



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

**RE-SERVED CORRECTED LAST NAME**

October 4, 2018

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

Re: AMERICAN POSTAL WORKERS UNION,  
CALIFORNIA AREA LOCAL 4635  
(United States Postal Service)  
Case 21-CB-220000

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

We have carefully investigated and considered your charge that AMERICAN POSTAL WORKERS UNION, CALIFORNIA AREA LOCAL 4635 has violated the National Labor Relations Act.

**Decision to Dismiss:** Based on that investigation, I have decided to dismiss your charge alleging that the Union breached its duty of fair representation and violated Section 8(b)(1)(A) of the Act by failing to distribute moneys to all employees who were encompassed by a settlement agreement between the Union and the United States Postal Service; by retaliating against you by conducting an investigation of your job activities, and by making threats about removing you from your position because you had filed charges and/or given testimony under the Act.

The investigation revealed insufficient evidence showing that the Union breached its duty of fair representation in excluding you from the class-action grievance settlement. Instead, the investigation established that the Union's decision to exclude you from the settlement was based on its reasonable belief that you were serving as a (b) (6), (b) (7)(C) and therefore not consistently performing bargaining-unit work during the 2016 settlement period. There was no evidence submitted during the investigation to establish that the Union's conduct in deciding to exclude you from that settlement was arbitrary, discriminatory, or in bad faith.

Moreover, the investigation failed to establish that the Union retaliated against you by conducting an investigation of your job activities or by making threats about removing you from your position because you had filed charges and/or given testimony under the Act.

In light of the evidence presented and the investigation as a whole, it was determined that the Union did not breach its duty of fair representation, in 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:

October 4, 2018

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

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

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

**Appeal Due Date:** The appeal is due on **October 18, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 17, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 18, 2018**. The request may be filed electronically through the **E-File Documents** link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202) 273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 18, 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

AMERICAN POSTAL WORKERS UNION,  
CALIFORNIA AREA LOCAL 4635  
(United States Postal Service)  
Case 21-CB-220000

- 3 -

October 4, 2018

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,



WILLIAM B. COWEN  
REGIONAL DIRECTOR

Enclosure

cc: HOWARD Z. ROSEN, ATTORNEY AT LAW  
ROSEN MARSILI RAPP LLP  
3600 WILSHIRE BLVD, SUITE 1800  
LOS ANGELES, CA 90010

BRIANNA PRIMOZIC RAPP, ATTORNEY AT LAW  
ROSEN MARSILI RAPP LLP  
3600 WILSHIRE BLVD, SUITE 1800  
LOS ANGELES, CA 90010

AMERICAN POSTAL WORKERS UNION,  
CALIFORNIA AREA LOCAL 4635  
129 EAST A STREET  
UPLAND, CA 91786-6022

RODERICK D. EVES, DEPUTY MANAGING  
COUNSEL  
UNITED STATES POSTAL SERVICE  
1720 MARKET STREET, RM 2400  
ST. LOUIS, MO 63155-9948

ADRIAN B. HENRY, PARALEGAL SPECIALIST  
UNITED STATES POSTAL SERVICE  
PACIFIC AREA OFFICE - LONG BEACH  
300 LONG BEACH BOULEVARD, ROOM 240  
LONG BEACH, CA 90802

UNITED STATES POSTAL SERVICE  
15310 ELLIOT AVE  
LA PUENTE, CA 91747-5292

WBC/cw



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October 23, 2018

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

Re: UNITE HERE LOCAL 11  
(Los Angeles Convention Center)  
Case 21-CB-223413

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

We have carefully investigated and considered your charge that UNITE HERE LOCAL 11 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.

Your charge alleges that UNITE HERE Local 11 violated Section 8(b)(1)(A) of the Act by refusing to process your grievance regarding a refusal to assign you work on (b) (6), (b) (7)(C) 2018, for arbitrary or discriminatory reasons or in bad faith. The investigation revealed that based on statements you made to the Union regarding the incident, the Union determined there was no contract violation or violation of hiring hall procedures and rules. Moreover, the investigation revealed insufficient reliable evidence in support of the charge allegation. Accordingly, further proceedings in this matter 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:

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- 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.

