter of Understanding (LOU) that modified the local collective bargaining agreement and required employees to sign a shift profile form designating their shift preferences. The investigation further disclosed that prior to (b) (6), (b) (7)(C) 2018, you were notified by both the Employer and the Union that you were required to complete a shift profile form. You admittedly refused to do so. On (b) (6), (b) (7)(C) 2018, you were transferred from your shift because you had not filled out a shift profile form designating your shift preference. Thereafter, the Employer disciplined you for refusing a direct order because you failed to fill out the shift profile form as instructed.

The investigation further disclosed that you discussed this matter with your supervisor. During one such discussion, you requested a grievance form from the supervisor. You allege that (b) (6), (b) (7)(C) refusal to provide you a grievance form, and the alleged disrespectful tone (b) (6), (b) (7)(C) used during your conversations with (b) (6), (b) (7)(C) constitute unlawful harassment.

The investigation failed to adduce sufficient evidence to establish that you were retaliated against for your union activities. You were transferred from your shift, and issued a disciplinary

November 28, 2018

notice for refusal to follow a direct order to fill out the shift profile form as required under the letter of understanding between the Employer and the Union. There is insufficient evidence to establish that the supervisor's refusal to provide you with a grievance form, and the alleged disrespectful tone of (b) (6), voice during your conversations with (b) (6), (b) (7) were linked to or in retaliation for your union activities. Accordingly, further proceedings are unwarranted.

### **Case 07-CB-226767**

You allege in Case 07-CB-226767 that the Union acted in an unlawful manner by failing to process a grievance over your transfer and by settling your grievance over discipline you received from the Employer for your failure to fill out a shift profile form. The investigation disclosed that prior to (b) (6), (b) (7)(C) 2018, Union representatives met with you and explained that your request for a grievance over your transfer lacked merit and that its refusal to file a grievance over the transfer was because of the new letter of understanding that required employees to file a shift profile form, which you admittedly refused to do.

Regarding the discipline grievance for your failure to fill out the shift profile form, the letter of understanding provides that all employees must fill out a shift profile form. After you were disciplined for refusing to do so, the Union filed a grievance on your behalf and negotiated a settlement, including a provision to get the discipline removed after four months if you do not receive any other disciplinary write ups during that time period.

In processing a grievance, a union retains broad discretion in disposing of a grievance short of arbitration. A violation turns not on the merits of the grievance, but rather, on whether a union exercised its discretion in a perfunctory or arbitrary manner. *Vaca v. Sipes*, 386 U.S. 171, 64 LRRM 2379 (1967); *Glass Bottle Blowers Local 106 (Owens-Illinois, Inc.)*, 240 NLRB 324 (1979).

In the above situations, there is insufficient evidence to establish that the Union acted in an unlawful manner or abused its discretion in refusing to file a grievance over your transfer, or in the manner by which it settled your disciplinary grievance. Rather, the Union's decisions were lawful exercises of the broad discretion it is accorded under the Act. Accordingly, further proceedings are unwarranted.

**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.

November 28, 2018

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at [www.nlrb.gov](http://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 **December 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 December 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 December 12, 2018**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlrb.gov](http://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 December 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,

A handwritten signature in black ink, appearing to read "Terry Morgan". The signature is fluid and cursive, with a long horizontal stroke at the end.



November 28, 2018

Terry Morgan  
Regional Director

Enclosure

cc: Tony Suggs, Labor Relation Supervisor  
General Motors LLC  
920 Townsend St.  
Lansing, MI 48933-2344

General Motors LLC  
8175 Millett Highway  
Lansing, MI 48921

Kellen T. Myers, Counsel  
Labor Employment & Benefits  
General Motors LLC  
Legal Staff, 300 Renaissance Center  
Mail Code: 482-C25-A68  
Detroit, MI 48265

Tedd Krumm  
Scott R. Lounds, Recording Secretary  
Local 652, International Union, United  
Automobile Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
426 Clare Street  
Lansing, MI 48917

