



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlr.gov
Telephone: (312)353-7570
Fax: (312)886-1341

November 20, 2018

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

Re: United Steel Workers 2003-44 (Jupiter
Aluminum)
Case 13-CB-218748

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

We have carefully investigated and considered your charge that United Steelworkers of America, Local 2003-44 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union did not process your grievance against the Employer fairly. However, the evidence is insufficient to show that the Union's failure to process your grievance as far as you desire, or to achieve the results you desire, was for unfair, arbitrary or discriminatory reasons, rather than its judgment as to the merits of your grievance.

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 **December 4, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be

completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than **December 3, 2018. If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before December 4, 2018.** The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after **December 4, 2018, even if it is postmarked or given to the delivery service before the due date.** Unless filed electronically, a copy of the extension of time should also be sent to me.

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

Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Alex Jacque, District Union Rep.
United Steelworkers of America, Local
2003-44
1307 Central Ave
Lake Station, IN 46405-1638

Anthony Alfano, Organizing Counsel
United Steelworkers
1301 Texas St Rm 200
Gary, IN 46402-3017

David R. Jury, General Counsel
United Steel, Paper and Forestry, Rubber,
Manufacturing, Energy, Allied Industrial
and Service Workers International Union
(USW), AFL-CIO/CLC
Legal Department, 60 Boulevard of the
Allies
Five Gateway Center, Room 807
Pittsburgh, PA 15222-1214

Antonia Domingo, Assistant General
Counsel
United Steel, Paper and Forestry, Rubber,
Manufacturing, Energy, Allied Industrial
and Service Workers International Union,
AFL-CIO, CLC
60 Blvd of the Allies
Room 807
Pittsburgh, PA 15222-1214

Vickie Smith, HR Director
Jupiter Aluminum
1745 165th Street
Hammond, IN 46320-2800



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November 26, 2018

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

Re: Teamster 142 (TMS International)
Case 13-CB-224481

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

We have carefully investigated and considered your charge that Teamster 142 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union did not process your grievance against the Employer fairly. However, the evidence is insufficient to show that the Union's failure to process your grievance as far as you desire, or to achieve the results you desire, was for unfair, arbitrary or discriminatory reasons, rather than its judgment as to the merits of your grievance. You have also alleged that the Union violated Section 8(b)(3) of the Act by refusing to bargain with the Employer. However, there is no evidence to substantiate this allegation.

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

Appeal Due Date: The appeal is due on **December 10, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by

delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than December 9, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

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Very truly yours,

/s/Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Ted Bilski, President
Teamster 142
1300 Clark Road
Gary, IN 46404

Paul T. Berkowitz, Attorney
Paul T. Berkowitz & Associates, Ltd.
123 West Madison Street, Suite 600
Chicago, IL 60602-4625

TMS International
1 North Buchanan Street
Gary, IN 46402-1060



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November 30, 2018

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

Re: SEIU Local 73 (Illinois Central School
Bus)
Case 13-CB-224671

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

We have carefully investigated and considered your charge that Service Employees International Union Local 73 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union violated the Act by refusing to process your grievance. However, the evidence is insufficient to show that the Union refused to process your grievance for unlawful reasons or that it breached its duty of fair representation to you in any other manner.

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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November 30, 2018

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Very truly yours,

/s/Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Karla Hamilton
Illinois Central School Bus LLC
3401 East 15th Avenue
Gary, IN 46403-3680

Dian Palmer, Trustee
Service Employees International Union, Local 73
300 South Ashland Avenue, Suite 400
Chicago, IL 60607-2746

Daniel Zapata, Counsel
Service Employees International Union, Local 73
CLC/CTW
300 South Ashland Avenue, Suite 400
Chicago, IL 60607-2746



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November 29, 2018

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

Re: Teamsters Local 710 (Ferguson Enterprises,
Inc.)
Case 13-CB-224672

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

We have carefully investigated and considered your charge that Teamsters Local 710 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that Teamsters Local 710 (the “Union”) has violated Section 8(b)(1)(A) of the Act by failing and refusing to fairly represent you. However, the evidence is insufficient to show that the Union engaged in arbitrary or discriminatory conduct, or that it acted in bad faith when processing your grievance.

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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November 29, 2018

delivery service no later than December 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/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

CM/lab

Enclosure

cc: Salo Epara, Warehouse Manager
Ferguson Enterprises, Inc.
884 South Rohlwing Road
Addison, IL 60101-4218

Bernie Sherlock, Business Agent
Teamsters Local 710
9000 West 187th Street
Mokena, IL 60448

Laurence M. Goodman, Esq.
Willig, Williams & Davidson
1845 Walnut Street, 24th Floor
Philadelphia, PA 19103



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November 14, 2018

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

Re: Gas Workers Union Local 18007, Utilities
Workers of America (Peoples Gas)
Case 13-CB-225231

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

We have carefully investigated and considered your charge that Gas Workers Union Local 18007, Utilities Workers of America has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union did not process your grievance against the Employer fairly. However, the evidence is insufficient to show that the Union's failure to process your grievance as far as you desire, or to achieve the results you desire, was for unfair, arbitrary or discriminatory reasons, rather than its judgment as to the merits of your grievance.

