



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 15
600 South Maestri Place – 7th Floor
New Orleans, LA 70130-3413

Agency Website: www.nlrb.gov
Telephone: (504)589-6362
Fax: (504)589-4069

October 31, 2018

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

Re: United Food and Commercial Workers
Local 455 (Lamb Weston Holdings, Inc.)
Case 15-CB-225817

Dear Mr. Taubman:

We have carefully investigated and considered your client's charge that the United Food and Commercial Workers Local 455 (Union) violated the National Labor Relations Act.

Decision to Partially Dismiss: Based on that investigation, I am refusing to issue a complaint to the extent the charge alleges violations concerning any employees other than (b) (6), (b) (7)(C) because insufficient evidence was provided during the investigation of this charge that other unnamed employees were similarly affected. I am also refusing to issue a complaint regarding the 8(b)(2) allegation because there is insufficient evidence the Union affirmatively caused Lamb Weston Holdings, Inc. (Employer) to continue to deduct dues from (b) (6), (b) (7)(C) in violation of the Act. *See, e.g., Affiliated Food Stores*, 202 NLRB 40 (1991) (union violated Section 8(b)(2) by causing employer to restart dues deductions without a valid check-off authorization).

Conditional Decision to Dismiss: Based on the investigation I have conditionally decided to dismiss (b) (6), (b) (7)(C) charge alleging a violation of Section 8(b)(1)(A) 6 months from today because the Union has accepted (b) (6), (b) (7)(C) membership resignation and dues revocation in writing, and refunded to (b) (6), (b) (7)(C) all Union dues collected since (b) (6), (b) (7)(C) made (b) (6), (b) (7)(C) request to revoke and resign. Lastly, there have not been any similar meritorious charges against this Union within the past several years.

If a meritorious charge involving other unfair labor practices is filed against the Charged Party during that period, I will reconsider whether further proceedings on this charge are 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 and:

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

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

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

Appeal Due Date: The appeal is due on **November 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 November 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 November 14, 2018**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 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

October 31, 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,

/s/

M. Kathleen McKinney
Regional Director

MKM/glf

Enclosure

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

William H. Hopkins, President
United Food and Commercial
Workers Local 455
121 Northpoint Drive
Houston, TX 77060

Patrick M. Flynn, Attorney
Patrick M. Flynn, PC
1225 N Loop W
STE 1000
Houston, TX 77008-1775

Plant Manager
Lamb Weston Holdings, Inc.
77 Hwy 609
Delhi, LA 71232



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October 31, 2018

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

Re: United Food and Commercial Workers
Local 455 (Lamb Weston Holdings, Inc.)
Case 15-CB-225920

Dear Mr. Taubman:

We have carefully investigated and considered your client's charge that the United Food and Commercial Workers Local 455 (Union) violated the National Labor Relations Act.

Decision to Partially Dismiss: Based on that investigation, I am refusing to issue a complaint to the extent the charge alleges violations concerning any employees other than (b) (6), (b) (7)(C), because insufficient evidence was provided during the investigation of this charge that other unnamed employees were similarly affected. I am also refusing to issue a complaint regarding the 8(b)(2) allegation because there is insufficient evidence the Union affirmatively caused Lamb Weston Holdings, Inc. (Employer) to continue to deduct dues from (b) (6), (b) (7)(C) in violation of the Act. *See, e.g., Affiliated Food Stores*, 202 NLRB 40 (1991) (union violated Section 8(b)(2) by causing employer to restart dues deductions without a valid check-off authorization).

Conditional Decision to Dismiss: Based on the investigation I have conditionally decided to dismiss (b) (6), (b) (7)(C) charge alleging a violation of Section 8(b)(1)(A) 6 months from today because the Union has accepted (b) (6), (b) (7)(C) membership resignation and dues revocation, and refunded to (b) (6), (b) (7)(C) all dues collected since (b) (6), (b) (7)(C) made (b) (6), (b) (7)(C) initial request to revoke and resign. Lastly, there have not been any similar meritorious charges against this Union within the past several years.