Mark C. Pieroni, Esq.  
Legal Staff, Lead Counsel Employee  
Benefits Pensions  
General Motors LLC  
300 Renaissance Center  
Mail Code: 482-C25-A36  
Detroit, MI 48265



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 20, 2018

Alyssa Hazelwood, Staff Attorney  
National Right To Work Legal  
Defense Foundation, Inc.  
8001 Braddock Rd Ste 600  
Springfield, VA 22160-0002

Glenn M. Taubman, Esq.  
National Right To Work Legal  
Defense Foundation  
8001 Braddock Rd Ste 600  
Springfield, VA 22151-2110

Re: Ford Motor Company  
Case 07-CA-227037

Local 600, United Automobile, Aerospace  
and Agricultural Implement Workers of  
America (UAW), AFL-CIO (Ford Motor  
Company)  
Case 07-CB-227046

Dear Ms. Hazelwood and Mr. Taubman:

We have carefully investigated and considered the Charging Party's charges that Ford Motor Company and Local 600, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO have 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 Charging Party alleges in Case 07-CA-227037 that within the past six months, the Employer has given unlawful assistance and support to the Union by remitting dues pursuant to a dues checkoff form that: (1) requires employees to send a revocation of dues checkoff authorizations by registered mail, and (2) is maintained in an unlawful "multi-purpose deduction document." The Charging Party alleges in Case 07-CB-227046 that the Union has likewise violated the Act by maintaining the facially unlawful dues deduction authorization form and accepting dues pursuant to this same form.

Neither the maintenance nor the application of the form that the Charging Party signed on January 26, 1994 is unlawful for the reasons alleged.

The investigation established that the Charging Party was aware that the dues checkoff authorization form that (b) (6) signed on (b) (6), (b) (7)(C) required revocation of dues checkoff authorizations by registered mail and was contained in a single sheet document with other forms authorizing voluntary payroll deductions. (b) (6), (b) (7)(C) is more than six months from the date that (b) (6) charges were filed and served, September 10, 2018. Section 10(b) of the Act provides that no complaint shall issue based upon any unfair labor practice occurring more than six months prior to the filing of the charge with the Board and the service of a copy thereof upon the person against whom such charge is made. Therefore, Section 10(b) of the Act bars further proceedings on these charges. Further, current Board law does not establish that the mere maintenance or application of a registered mail requirement to revoke a dues checkoff authorization is unlawful. Nor does current Board law support the contention that the dues checkoff authorization card that the Charging Party signed on January 26, 1994 was an unlawful “multipurpose deduction document.”

Accordingly, further proceedings on these matters are unwarranted.

**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 **December 4, 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 December 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.

**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 December 4, 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 December 4, 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,




Terry Morgan  
Regional Director

Enclosure

cc: Brianna Krus, Labor Relations  
Ford Motor Company  
3001 Miller Rd  
Dearborn Truck Plant  
Dearborn, MI 48120-1496

Steve Kulp, Attorney  
Ford Motor Company  
One American Road  
Suite 404-A5  
Dearborn, MI 48126-2701

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



Michelle Hull, Legal Assistant  
Ford Motor Company  
One American Road  
Suite 404-A5  
Dearborn, MI 48126-2568

Thomas G. Kienbaum, Attorney  
Keinbaum Opperwall Hardy & Pelton  
280 N Old Woodward Avenue, Suite 400  
Birmingham, MI 48009

UAW, Local 600  
10550 Dix  
Dearborn, MI 48120-1596

Bernie Rickie, President  
Local 600, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
10550 Dix Avenue  
Dearborn, MI 48120

Ava Barbour, Associate General Counsel  
International Union, United Automobile,  
Aerospace and Agricultural Implement  
Workers of America (UAW), AFL-CIO  
8000 East Jefferson Avenue  
Detroit, MI 48214

James R. Andary, Esq.  
Andary, Andary, Davis & Andary  
10 South Main Street  
Suite 405  
Mt. Clemens, MI 48043-7910



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 30, 2018

William L. Messenger, Attorney  
Amanda K. Freeman, Esq.  
National Right to Work Legal Defense Foundation  
8001 Braddock Road, Suite 600  
Springfield, VA 22160

Re: Rite Aid Pharmacy  
Case 07-CA-227091

Local 951, United Food and Commercial  
Workers International Union (UFCW),  
AFL-CIO (Rite Aid Corporation)  
Case 07-CB-227092

Dear Mr. Messenger, Ms. Freeman:

We have carefully investigated and considered your charges that Rite Aid Pharmacy and Local 951, United Food and Commercial Workers International Union (UFCW), AFL-CIO have violated the National Labor Relations Act.

