



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
REGION 14  
1222 SPRUCE ST  
RM 8.302  
SAINT LOUIS, MO 63103-2829

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (314)539-7770  
Fax: (314)539-7794

October 15, 2018

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

Re: UPS  
Case 14-CA-222886  
and  
Teamsters Local No. 688  
(UPS)  
Case 14-CB-222921

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

We have carefully investigated and considered your charges that UPS and Teamsters Local 688 have violated the National Labor Relations Act.

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

Your charge against the Employer alleges you were forced into a (b) (6), (b) (7)(C) program because you engaged in protected concerted union activities. The investigation disclosed that the Employer suspected you of violating its (b) (6), (b) (7)(C) policies after a routine DOT (b) (6), (b) (7)(C) examination. The Employer required you to enroll in and complete its (b) (6), (b) (7)(C) program. You contend that a (b) (6), (b) (7)(C) test you took on your own cleared you and established you were not in violation of the (b) (6), (b) (7)(C) policy. The investigation, however, failed to disclose any evidence that you engaged in any protected concerted activities or union activities of which the Employer was aware, or that the Employer required you to enroll in the (b) (6), (b) (7)(C) program in retaliation for your protected concerted activities or union activities.

Your charge against the Union alleges that the Union failed to advance your grievance to an appeal board and withdrew your grievance for arbitrary and discriminatory reasons. The investigation disclosed that, at your request, the Union filed a grievance protesting the requirement that you enroll in the (b) (6), (b) (7)(C) program. The Union explained to you, however, that your private test results would not change the Employer's position that you enroll in the (b) (6), (b) (7)(C) program. When the Employer denied your grievance, the Union withdrew the grievance, informing you that it could not establish a violation of the labor agreement. The investigation failed to establish that the Union's withdrawal of your grievance was in bad faith, discriminatory or based on any invidious or prohibited consideration.

In light of the above, further proceedings are not warranted on either charge. Therefore, I am refusing to issue 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](http://www.nlr.gov) and:

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

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

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

**Appeal Due Date:** The appeal is due on **October 29, 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 27, 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 29, 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 29, 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

UPS  
Case 14-CA-222886  
and  
Teamsters Local No. 688  
(UPS)  
Case 14-CB-222921

- 3 -

October 15, 2018

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/ *Mary G. Taves*

MARY G. TAVES  
Acting Regional Director

Enclosure

cc: BRADLEY BREDENSTINER  
UPS  
520 S Jefferson Ave  
Saint Louis, MO 63103-3022

RALPH AHART  
TEAMSTERS LOCAL 688  
4349 Woodson Rd Ste 200  
Saint Louis, MO 63134-3719

KYLE MCKENNA  
ARMSTRONG TEASDALE, LLP  
7700 Forsyth Blvd., Suite 1800  
St. Louis, MO 63105

GARY S. WOLFE, Attorney  
SPECTOR, WOLFE, MCLAUGHLIN &  
O'MARA, L.L.C.  
710 S. Kirkwood Rd.  
Kirkwood, MO 63122

DANIEL K. O'TOOLE, Attorney  
ARMSTRONG TEASDALE LLP  
7700 Forsyth Blvd., Ste 1800  
Saint Louis, MO 63105-1807

hly



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
REGION 14  
1222 SPRUCE ST  
RM 8.302  
SAINT LOUIS, MO 63103-2829

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (314)539-7770  
Fax: (314)539-7794

October 12, 2018

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

Re: First Student  
Case 14-CA-225981  
and  
Laborers Local 773  
(First Student)  
Case 14-CB-225982

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

We have carefully investigated and considered your charges that FIRST STUDENT, INC. and Laborers' International Union of North America, Local Union 773 have violated the National Labor Relations Act.

**Decision to Dismiss:** Your charges allege that the Employer discharged you in order to discourage your union activities or membership, and that the Union refused to process your grievance for arbitrary or discriminatory reasons or in bad faith. With respect to your charge against the Employer, the investigation disclosed that you were terminated on (b) (6), (b) (7)(C) for accruing too many attendance points for no-call and no-show on (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C). You also had numerous prior absences in 2018. The investigation failed to disclose that you engaged in any union or protected concerted activity prior to your discharge. In the absence of any union or protected concerted activity, a violation could not be established.