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**Appeal Due Date:** The appeal is due on **November 6, 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 5, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

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**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/William B. Cowen  
Regional Director

Enclosure

cc: KIRILL PENTESHIN, GENERAL COUNSEL  
UNITE HERE LOCAL 11  
464 SOUTH LUCAS AVENUE, STE. 201  
LOS ANGELES, CA 90017-2074

cc: (See next page)

LOS ANGELES CONVENTION CENTER  
1201 S. FIGUEROA STREET  
LOS ANGELES, CA 90015-1308

WBC/fb



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October 30, 2018

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

Re: UNITED STEELWORKERS LOCAL 560L  
(Arrowhead Products)  
Case 21-CB-224019

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

We have carefully investigated and considered your charge that UNITED STEELWORKERS, LOCAL 560L 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.

Your charge alleges that the Union restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by handling the matter of your pay rate in a perfunctory manner for arbitrary or discriminatory reasons or in bad faith. The investigation showed you were hired at a wage rate higher than permitted by the collective-bargaining agreement (CBA). After becoming aware that you along with several others in the bargaining unit were being paid at a higher rate, the Union pursued grievances over the possible contractual violation and as a result, your wage rate was reduced to comport with the CBA. At no time did the Union request that your wage rate be reduced, rather this was something Arrowhead Products decided to do. Accordingly, the investigation revealed insufficient evidence to show that the Union violated the Act as alleged in the charge

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

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- 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**



October 30, 2018

**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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**Appeal Due Date:** The appeal is due on **November 13, 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 12, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

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Very truly yours,

/s/William B. Cowen  
Regional Director

Enclosure



October 30, 2018

cc: NAYIRIE KUYUMJIAN, ATTORNEY AT LAW  
MARK THEODORE, ATTORNEY AT LAW  
PROSKAUER ROSE LLP  
2049 CENTURY PARK EAST, 32ND FLOOR  
LOS ANGELES, CA 90067-3206

ARROWHEAD PRODUCTS  
4411 KATELLA AVENUE  
LOS ALAMITOS, CA 90720-3514

SHIG NOGUCHI, UNION REPRESENTATIVE  
UNITED STEELWORKERS, LOCAL 560L  
861 SOUTH VILLAGE OAKS DRIVE, SUITE 206  
COVINA, CA 91724

UNITED STEELWORKERS, LOCAL 560L  
5024 KATELLA AVENUE  
LOS ALAMITOS, CA 90720-2802

WBC/fb



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October 30, 2018

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

Re: AMERICAN POSTAL WORKERS UNION  
(United States Postal Service)  
Case 21-CB-224221

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

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

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

Your charge alleges that the Union violated the Act by refusing to process your grievances involving other employees performing bargaining unit work for arbitrary or discriminatory reasons or in bad faith. The investigation revealed that the Union processed the grievances and settled all of them. Furthermore, there was no evidence that the Union's actions were arbitrary or discriminatory.

**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:

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October 30, 2018

**Appeal Due Date:** The appeal is due on **November 13, 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 12, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

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Very truly yours,

/s/William B. Cowen  
Regional Director

Enclosure

cc: RODERICK D. EVES, DEPUTY MANAGING COUNSEL  
UNITED STATES POSTAL SERVICE  
(LAW DEPARTMENT - NLRB UNIT)  
1720 MARKET STREET, ROOM 2400  
SAINT LOUIS, MO 63155-9948

UNITED STATES POSTAL SERVICE  
7001 SOUTH CENTRAL AVE  
LOS ANGELES, CA 90052

cc: (Cont'd see next page)

AMERICAN POSTAL WORKERS UNION - 3 -  
(United States Postal Service)  
Case 21-CB-224221

October 30, 2018

AMERICAN POSTAL WORKERS UNION  
6317 SOUTH FIGUEROA STREET  
LOS ANGELES, CA 90003-1025

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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Telephone: (213)894-5200  
Fax: (213)894-2778

October 23, 2018

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

Re: INTERNATIONAL ALLIANCE OF  
THEATRICAL STAGE EMPLOYEES  
LOCAL 122  
(No Employer Named)  
Case 21-CB-225087

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

We have carefully investigated and considered your charge that INTERNATIONAL ALLIANCE OF THEATRICAL STAGE EMPLOYEES LOCAL 122 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.

Your charge alleges that the Union limited your dispatch opportunities because you voiced dissident views against the Union, and that the Union deviated from its objective criteria in the operation of its exclusive hiring hall for discriminatory, arbitrary and/or capricious reasons. The evidence, however, failed to establish that the Union violated the Act as alleged. In this regard, while you assert that the Union unlawfully failed to dispatch you for certain jobs because of your dissident union views, the evidence failed to establish that the Union limited any dispatch opportunities for you in response to your union activities or that it otherwise deviated from its objective criteria in the operation of the hiring hall. Rather, it appears that the Union offered referrals consistent with its established, objective criteria

**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:

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- 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.