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

You allege that the Employer and the Union violated the Act by the Employer deducting and remitting to the Union, as a condition of employment, union dues or fees from your wages and potentially from the wages of other employees who do not lawfully owe membership dues or agency fees to the Union and that the Union is causing the Employer to do this. The investigation established that you signed a dues checkoff authorization form on about (b) (6), (b) (7)(C). The investigation further established that you revoked your union membership on about (b) (6), (b) (7)(C) which revocation the Union honored on about April 10, 2018. However, the dues checkoff authorization form explicitly states that the form is not conditioned on your maintaining membership in the Union. Therefore, the revocation of your membership is not sufficient to revoke your dues obligations pursuant to the dues checkoff authorization form. Inasmuch as your (b) (6), (b) (7)(C) request was not within the designated dues authorization revocation window periods, the Employer's conduct in continuing to deduct and remit dues to the Union, and the Union's acceptance of such dues is not violative of the Act. You did not present any evidence pertaining to the union dues deductions of other employees. Accordingly, further proceedings on your charges are unwarranted.

**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 **December 14, 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 December 13, 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 December 14, 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 December 14, 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,



Terry Morgan  
Regional Director

Enclosure

cc: Marjorie King, Store Manager  
Rite Aid Pharmacy  
102 North Centerville Rd.  
Sturgis, MI 49091-1308

Laura A. Pierson-Scheinberg, Esq.  
Jackson Lewis, P.C.  
2800 Quarry Lake Drive, Suite 200  
Baltimore, MD 21209

Andrew Baskin, Attorney  
Jackson Lewis P.C.  
2800 Quarry Lake Drive  
Suite 200  
Baltimore, MD 21209

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

John Cakmakci, President  
Local 951, United Food and Commercial  
Workers International Union (UFCW),  
AFL-CIO  
3270 Evergreen Drive, NE  
Grand Rapids, MI 49525

Jonathan D. Karmel, Esq.  
The Karmel Law Firm  
221 N LaSalle St Ste 1550  
Chicago, IL 60601-1224



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 23, 2018

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

Re: TGW Systems, Inc.  
Case 07-CA-227257

Local 7, International Association of Sheet  
Metal, Air, Rail, and Transportation  
Workers (SMART) (TGW Systems, Inc.)  
Case 07-CB-227259

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

We have carefully investigated and considered your charges that TGW Systems, Inc. and Local 7, International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART), AFL-CIO have violated the National Labor Relations Act.

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

**07-CA-227257**

You allege that the Employer discharged you in violation of Section 8(a)(1) and (3) of the Act. The investigation revealed that you enlisted the support of a union representative to advance a claim of harassment against your supervisor in (b) (6), (b) (7)(C) 2018, and on about (b) (6), (b) (7)(C) 2018. The investigation further revealed that you were discharged by the Employer on about (b) (6), (b) (7)(C) 2018. The investigation failed to establish evidence of Employer animus toward you because of the above-described union activity and, therefore, the evidence is insufficient to show that you were discharged in retaliation for your union activity or for reasons other than those advanced by the Employer. Accordingly, further proceedings are unwarranted.

**07-CB-227259**

You allege that the Union violated Section 8(b)(1)(A) of the Act by refusing to arbitrate the grievance regarding your discharge for arbitrary or discriminatory reasons or in bad faith. The investigation revealed that the Union filed a grievance on about (b) (6), (b) (7)(C) 2018, after your termination and met with the Employer on two occasions to review the evidence regarding your discharge. The Union then made a decision not to arbitrate your grievance based on the evidence that had been presented by the Employer. The investigation failed to establish that the Union acted in a discriminatory manner by choosing not to advance your grievance to arbitration and, therefore, the evidence is insufficient to show that the Union refused to arbitrate the grievance regarding your discharge for arbitrary or discriminatory reasons or in bad faith. Rather, the

Union's decision not to arbitrate your grievance was a lawful exercise of the broad discretion it is accorded under the Act in the disposition of grievances. Accordingly, further proceedings are unwarranted.