With respect to your charge against the Union, a grievance meeting was scheduled for (b) (6), (b) (7)(C) to discuss your discharge. The union representative assigned to attend the 12:30 meeting was unavailable so it was rescheduled for 1 p.m. that same day. You did not return to the facility in a timely manner and the Employer's representative had to leave. The Union then rescheduled the meeting for (b) (6), (b) (7)(C). That morning, the Employer called the Union and reported that it believed you had engaged in misconduct in the facility parking lot and, therefore, the Employer refused to allow you back on the property. In light of the Employer's reasons for not permitting you on its property and your poor attendance history, the Union determined it could not successfully arbitrate your grievance and withdrew it.

Accordingly, further proceedings are not warranted on either charge and I am refusing to issue complaint in either 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](http://www.nlr.gov) and:

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

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

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

**Appeal Due Date:** The appeal is due on **October 26, 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 25, 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 26, 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 26, 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

First Student  
Case 14-CA-225981  
and  
Laborers Local 773  
(First Student)  
Case 14-CB-225982

- 3 -

October 12, 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,

/s/

LEONARD J. PEREZ  
Regional Director

Enclosure

cc: JESSICA BARLOW, HR Representative  
FIRST STUDENT, INC.  
2 Union 70 Center Dr  
Saint Louis, MO 63120-1714

LINDSAY MONGENAS, Labor Counsel  
FIRSTGROUP AMERICA  
600 Vine St Ste 1400  
Cincinnati, OH 45202-2426

ANDRE LAGRANDE, Field Representative  
LABORERS' INTERNATIONAL  
UNION OF NORTH AMERICA,  
LOCAL UNION 773  
301 South Ewing, PO Box 23431  
Saint Louis, MO 63156-3431

hly





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
REGION 14  
1222 SPRUCE ST  
RM 8.302  
SAINT LOUIS, MO 63103-2829

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (314)539-7770  
Fax: (314)539-7794

October 10, 2018

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

Re: United States Postal Service  
Case 14-CA-226045  
and  
BRANCH 343, NATIONAL  
ASSOCIATION OF LETTER CARRIERS,  
AFL-CIO (United States Postal Service)  
Case 14-CB-223384

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

We have carefully investigated and considered your charges that UNITED STATES POSTAL SERVICE and BRANCH 343, NATIONAL ASSOCIATION OF LETTER CARRIERS, AFL-CIO have violated the National Labor Relations Act and the Postal Reorganization 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.

Case 14-CA-226045

and

BRANCH 343, NATIONAL

ASSOCIATION OF LETTER CARRIERS,

AFL-CIO (United States Postal Service)

Case 14-CB-223384

**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.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 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/

LEONARD J. PEREZ  
Regional Director

Enclosure

(cc's on the following page)



Case 14-CA-226045

and

BRANCH 343, NATIONAL  
ASSOCIATION OF LETTER CARRIERS,  
AFL-CIO (United States Postal Service)  
Case 14-CB-223384

cc: PAM NORTHCROSS, Branch Manager  
UNITED STATES POSTAL SERVICE  
3415 N Kingshighway Blvd  
Saint Louis, MO 63107-0017

RODERICK D. EVES  
Deputy Managing Counsel  
UNITED STATES POSTAL SERVICE  
(LAW DEPARTMENT - NLRB UNIT)  
1720 Market St., Rm. 2400  
St. Louis, MO 63155-9948

JOY D. THOMPSON, Paralegal Specialist  
UNITED STATES POSTAL SERVICE  
(LAW DEPARTMENT - NLRB UNIT)  
1720 Market St., Rm. 2400  
St. Louis, MO 63155-9948

BOB RAPISARDO, President  
BRANCH 343, NATIONAL  
ASSOCIATION OF LETTER  
CARRIERS, AFL-CIO  
1600 S Broadway  
Saint Louis, MO 63104-3806

PETER D. DECHIARA, Esq.  
COHEN, WEISS AND SIMON LLP  
900 Third Avenue, 21st Floor  
New York, NY 10022

hly



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 17  
8600 Farley St Ste 100  
Overland Park, KS 66212-4677

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (913)967-3000  
Fax: (913)967-3010

October 19, 2018

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

Re: International Brotherhood of Electrical Workers  
Local 1464 (General Electric Transportation)  
Case 14-CB-222906

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

We have carefully investigated and considered your charge that International Brotherhood of Electrical Workers Local 1464 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.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 2, 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 1, 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 2, 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 2, 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,

LEONARD J. PEREZ  
Regional Director

By: */s/ Mary G. Taves*

MARY G. TAVES  
Officer in Charge

LJP:rml  
Enclosure

cc: Kate Jacobson, HR Representative  
General Electric Transportation  
10707 N Pomona Ave  
Kansas City, MO 64153-1925

