



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 16
819 Taylor Street, Room 8A24
Fort Worth, TX 76102-6107

Agency Website: www.nlr.gov
Telephone: (817)978-2921
Fax: (817)978-2928

February 23, 2017

(b)(6), 7(C)

Re: National Association of Postal Supervisors,
Branch #122 (United States Postal Service)
Case No. 16-CB-188115

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

We have carefully investigated and considered your charge that **National Association of Postal Supervisors, Branch #122** has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because of the Board's lack of jurisdiction over this case.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlr.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at www.nlr.gov, click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. 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.

Appeal Due Date: The appeal is due on **March 9, 2017**. 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 March 8, 2017. **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 March 9, 2017**. The request may be filed electronically through the ***E-File Documents*** link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after **March 9, 2017, even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

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

Very truly yours,

/s/ Martha Kinard

MARTHA KINARD
REGIONAL DIRECTOR

Enclosure

cc: MS. PAMELA DAVIS
NATIONAL ASSOCIATION OF POSTAL
SUPERVISORS, BRANCH #122
5415 LAWNGDALE STREET
HOUSTON, TX 77023-9998

MR. RODERICK D. EVES,
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February 23, 2017

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

Re: National Mailhandlers Union, Local 311
(United States Postal Service)
Case No. 16-CB-189002

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

We have carefully investigated and considered your charge that **National Postal Mailhandlers Union, Local 311** has violated the National Labor Relations Act.

Decision to Dismiss: The charge alleges that the Union violated Section 8(b)(1)(A) of the Act by failing to represent you with respect to a grievance.

A Board agent made repeated attempts to obtain evidence from you. After no response from you, he sent you a letter on January 9, 2017, requesting that you contact him immediately and stating that if you did not present your evidence by January 17, 2017, your charge would be dismissed. You were also reminded that, in order for a charge to be timely, it must be filed and served within six months of the alleged unlawful act.

To date, you have not contacted the Board agent. For these reasons, I am dismissing the charge and refusing to issue Complaint in this matter.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlrb.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at www.nlrb.gov, click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

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Very truly yours,

/s/ Martha Kinard

MARTHA KINARD
REGIONAL DIRECTOR

Enclosure

cc: MR. CHARLES CHARLESTON, PRESIDENT
NATIONAL POSTAL MAILHANDLERS
UNION, LOCAL 311
2849 WEST ILLINOIS AVENUE
DALLAS, TX 75233-1005

February 23, 2017

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