**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 **December 7, 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 December 6, 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 December 7, 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 December 7, 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,

A handwritten signature in black ink, appearing to read "Terry Morgan". The signature is fluid and cursive, with the first name "Terry" and last name "Morgan" clearly distinguishable.

TERRY MORGAN  
Regional Director

Enclosure

cc: Scott Hillard  
TGW Systems, Inc.  
6870 Grand Haven Rd  
Norton Shores, MI 49456-9652

Steven K. Girard, Esq.  
Clark Hill, PLC  
200 Ottawa Ave. NW  
Suite 500  
Grand Rapids, MI 49503

Dave Rutz, Business Representative  
Local 7, International Association of  
Sheet Metal, Air, Rail and Transportation  
Workers (SMART), AFL-CIO  
918 Benjamin Ave NE  
Grand Rapids, MI 49503-1312

Tinamarie Pappas, Esq.  
Law Offices of Tinamarie Pappas  
4661 Pontiac Trail  
Ann Arbor, MI 48105



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 30, 2018

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

Re: Comprehensive Logistics LLC  
Case 07-CA-228070  
and  
Local 600, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
Case 07-CB-228117

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

We have carefully investigated and considered your charges that Comprehensive Logistics LLC and Local 600, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO have violated the National Labor Relations Act.

**Decision to Dismiss 07-CA-228070:** Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

**Decision to Partially Dismiss 07-CB-228117:** Based on that investigation, I have decided to dismiss the 8(b)(2) portion of the charge because there is insufficient evidence to establish a violation of the Act. The remaining allegation that the Union violated Section 8(b)(1)(A) of the Act by the Union (b) (6), (b) (7)(C) threatening to have the Charging Party discharged if (b) (6), (b) (7)(C) disrespected (b) (6), (b) (7)(C) remains subject to further processing.

**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](http://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](http://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 **December 14, 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 December 13, 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 December 14, 2018**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlrb.gov](http://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 December 14, 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,

A handwritten signature in black ink, appearing to read "Terry Morgan", with a stylized, flowing script.

Terry Morgan  
Regional Director

Enclosure

cc: Josh Morris  
Comprehensive Logistics LLC  
6000 Wyoming Avenue  
Detroit, MI 48210-1876

Patrick M. Watts, Esq.  
Zashin & Rich  
950 Main Avenue 4th Floor  
Cleveland, OH 44113-7215

Anthony Richards  
Local 600, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
10559 Dix  
Dearborn, MI 48120-1581

James R. Andary, Esq.  
Andary, Andary, Davis & Andary  
10 South Main Street  
Suite 405  
Mt. Clemens, MI 48043-7910





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 30, 2018

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

Re: Local 851, International Association of  
Bridge, Structural, Ornamental and  
Reinforcing Iron Workers, AFL-CIO, CLC  
(Mooney Exchange, LLC)  
Case 07-CB-222237

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

We have carefully investigated and considered your charge that Local 851, International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, AFL-CIO, CLC has violated the National Labor Relations Act.

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

You allege that since about (b) (6), (b) (7)(C) 2018, the Union has failed to represent you by not processing your grievances.

The investigation revealed that you were concerned that the Union did not acknowledge your Union membership to the date you applied, did not enforce the contractual work-hour limitation of 58 hours per week, and did not process your grievance regarding the Employer not allowing you to cool down the vehicles. The investigation disclosed that the Union acknowledged your Union membership to the date you applied and informed the Employer about the collective bargaining agreement's work-hour limitation, resulting in your not having to work more than 58 hours. The Union processed your grievance regarding the need to cool the vehicles, which resulted in a settlement providing for employees to turn on the air-conditioning in the cars and water to be placed in the employee vans. The Union informed you that it did not intend to further pursue the issue.