Scott L. Brown, Attorney  
Blake & Uhlig, P.A.  
753 State Avenue  
Suite 475  
Kansas City, KS 66101-2510

Chad Little, Representative  
International Brotherhood of Electrical Workers  
Local 1464  
1760 Universal Ave  
Kansas City, MO 64120-1319



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 17  
8600 Farley St Ste 100  
Overland Park, KS 66212-4677

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (913)967-3000  
Fax: (913)967-3010

October 29, 2018

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

Re: Amalgamated Transit Union Local 1287 (First  
Transit)  
Case 14-CB-223961

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

We have carefully investigated and considered your charge that Amalgamated Transit Union Local 1287 (Union) has violated the National Labor Relations Act (Act).

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

You have alleged that on (b) (6), (b) (7)(C) 2018, the Union failed to represent you at a meeting with First Transit (Employer) regarding a personal dispute between yourself and another bargaining unit member. The investigation found that the Union did not refuse to represent you. Instead, the evidence supports that the Union (b) (6), (b) (7)(C) asked to wait to meet until after (b) (6) finished (b) (6) break. Further, the evidence shows that after (b) (6) break, the Union (b) (6), (b) (7)(C) did attend a meeting regarding the personal dispute, but was reluctant to take sides in a personal matter between two unit employees. The Union is not required to take sides in personal disputes between unit members, and as such, was not obligated to attend the meeting. Despite this, a Union (b) (6), (b) (7)(C) did attend.

You have also alleged that on or about (b) (6), (b) (7)(C) 2018, the Union breached its duty of fair representation when a Union (b) (6), (b) (7)(C) allegedly referred to you by a derogatory name. The evidence is not clear that the Union (b) (6), (b) (7)(C) was specifically referring to you when (b) (6) allegedly made the derogatory comment. However, even if the Union (b) (6), (b) (7)(C) did refer to you using a derogatory term in the break room, mere name-calling is not a violation of the Act. This is particularly true where the investigation did not show that name-calling was made in an effort to retrain or coerce you in the exercise of your rights which are protected by Section 7 of the Act.

For all of the above reasons, I am refusing to issue a complaint in this matter and the case is 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.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 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 10, 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](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 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 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,

LEONARD J. PEREZ  
Regional Director

By: */s/ Mary G. Taves*

MARY G. TAVES  
Officer in Charge

LJP:rmf  
Enclosure

cc: John Randall, Manager  
First Transit  
1701 W Highway 56  
Olathe, KS 66061-5177

Johnny Walker, President  
Amalgamated Transit Union Local 1287  
6320 Manchester Ave  
Kansas City, MO 64133-4861



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
REGION 14  
1222 SPRUCE ST  
RM 8.302  
SAINT LOUIS, MO 63103-2829

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (314)539-7770  
Fax: (314)539-7794

October 2, 2018

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

Re: Teamsters Local 600 (Thyssenkrupp  
Industrial Services)  
Case 14-CB-223987

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

We have carefully investigated and considered your charge that Teamsters Local 600 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 **October 16, 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 15, 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 16, 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 16, 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/

LEONARD J. PEREZ  
Regional Director

Enclosure

cc: TRISHA DROEGE  
THYSSENKRUPP INDUSTRIAL  
SERVICES  
140 Enterprise Dr  
Wentzville, MO 63385-5544  
  
LARRY TINKER, President  
TEAMSTERS LOCAL 600  
161 Weldon Pkwy  
Maryland Heights, MO 63043-3106

hly



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

SUBREGION 17  
8600 Farley St Ste 100  
Overland Park, KS 66212-4677

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (913)967-3000  
Fax: (913)967-3010

October 17, 2018

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

Re: International Brotherhood of Teamsters  
Local 554 (Railcrew Xpress)  
Case 14-CB-224198

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

We have carefully investigated and considered your charge that International Brotherhood of Teamsters Local 554 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.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 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,

MARY G. TAVES  
Acting Regional Director

By: */s/ Mary G. Taves*

MARY G. TAVES  
Officer in Charge

MGT:rmc  
Enclosure

cc: Tara Johnson, Human Resources  
Railcrew Xpress  
9867 Widmer Rd  
Lenexa, KS 66215-1239

M. H. Weinberg, Attorney  
Weinberg & Weinberg, P.C.  
9290 W Dodge Rd Ste 205  
Omaha, NE 68114-3320

Todd Bell, Business Agent  
International Brotherhood of Teamsters  
Local 554  
4349 S 90th St  
Omaha, NE 68127-1309