

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

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

November 20, 2018



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 <u>www.nlrb.gov</u> 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 <u>www.nlrb.gov</u>. 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 <u>www.nlrb.gov</u>, 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 United Steel Workers 2003-44 (Jupiter Aluminum) Case 13-CB-218748

> 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

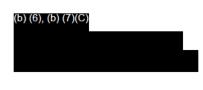
Vickie Smith, HR Director Jupiter Aluminum 1745 165th Street Hammond, IN 46320-2800



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

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

November 26, 2018



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 <u>www.nlrb.gov</u> 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.

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 10, 2018.** The request may be filed electronically through the *E-File Documents* link on our website <u>www.nlrb.gov</u>, 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 10, 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/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

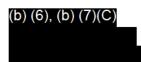
TMS International 1 North Buchanan Street Gary, IN 46402-1060



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

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

November 30, 2018



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 <u>www.nlrb.gov</u> and:

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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

SEIU Local 73 (Illinois Central School Bus) - 3 -Case 13-CB-224671

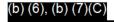
> Daniel Zapata, Counsel Service Employees International Union, Local 73 CLC/CTW 300 South Ashland Avenue, Suite 400 Chicago, IL 60607-2746



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

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

November 29, 2018



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 <u>www.nlrb.gov</u> and:

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

Teamsters Local 710 (Ferguson Enterprises, -2 -Inc.) Case 13-CB-224672

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 Espara, 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

Teamsters Local 710 (Ferguson Enterprises, - 3 - Inc.) Case 13-CB-224672 November 29, 2018

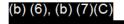
Laurence M. Goodman, Esq. Willig, Williams & Davidson 1845 Walnut Street, 24th Floor Philadelphia, PA 19103



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

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

November 14, 2018



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

Gas Workers Union Local 18007, Utilities - 2 -Workers of America (Peoples Gas) Case 13-CB-225231

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 Gas Workers Union Local 18007, Utilities - 3 -Workers of America (Peoples Gas) Case 13-CB-225231

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

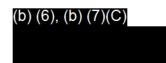
John Moran, Manager Peoples Gas 4161 West 36th Street Chicago, IL 60632-3882



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

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

November 30, 2018



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.

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 <u>www.nlrb.gov</u> and:

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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

United Autoworkers Local 3212 (Dakota - 2 -Systems) Case 13-CB-226071

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.

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

> 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

- 3 -

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

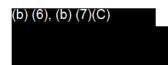
Yolanda Pitts, Human Resources Dakota Systems 12525 South Carondolet Avenue Chicago, IL 60633-1458



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

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

November 15, 2018



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.

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United Food & Commercial Workers Union - 2 -Local 1546 (Jewel Osco) Case 13-CB-226793

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 28, 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 29, 2018.** The request may be filed electronically through the *E-File Documents* link on our website <u>www.nlrb.gov</u>, 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 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 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

VR/lab

Enclosure

cc: Brian Ralston, Union Representative / Organizer
 United Food & Commercial Workers Union Local 1546
 1340 Remington Road, Suite W/X
 Schaumburg, IL 60173

United Food & Commercial Workers Union - 3 -Local 1546 (Jewel Osco) Case 13-CB-226793

> Nicholas W. Clark, General Counsel United Food & Commercial Workers International Union (UFCW) 1775 K Street NW Basement Washington, DC 20006-1598

Marisel A. Hernandez, Attorney Jacobs Burns Orlove & Hernandez 150 North Michigan Avenue, Suite 1000 Chicago, IL 60601

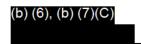
Richard Agustin, Store Director Jewel Food Stores 800 North Main Street Elburn, IL 60119



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

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

November 30, 2018



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 <u>www.nlrb.gov</u> 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 <u>www.nlrb.gov</u>. 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 <u>www.nlrb.gov</u>, 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)

UPS Freight 55 Glenlake Parkway, NE Atlanta, GA 30328 Simon McNamara Business Agent Teamsters, Local 710 9000 187th Street Mokena, IL 60448

Laurence M. Goodman, Esq. Communications Workers of America, District 2-13, AFL-CIO 1845 Walnut Street, 24th Floor Philadelphia, PA 19103



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

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

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 <u>www.nlrb.gov</u> 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 <u>www.nlrb.gov</u>. 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

International Union of Operating Engineers - 2 -Local Union No. 150 (WillCo Green, LLC) Case 13-CC-231368

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.

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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

> International Union of Operating Engineers, Local 150 6140 Joliet Road Countryside, IL 60525

International Union of Operating Engineers - 3 -Local Union No. 150 (WillCo Green, LLC) Case 13-CC-231368

> John McMahon WillCo Green, LLC 12152 S. Naperville Road Plainfield, IL 60585-9597