There is insufficient evidence that the Union violated its duty of fair representation as alleged. In that regard, the Union processed your membership, and enforced the collective bargaining agreement regarding the number of hours you and other unit employees were required to work and the need to cool the vehicles. Accordingly, further proceedings are not warranted.

**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 **December 14, 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 December 13, 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 December 14, 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 December 14, 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

Local 851, International Association of  
Bridge, Structural, Ornamental and  
Reinforcing Iron Workers, AFL-CIO, CLC  
(Mooney Exchange, LLC)  
Case 07-CB-222237

- 3 - November 30, 2018

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,

A handwritten signature in black ink, appearing to read "Terry Morgan". The signature is fluid and cursive, with the first name "Terry" and last name "Morgan" clearly distinguishable.

Terry Morgan  
Regional Director

PF:kar

Enclosure

cc: Mike Baumann, Business Representative  
Local 851, IronWorkers  
1564 East 23rd Street  
Cleveland, OH 44114

James P. Faul, Esq.  
Hartnett, Gladney, Hetterman, LLC  
4399 Laclede Ave  
Saint Louis, MO 63108-2248

Randall Barker  
Mooney Exchange, LLC  
14201 Prospect Street  
Dearborn, MI 48226

Harrison C. Kuntz, Esq.  
Ogletree Deakins Nash Smoak & Stewart,  
PC  
7700 Bonhomme Avenue, Suite 650  
St. Louis, MO 63105-0030



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 5, 2018

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

Re: Local 1700, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO (FCA US LLC)  
Case 07-CB-223350

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

We have carefully investigated and considered your charge that Local 1700, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO 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](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 **November 19, 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 November 18, 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 November 19, 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 November 19, 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,

A handwritten signature in black ink, appearing to read "Terry Morgan". The signature is fluid and cursive, with the first name "Terry" and last name "Morgan" clearly distinguishable.

Terry Morgan  
Regional Director

JC/ld

Enclosure

Local 1700, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO (FCA US LLC)  
Case 07-CB-223350

- 3 - November 5, 2018

cc: Charles Bell  
Local 1700, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
8230 East 8 Mile Road  
Detroit, MI 48234

James A. Britton  
Assistant General Counsel  
International Union, United Automobile,  
Aerospace and Agricultural Implement  
Workers of America (UAW), AFL-CIO  
Law Department  
8000 East Jefferson  
Detroit, MI 48214

FCA US LLC  
35777 Van Dyke Avenue  
Sterling Heights, MI 48312

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

Darlene Haas Awada, Esq.  
FCA US LLC  
1000 Chrysler Drive  
CIMS: 485-07-92  
Auburn Hills, MI 48326-2766



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 13, 2018

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

Re: Local 263-G, Bakery, Confectionary,  
Tobacco Workers and Grain Millers  
International Union (BCTGM), AFL-CIO,  
CLC  
(Michigan Sugar Company)  
Case 07-CB-225495

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

We have carefully investigated and considered your charge that Local 263-G, Bakery, Confectionary, Tobacco Workers and Grain Millers International Union (BCTGM), AFL-CIO, CLC has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge because of the lack of cooperation by the Charging Party.

**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 **November 27, 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



Local 263-G, Bakery, Confectionary,  
Tobacco Workers and Grain Millers  
International Union (BCTGM), AFL-CIO,  
CLC  
(Michigan Sugar Company)  
Case 07-CB-225495

- 2 - November 13, 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 November 26, 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 November 27, 2018.** The request may be filed electronically through the *E-File Documents* link on our website [www.nlrb.gov](http://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 November 27, 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,

A handwritten signature in black ink, appearing to read "Terry Morgan". The signature is fluid and cursive, with the first name "Terry" and last name "Morgan" clearly distinguishable.