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 **November 28, 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

November 14, 2018

delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 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.

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Very truly yours,

/s/Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: **(b) (6), (b) (7)(C)**
Gas Workers Union Local 18007, Utilities
Workers of America
300 South Ashland Avenue, Suite 206
Chicago, IL 60607-3848

Ian Elfenbaum, ESQ.
Elfenbaum, Evers, Amarilio & Zielinska, P.C.
900 West Jackson Blvd., Suite 3-E
Chicago, IL 60607

John Moran, Manager
Peoples Gas
4161 West 36th Street
Chicago, IL 60632-3882



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November 30, 2018

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

Re: United Autoworkers Local 3212 (Dakota
Systems)
Case 13-CB-226071

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

We have carefully investigated and considered your charge that United Autoworkers Local 3212 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union failed and refused to file a grievance on your behalf for unlawful reasons. However, the evidence showed that the Union did in fact file and process your grievance. The evidence is also insufficient to show that the Union's failure to process your grievance as far as you desire, or to achieve the results you desire, was for unfair, arbitrary or discriminatory reasons, rather than its judgment as to the merits of your grievance.

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Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Roosevelt Williams, President
UAW Local 3212
11731 South Avenue O
Chicago, IL 60617

Niraj Ganatra, General Counsel
International Union, United Automobile,
Aerospace and Agricultural Implement
Workers of America (UAW), AFL-CIO
Law Department
8000 East Jefferson Avenue
Detroit, MI 48214

Jeff Sodko, Deputy General Counsel
International Union, United Automobile,
Aerospace and Agricultural Implement
Workers of America (UAW), AFL-CIO
Law Department
8000 East Jefferson Avenue
Detroit, MI 48214

Yolanda Pitts, Human Resources
Dakota Systems
12525 South Carondelet Avenue
Chicago, IL 60633-1458



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November 15, 2018

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

Re: United Food & Commercial Workers Union
Local 1546 (Jewel Osco)
Case 13-CB-226793

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

We have carefully investigated and considered your charge that United Food & Commercial Workers Union Local 1546 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union did not process your grievance against the Employer fairly. However, the evidence is insufficient to show that the Union's failure to process your grievance as far as you desire, or to achieve the results you desire, was for unfair, arbitrary or discriminatory reasons, rather than its judgment as to the merits of your grievance.

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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Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

VR/lab

Enclosure

cc: Brian Ralston, Union Representative / Organizer
United Food & Commercial Workers Union Local 1546
1340 Remington Road, Suite W/X
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Nicholas W. Clark, General Counsel
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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlr.gov
Telephone: (312)353-7570
Fax: (312)886-1341

November 30, 2018

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

Re: Teamsters, Local 710 (UPS Freight)
Case 13-CB-227713

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

We have carefully investigated and considered your charge that Teamsters, Local 710 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union refused to process your grievance concerning your wage rate for arbitrary, discriminatory, or bad faith reasons. However, Section 10(b) of the Act bars further proceedings on the events complained of in your charge. Moreover, the evidence is insufficient to show that the Union refused to process your grievance for unlawful reasons or breached its duty of fair representation to you in any other manner.

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 **December 14, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by

delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than December 13, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before December 14, 2018.** The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after December 14, 2018, **even if it is postmarked or given to the delivery service before the due date.** Unless filed electronically, a copy of the extension of time should also be sent to me.

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

Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Jim Majale, Manager
UPS Freight
750 S. Hicks Road
Palatine, IL 60067-7124

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

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55 Glenlake Parkway, NE
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November 30, 2018

Jack P. Cerone, Esq.
Erbacci & Cerone, Ltd.
770 Lee Street, Suite 201
Des Plaines, IL 60016-6467

Re: International Union of Operating Engineers
Local Union No. 150 (WillCo Green, LLC)
Case 13-CC-231368

Dear Mr. Cerone:

We have carefully investigated and considered your charge that International Union of Operating Engineers Local 150 has violated the National Labor Relations Act.

Decision to Dismiss: You have alleged that the Union violated Section 8(b)(4)(i)(ii)(B) of the Act by engaging in picketing with the object of forcing or requiring other persons and companies to cease doing business with you. However, the evidence is insufficient to show that the Union has violated the Act by its use of a stand-alone inflatable rat and banner in this case.

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

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;
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Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

Enclosure

cc: Tom Ferrallo, Business Representative
International Union of Operating
Engineers Local 150
6200 Joliet Road
Countryside, IL 60525-3992

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