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**Appeal Due Date:** The appeal is due on **November 6, 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 5, 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 6, 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 6, 2018, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

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Very truly yours,

/s/William B. Cowen  
Regional Director

Enclosure

cc: (See next page)

INTERNATIONAL ALLIANCE OF  
THEATRICAL STAGE EMPLOYEES  
LOCAL 122  
(No Employer Named)  
Case 21-CB-225087

- 3 -

October 23, 2018

cc: ROBERT S. GIOLITO, ATTORNEY AT LAW  
LAW OFFICE OF ROBERT S. GIOLITO, P. C.  
11755 WILSHIRE BOULEVARD, SUITE 2140  
LOS ANGELES, CA 90025-1519

INTERNATIONAL ALLIANCE OF THEATRICAL  
STAGE EMPLOYEES LOCAL 122  
3737 CAMINO DEL RIO SOUTH, SUITE 307  
SAN DIEGO, CA 92108

WBC/fb





UNITED STATES GOVERNMENT  
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Telephone: (213)894-5200  
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October 10, 2018

MITCHELL ANTHONY, PRESIDENT  
LIVE ON STAGE PRODUCTIONS LOS ANGELES I LLC  
9259 RESEARCH DR  
IRVINE, CA 92618-4286

Re: ACTORS EQUITY ASSOCIATES  
(Live On Stage Los Angeles | LLC)  
Case 21-CB-226131

Dear Mr. Anthony:

We have carefully investigated and considered your charge that Actors Equity Associates 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.

Your charge alleges that the Union violated Section 8(b)(3) of the Act by failing and refusing to bargain in good faith with Live On Stage Los Angeles I LLC (Employer). The investigation revealed that the Union and the Employer do not have a collective-bargaining relationship, and that the Union has no obligation to bargain with the Employer. Therefore, no violation of the Act has occurred. Accordingly, I am refusing to issue a complaint in this matter.

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

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**Appeal Due Date:** The appeal is due on **October 24, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 23, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 24, 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 October 24, 2018, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

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

Very truly yours,

/s/WILLIAM B. COWEN  
Regional Director

Enclosure

cc: (b) (6), (b) (7)(C)  
ACTORS EQUITY ASSOCIATES  
5636 TUJUNGA AVE  
NORTH HOLLYWOOD, CA 91601-1832

cc: (Cont'd see next page)

EVAN HUDSON-PLUSH, ATTORNEY AT LAW  
COHEN WEISS & SIMON LLP  
900 THIRD AVENUE, 21ST FLOOR  
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LISA DEMIDOVICH, ATTORNEY AT LAW  
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WBC/fb



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
888 S Figueroa St Fl 9  
Los Angeles, CA 90017-5449

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

October 18, 2018

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

Re: UNITE HERE! LOCAL 11  
(No Employer Named)  
Case 21-CB-226526

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

We have carefully investigated and considered your charge that UNITE HERE! Local 11 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.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 **November 1, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 31, 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 1, 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 1, 2018, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

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

Very truly yours,

/s/NATHAN M. SEIDMAN  
Acting Regional Director

Enclosure

cc: KIRILL PENTESHIN, GENERAL COUNSEL  
UNITE HERE! LOCAL 11  
464 SOUTH LUCAS AVE STE 201  
LOS ANGELES, CA 90017-2074

NMS/mr



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 21  
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Los Angeles, CA 90017-5449

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (213)894-5200  
Fax: (213)894-2778

October 17, 2018

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

Re: PLUMBERS AND PIPEFITTERS LOCAL  
UNION 230 (No Employer Named)  
Case 21-CB-227456

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

We have carefully investigated and considered your charge that PLUMBERS AND PIPEFITTERS LOCAL UNION 230 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.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 **October 31, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 30, 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

October 17, 2018

must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 31, 2018**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](http://www.nlr.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 31, 2018, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

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

Very truly yours,

/s/NATHAN M. SEIDMAN  
Acting Regional Director

Enclosure

cc: PETE VARGAS, BUSINESS AGENT  
PLUMBERS AND PIPEFITTERS LOCAL UNION 230  
6313 NANCY RIDGE DRIVE  
SAN DIEGO, CA 92121-2247

JEFFREY L. CUTLER, ATTORNEY AT LAW  
WOHLNER KAPLON CUTLER HALFORD & ROSENFELD  
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ENCINO, CA 91436-2067

WBC/fb