Terry Morgan  
Regional Director

Enclosure

Local 263-G, Bakery, Confectionary,  
Tobacco Workers and Grain Millers  
International Union (BCTGM), AFL-CIO,  
CLC  
(Michigan Sugar Company)  
Case 07-CB-225495

- 3 - November 13, 2018

cc: Bruce R. Lillie, Esq.  
The Lillie Labor Law Firm P.C.  
Arbor Glen Office Park West  
330 West Lake Lansing Road, Suite 4  
East Lansing, MI 48823

Local 263-G, Bakery, Confectionary,  
Tobacco Workers and Grain Millers  
International Union (BCTGM),  
AFL-CIO, CLC  
2600 South Euclid Avenue  
Bay City, MI 48706

Michigan Sugar Company  
2600 South Euclid Avenue  
Bay City, MI 48706



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 23, 2018

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

Re: Local 876, United Food and Commercial  
Workers International Union (UFCW),  
AFL-CIO, CLC  
(The Kroger Company)  
Case 07-CB-225562

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

We have carefully investigated and considered your charge that Local 876, United Food and Commercial Workers International Union (UFCW), AFL-CIO, CLC 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](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 **December 7, 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

Local 876, United Food and Commercial  
Workers International Union (UFCW),  
AFL-CIO, CLC  
(The Kroger Company)  
Case 07-CB-225562

- 2 - November 23, 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 December 6, 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 December 7, 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 December 7, 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,

A handwritten signature in black ink, appearing to read "Terry Morgan". The signature is fluid and cursive, with a large, sweeping "T" and "M".

Terry Morgan  
Regional Director

MC-G:kar

Enclosure

Local 876, United Food and Commercial      - 3 -      November 23, 2018  
Workers International Union (UFCW),  
AFL-CIO, CLC  
(The Kroger Company)  
Case 07-CB-225562

cc:      Bill Phipps, Executive Assistant to the  
         President  
         Local 876, United Food and Commercial  
         Workers International Union (UFCW),  
         AFL-CIO, CLC  
         876 Horace Brown Drive  
         Madison Heights, MI 48071

         Douglas Korney, Esq.  
         32300 Northwestern Hwy.  
         Suite 200  
         Farmington Hills, MI 48334-1501

         Aron Lanzetta, Store Manager  
         The Kroger Company  
         4395 Orchard Lake Road  
         Orchard Lake, MI 48323

         Michael P. Majba, Corporate Counsel  
         The Kroger Company of Michigan  
         Kroger Law Department  
         1014 Vine Street  
         Cincinnati, OH 45202



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 28, 2018

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

Re: Local 1264, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
(FCA US LLC)  
Case 07-CB-226123

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

We have carefully investigated and considered your charge that Local 1264, International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), AFL-CIO 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](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 **December 12, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be

Local 1264, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
(FCA US LLC)  
Case 07-CB-226123

- 2 - November 28, 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 December 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 December 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 December 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,

A handwritten signature in black ink, appearing to read "Terry Morgan". The signature is fluid and cursive, with the first name "Terry" and last name "Morgan" clearly distinguishable.

Terry Morgan  
Regional Director

NR:kar

Enclosure



Local 1264, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
(FCA US LLC)  
Case 07-CB-226123

- 3 - November 28, 2018

cc: LaShawn English, President  
Local 1264, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
7450 15 Mile Road  
Sterling Heights, MI 48312

Amandia Jacobson  
FCA US LLC  
35777 Van Dyke Avenue  
Sterling Heights, MI 48312

Darlene Haas Awada, Esq.  
FCA US LLC  
1000 Chrysler Drive  
CIMS: 485-07-92  
Auburn Hills, MI 48326-2766



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 8, 2018

John H. Gretzinger, Esq.  
Mika Meyers PLC  
900 Monroe Ave NW  
Grand Rapids, MI 49503-2474

Re: SEIU Healthcare Michigan, Service  
Employees International Union, CTW  
(Munson Healthcare Manistee Hospital, a  
subsidiary of Munson Healthcare)  
Case 07-CB-226685

Dear Mr. Gretzinger:

We have carefully investigated and considered your charge that SEIU Healthcare Michigan, Service Employees International Union, CTW has violated the National Labor Relations Act.