If a meritorious charge involving other unfair labor practices is filed against the Charged Party during that period, I will reconsider whether further proceedings on this charge are 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 and:

- 1) Click on E-File Documents;
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October 31, 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,

/s/

M. Kathleen McKinney
Regional Director

MKM/glf

Enclosure

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

William H. Hopkins, President
United Food and Commercial Workers
Local 455
121 Northpoint Drive
Houston, TX 77060

Patrick M. Flynn, Attorney
Patrick M. Flynn, PC
1225 N Loop W
STE 1000
Houston, TX 77008-1775

Plant Manager
Lamb Weston Holdings, Inc.
77 Hwy 609
Delhi, LA 71232



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 27

Byron Rogers Federal Office Building
1961 Stout Street, Suite 13-103
Denver, CO 80294

Agency Website: www.nlr.gov
Telephone: (303)844-3551
Fax: (303)844-6249

October 23, 2018

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

Re: National Association of Letter Carriers, AFL-
CIO, Branch 197 (USPS)
Case 15-CB-223431

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

We have carefully investigated and considered your charge that National Association of Letter Carriers, AFL-CIO, Branch 197 (Union) has violated the National Labor Relations Act and the Postal Reorganization Act.

Decision to Dismiss: Based on that investigation, I have determined that your charge should be dismissed because it would not effectuate the purposes and policies of the Act to initiate further proceedings.

You alleged that the Union breached its duty of fair representation by failing to file and process a grievance on your behalf for arbitrary, discriminatory or bad faith reasons. The evidence reveals that you complained to the Union on several occasions about management's alleged failure to grant you (paid) annual leave and that grievances were not filed as a result of these contacts. The evidence discloses that the Union provided you with a grievance statement form to complete. In that completed statement, you indicated that the most recent denial of paid leave was on June 11, 2018, a date that was outside the contractual time frames for the filing of a grievance. The evidence further discloses that the Union agent called you after receiving your written statement and that you did not answer the Union agent's phone call or attempt to contact the Union agent at that time. Had you taken or returned the Union agent's telephone call, you could have addressed any timeliness issues, including your assertion that you were denied paid leave even after June 11, 2018. Finally, you have since resigned your employment with the Employer and, as a result, you will be issued payment for your annual leave balance. This will include the paid leave you had sought to take on earlier occasions. In these circumstances, it would not effectuate the purposes and policies of the Act to initiate further proceedings in this matter.

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

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlr.gov and:

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- 3) Follow the detailed instructions.

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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, 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,



PAULA SAWYER
Regional Director

Enclosure

National Association of Letter Carriers,
AFL-CIO, Branch 197 (USPS)
Case 15-CB-223431

- 3 - October 23, 2018

cc: Danny Hatchet, Pres.
 National Association of Letter Carriers, AFL-
 CIO, Branch 197
 PO Box 36935
 Shreveport, LA 71133-6935

 Melissa S. Woods, ESQ.
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 Roderick D. Eves, Deputy Managing Counsel
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 (Law Dept. - NLRB Unit)
 1720 Market St., Rm. 2400
 St. Louis, MO 63155-9948



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October 18, 2018

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

Re: National Association of Letter Carriers,
AFL-CIO (Region 8) (United States Postal
Service)
Case 15-CB-223601

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

We have carefully investigated and considered your charge that the NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO (Region 8) 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 for the reasons discussed below. Your charge alleges the Union failed to fairly represent you when it failed to consider all relevant information related to your grievance and when it agreed with management's position on the grievance. Although a union has an obligation under the National Labor Relations Act to represent the employees in the bargaining unit fairly, impartially, and in good faith, "[a] wide range of reasonableness must be allowed a statutory bargaining representative in serving the unit it represents, subject always to complete good faith and honesty of purpose in the exercise of its discretion." *Ford Motor Co. v. Huffman*, 345 U.S. 330, 338 (1953); *Vaca v. Sipes*, 386 U.S. 171 (1967). Thus, a union violates its obligation when its conduct is shown to be based on hostility, arbitrary reasons, or other improper motives.

Although you complain the Union failed to fairly represent you when it failed to remand your grievance to Step A for further development of the record, the investigation revealed the Union's Step B representative maintained its long-held position that your underlying complaint lacked merit. While you complain the Union further failed to fairly represent you because the issue statement on the Step B decision cites incorrect dates, you admit the remainder of the Step B decision properly explains the facts and cites the correct dates. Furthermore, the investigation revealed the incorrect date in the issue framing had no clear bearing on the underlying merits of the grievance. Therefore, the investigation uncovered insufficient evidence that the Union acted with hostility, animus or unlawful motive toward you when it did not remand your grievance back to Step A. Accordingly, further proceedings are not warranted, and I am refusing to issue a complaint.