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

The above charge has been carefully investigated and considered. The evidence adduced during the investigation demonstrated that there was no explicit agreement between the parties that employee ratification was a condition precedent of any agreement, or that there would be a certain procedure for ratification that the Union was required to follow. Because ratification procedures are internal union matters that do not relate to the employees working conditions as defined by Section 8(d) of the Act, they are not subject to challenge by the Employer or to the Union's duty of fair representation under Section 8(b)(1)(A). The evidence failed to demonstrate that the Union's ratification procedures violated either Section 8(b)(1)(A) or Section 8(b)(3) of the Act.

Furthermore, the evidence demonstrated that the information requested by the Employer related exclusively to the Union's relationship to its members and not to the bargaining relationship between the Union and the Employer. Thus, the Union had no duty to provide the Employer with the requested information under Section 8(b)(3). As there was no evidence to support a finding that the Union violated the Act, the charge is hereby dismissed.

**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](http://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.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 **November 23, 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 November 22, 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 November 23, 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 November 23, 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

SEIU Healthcare Michigan, Service  
Employees International Union, CTW  
(Munson Healthcare Manistee Hospital, a  
subsidiary of Munson Healthcare)  
Case 07-CB-226685

- 3 - November 8, 2018

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,

A handwritten signature in black ink, appearing to read "Terry Morgan". The signature is fluid and cursive, with the first name "Terry" and last name "Morgan" clearly distinguishable.

TERRY MORGAN  
Regional Director

Enclosure

cc: Kim Weckesser, Human Resource  
Director  
Munson Healthcare Manistee Hospital, a  
subsidiary of Munson Healthcare  
1465 E Parkdale Ave  
Manistee, MI 49660-9785

Nanette Homan, Regional Coordinator  
SEIU Healthcare Michigan, Service  
Employees International Union, CTW  
2680 Vulcan St  
Norton Shores, MI 49444-2344



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 26, 2018

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

Re: Local 600, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
(AK Steel/Severstal Dearborn)  
Case 07-CB-226813

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

We have carefully investigated and considered your charge that Local 600, International Union United Automobile Aerospace and Agricultural Implement Workers of America (UAW) AFL-CIO has violated the National Labor Relations Act.

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

You allege that the Union failed and refused to provide you with a copy of a (b) (6), (b) (7) deposition contained in your grievance file.

The investigation established that you were terminated by the Employer in (b) (6), (b) (7)(C) 2016. At your request, the Union requested that the Employer provide copies of your employment and (b) (6), (b) (7)(C) files, including a deposition you provided in (b) (6), (b) (7) related to a workplace (b) (6), (b) (7)(C). You acknowledge that you received some (b) (6), (b) (7)(C) records from the Employer in about November 2017, but you never received a copy of the deposition. On about April 26, 2018, you claim that you requested a copy of the deposition from the Union. The evidence did not demonstrate that the (b) (6), (b) (7) deposition you are seeking is in your grievance file, or anywhere in the Union's possession. Inasmuch as the Union does not possess the document, it has not violated the Act in its failure to provide it to you.

Accordingly, further proceedings on your charge are unwarranted.

**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](http://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.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 **December 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 December 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 December 10, 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 December 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.

**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

Local 600, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
(AK Steel/Severstal Dearborn)  
Case 07-CB-226813

- 3 - November 26, 2018

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,

A handwritten signature in black ink, reading "Terry Morgan". The signature is fluid and cursive, with the first name "Terry" and last name "Morgan" clearly distinguishable.

Terry Morgan  
Regional Director

MBF:kar

Enclosure

cc: Mark DePaoli, Financial Secretary  
Local 600, International Union, United  
Automobile, Aerospace and Agricultural  
Implement Workers of America (UAW),  
AFL-CIO  
10550 Dix Avenue  
Dearborn, MI 48120-1596

Christine L. Robek, Esq.  
AK Steel Corporation  
9227 Centre Pointe Drive  
West Chester, OH 45069

James R. Andary, Esq.  
Andary, Andary, Davis & Andary  
10 South Main Street, Suite 405  
Mt. Clemens, MI 48043-7910

Mark GaDaul, Labor Relations  
Severstal Dearborn  
4001 Miller Road  
Dearborn, MI 48120-1461

Mark GaDaul, Labor Relations  
AK Steel  
114661 Rotunda Drive  
P.O. Box 1669  
Dearborn, MI 48120





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 20, 2018

Stuart R. Buttrick, Counsel  
Faegre Baker Daniels LLP  
300 North Meridian Street  
Suite 2700  
Indianapolis, IN 46204

Re: Local 324, International Union of  
Operating Engineers (IUOE), AFL-CIO  
(Michigan Infrastructure & Transportation  
Association)  
Case 07-CB-227000

Dear Mr. Buttrick:

We have carefully investigated and considered your charge that Local 324, International Union of Operating Engineers (IUOE), AFL-CIO has violated the National Labor Relations Act.

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

You allege that the Union restrained and coerced employees in the exercise of their rights guaranteed by them by Section 7 of the Act. Specifically, you assert that employees were removed from jobs or told that they could not work at jobs with contractors who did not have a contract with Local 324, International Union of Operating Engineers (IUOE), AFL-CIO (Union). The investigation failed to adduce sufficient direct and probative evidence to support these claims. The investigation disclosed that the Union informed members that they may be fined if they continued to work for certain contractors who did not have a contract with the Union. However, such conduct is not violative of the Act, where, as here, the Union's internal rules lawfully allow members to be fined and provides a mechanism for members to withdraw their membership in order to escape such fines.

Based on the evidence obtained during the investigation, there is insufficient evidence to establish that the Union violated the Act as alleged. Accordingly, further proceedings are not warranted.

**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](http://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.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 **December 4, 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 December 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.

**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 December 4, 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 December 4, 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

Local 324, International Union of Operating Engineers (IUOE), AFL-CIO  
(Michigan Infrastructure & Transportation Association)  
Case 07-CB-227000

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,

A handwritten signature in black ink that reads "Terry Morgan". The signature is fluid and cursive, with the first name "Terry" and last name "Morgan" clearly distinguishable.

Terry Morgan  
Regional Director

DN:kar

Enclosure

cc: Douglas Stockwell  
Local 324, International Union of  
Operating Engineers (IUOE), AFL-CIO  
500 Hulet Drive  
Bloomfield Township, MI 48302

Amy E. Bachelder, Esq.  
Sachs Waldman, P.C.  
2211 East Jefferson Avenue  
Suite 200  
Detroit, MI 48207

Michael Nystrom  
Michigan Infrastructure and  
Transportation Association, Inc.  
2937 Atrium Drive, Suite 100  
Okemos, MI 48864



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 7  
Patrick V. McNamara Federal Building  
477 Michigan Avenue, Room 300  
Detroit, MI 48226

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (313)226-3200  
Fax: (313)226-2090

November 16, 2018

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

Re: Local 307, National Postal Mail Handlers  
Union (NPMHU), AFL-CIO (United States  
Postal Service)  
Case 07-CB-229449

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

We have carefully considered your charge that Local 307, National Postal Mail Handlers Union (NPMHU), AFL-CIO, a division of LIUNA 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 of the lack of cooperation by the Charging Party.

**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 **November 30, 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 November 29, 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 November 30, 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 November 30, 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,



Terry Morgan  
Regional Director

Enclosure

cc: James Haggarty, President  
Local 307, National Postal Mail Handlers  
Union (NPMHU), AFL-CIO a division of  
LIUNA  
2441 West Grand Boulevard  
Suite 201  
Detroit, MI 48208

Local 307, National Postal Mail Handlers      - 3 -    November 16, 2018  
Union (NPMHU), AFL-CIO (United States  
Postal Service)  
Case 07-CB-229449

Richard Moreton, Senior Plant Manager  
United States Postal Service  
3500 Patterson Ave SE  
Grand Rapids, MI 49512-5699

Roderick D. Eves, Deputy Managing  
Counsel  
United States Postal Service (Law  
Department - NLRB Unit)  
1720 Market Street, Rm 2400  
Saint Louis, MO 63155-9948