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

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlr.gov and:

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

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

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

Appeal Due Date: The appeal is due on **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, 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

National Association of Letter Carriers,
AFL-CIO (Region 8)
(United States Postal Service)
Case 15-CB-223601

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October 18, 2018

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/

M. Kathleen McKinney
Regional Director

MKM/dms

Enclosure

cc: Courtney Foxworth, Station Manager
United States Postal Service
5720 Citrus Blvd
New Orleans, LA 70123-5854

Roderick D. Eves, Deputy Managing
Counsel
United States Postal Service
1720 Market Street, Rm 2400
St. Louis, MO 63155-9948

Glen Chapoton, (b) (6), (b) (7)(C)
National Association Of Letter Carriers,
AFL-CIO (Region 8)
160 Commissioner Dr
Meridianville, AL 35759-2038

Peter D. DeChiara, Esq.
Cohen, Weiss and Simon LLP
900 Third Avenue, 21st Floor
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Joshua J. Ellison, ESQ.
Cohen, Weiss and Simon, LLP
900 Third Ave., 21st Flr
New York, NY 10022-4869

National Association of Letter Carriers,
AFL-CIO (Region 8)
(United States Postal Service)
Case 15-CB-223601

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October 18, 2018



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 15
600 South Maestri Place – 7th Floor
New Orleans, LA 70130-3413

Agency Website: www.nlr.gov
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Fax: (504)589-4069

October 11, 2018

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

Re: International Association of Machinists
District 161 (Axiall)
Case 15-CB-224425

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

The Region has carefully investigated and considered your charge against the International Association of Machinists District 161 alleging violations under Section 8 of the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have concluded that further proceedings are not warranted, and I am dismissing your charge for the following reasons:

Your charge alleges that for the last six months and continuing, the International Association of Machinists District 161 (Union) has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process your grievance regarding discipline for failing to tie off and your discharge for arbitrary or discriminatory reasons or in bad faith.

Guidance in determining the merit of your charge is found in *Vaca v. Sipes*, 386 U.S. 171 (1967) and *Bottle Blowers Local 106*, 240 NLRB 324 (1979). In *Vaca*, the Board established the Union's duty to represent you. In *Bottle Blowers*, the Board established a test for determining whether a union has unlawfully failed to carry a grievance through to arbitration. In determining whether a union violates the Act in failing to process a grievance, the case is evaluated not on whether or not the grievance was a winnable grievance, but rather on whether the union's handling of the grievance was performed in a perfunctory manner, or whether its refusal to further process a grievance was motivated by ill will or other invidious considerations. So long as a union exercises its discretion in good faith and with honesty of purpose, a collective bargaining representative is endowed with a wide range of reasonableness in the performance of its duties. Mere negligence, poor judgment, or ineptitude are insufficient to establish a breach of

the duty of fair representation. *Service Employees Local 579 (Beverly Manor Convalescent Center)*, 229 NLRB 692, 695 (1977).

The investigation of your case revealed insufficient evidence of union animus, discriminatory, or arbitrary treatment to support a violation of the Act. Instead, the investigation disclosed the Union processed your grievance to the third step where it then voted not to pursue your grievance any further based on the evidence they obtained regarding your grievance. The evidence was insufficient to establish that the Union's decision not to pursue your grievance any further was made with any ill will, discriminatory motive, or invidious considerations. As such, there was insufficient evidence that the Union's conduct rose to the level of an unfair labor practice.

Accordingly, I am dismissing your charge.

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

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlr.gov and:

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

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

Appeal Due Date: The appeal is due on **October 25, 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 24, 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

October 11, 2018

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 25, 2018**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 25, 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/

M. Kathleen McKinney
Regional Director

MKM/glf

Enclosure

cc: Brian L. Mims, ESQ.
2801 Post Oak Blvd Ste 600
Houston, TX 77056-6110

Axiall
1300 PPG Dr.
Lake Charles, LA 70602

International Association of Machinists
District 161 (Axiall)
Case 15-CB-224425

- 4 -

October 11, 2018

(b) (6), (b) (7)(C)
International Association of Machinists
District 161
330 Belden St
Lake Charles, LA 70601-2183

James R. Little
Grand Lodge Representative
International Association of Machinists
and Aerospace Workers, AFL-CIO
690 E Lamar Blvd Ste 580
Arlington, TX 76011-1711



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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600 South Maestri Place – 7th Floor
New Orleans, LA 70130-3413

Agency Website: www.nlrb.gov
Telephone: (504)589-6362
Fax: (504)589-4069

October 30, 2018

Luther Oneal Sutter, Esq.
Sutter & Gillham, P.L.L.C.
310 West Conway Street
Benton, AR 72015

Re: Teamsters Local 878
(United Parcel Service)
Case 15-CB-224514

Dear Mr. Sutter:

The Region has carefully investigated and considered your charge against Teamsters Local 878 alleging that it violated Section 8(b)(1)(A) of the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have concluded that further proceedings are not warranted, and I am dismissing the charge for the following reasons:

Your charge alleges that for the last six months and continuing to date, the Union restrained and coerced employees in the exercise of rights protected by Section 7 of the Act by refusing to process your grievances pursuant to the Informal Settlement Agreement in NLRB Case No. 15-CA-176201 for arbitrary or discriminatory reasons or in bad faith. The investigation disclosed that the Informal Settlement Agreement provided that 94 grievances could be re-filed if new information from the listed witnesses was provided within the Notice posting period. The grievances were not refiled because there was no new information provided during the relevant time period. As such the evidence was insufficient to establish that the Union violated its duty of fair representation for arbitrary or discriminatory reasons or in bad faith. See *Vaca V. Sipes*, 386 U.S. 171 (1967).

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Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlrb.gov and:

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

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.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 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 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 November 13, 2018**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 13, 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

October 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,

/s/

M. Kathleen McKinney
Regional Director


MKM/glf

Enclosure

cc: Tim Nichols, President
Teamsters Local 878
6000 Patterson Rd
Little Rock, AR 72209-2428

Melva Harmon, Attorney
Harmon Law Office
Stephens Bldg 111 Center St
Suite 1200
Little Rock, AR 72201

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



Kyle McKenna, ESQ.
Armstrong Teasdale, LLP
7700 Forsyth Blvd
Suite 1800
St. Louis, MO 63105

United Parcel Service
5501 Fourche Dam Pike
Little Rock, AR 72206-2600



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 15
600 South Maestri Place – 7th Floor
New Orleans, LA 70130-3413

Agency Website: www.nlr.gov
Telephone: (504)589-6362
Fax: (504)589-4069

October 11, 2018

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

Re: National Rural Letter Carriers
(United States Postal Service)
Case 15-CB-225602

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

We have carefully considered your charge that National Rural Letter Carriers 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 and:

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

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

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

Appeal Due Date: The appeal is due on **October 25, 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 24, 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 25, 2018**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 25, 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/

M. Kathleen McKinney
Regional Director

MKM/glf

Enclosure

cc: Cindy Thompson, Postmaster
United States Postal Service
408 N Main St
Warren, AR 71671-9998

Roderick D. Eves
Deputy Managing Counsel
United States Postal Service
1720 Market Street
Rm 2400
St. Louis, MO 63155-9948

Brian McKee
Assistant District Representative
National Rural Letter Carriers
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UNITED STATES GOVERNMENT
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Agency Website: www.nlrb.gov
Telephone: (504)589-6362
Fax: (504)589-4069

October 24, 2018

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

Re: International Longshoremen's Association
Local 1303
(Port of Gulfport, various employers)
Case 15-CB-225932

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

We have carefully considered your charge that INTERNATIONAL LONGSHOREMENS ASSOCIATION LOCAL 1303 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 and:

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

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

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

October 24, 2018

Appeal Due Date: The appeal is due on **November 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 November 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 November 7, 2018**. The request may be filed electronically through the ***E-File Documents*** link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 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,

/s/

M. Kathleen McKinney
Regional Director

MKM/glf

Enclosure

cc: See next page

International Longshoremen's Association - 3 -
Local 1303
(Port of Gulfport, various employers)
Case 15-CB-225932

October 24, 2018

cc: Darius Johnson
 International Longshoremens Association
 Local 1303
 2223 29th Ave.
 Gulfport, MS 39501

Kevin R. Mason-Smith, ESQ.
Robein Urann Spencer Picard
 & Cangemi, APLC
2540 Severn Avenue
Suite 400
Metairie, LA 70002-5955

Port of Gulfport
PO Box 40
Gulfport, MS 39502-4241



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

SUBREGION 26
80 Monroe Ave Ste 350
Memphis, TN 38103-2400

Agency Website: www.nlr.gov
Telephone: (901)544-0019
Fax: (901)544-0008

October 23, 2018

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

Re: United Steel, Paper and Forestry, Rubber,
Manufacturing, Energy, Allied Industrial
and Service Workers
Case 15-CB-227782

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

We have carefully considered your charge that United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers 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 and:

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

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

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

Appeal Due Date: The appeal is due on **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, 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,

M. KATHLEEN MCKINNEY
Regional Director

By:


CHRISTOPHER ROY
Officer in Charge

Enclosure

cc: Lisa Johnson, HR Manager
Geodis Logistics, LLC
5510 E Holmes Rd.
Memphis, TN 38118-7948

Ben Brandon, Union Representative
United Steel, Paper and Forestry, Rubber,
Manufacturing, Energy, Allied Industrial
and Service Workers
5338 Peters Creek Road
Roanoke, VA 24019