



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 4  
100 E Penn Square  
Suite 403  
Philadelphia, PA 19107

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (215)597-7601  
Fax: (215)597-7658

October 31, 2018

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

Re: USWA Local-10-00086  
(Merck Sharp & Dome)  
Case 04-CB-223473

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

We have carefully investigated and considered your charge that USWA Local--10-00086 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 **Wednesday, November 14, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than **Tuesday, November 13, 2018**. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern

Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before Wednesday, November 14, 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 **Wednesday, November 14, 2018, even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required 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/ Dennis P. Walsh  
DENNIS P. WALSH  
Regional Director

Enclosure

cc: (b) (6), (b) (7)(C)  
USWA Local--10-00086  
1851 W Point Pike  
P.O. Box 1-15  
West Point, PA 19486-9998

Taneha North, HR Business Partner  
Merck Sharp & Dome  
Merck P.O. Box-4  
West Point, PA 19486-0004

Lewis S. Dopson, Assistant to  
the Director  
United Steelworkers  
10 Canal Street, Suite 310  
Bristol, PA 19007



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 04  
615 Chestnut St Ste 710  
Philadelphia, PA 19106-4413

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (215)597-7601  
Fax: (215)597-7658

October 24, 2018

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

Re: AFSCME District 1199C, AFL-CIO  
(Wyndmoor Hills Rehabilitation Center)  
Case 04-CB-227661

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

We have carefully considered your charge that AFSCME District 1199C, AFL-CIO has violated the National Labor Relations Act.

**Decision to Dismiss:** I have decided to dismiss your charge because of your lack of cooperation. The charge was filed on September 19, 2018, without any evidence. The assigned Board Agent spoke with you about the charge on September 21, 2018 and advised you that you were required to come to our office to give an affidavit. You said that you would call the Board Agent at a later date to make the appointment. When the Board Agent had not heard from you by October 1, he called you and again told you that you needed to make an appointment for the affidavit. You advised the Board Agent that you probably could not appear until the following week and agreed to call the Board Agent on October 2 or 3, 2018. However, the Board Agent did not receive a call from you. By letter dated October 9, 2018, the Board Agent advised you that if you did not either withdraw your charge or provide sworn testimony by October 12, 2018, he would recommend that your charge be dismissed for lack of cooperation. To date, you have not responded to the Board Agent's requests for evidence in support of your charge. As you have not provided any evidence, although being given an opportunity to do so, I am refusing to issue a Complaint in this matter.

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

**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 **November 7, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 6, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 7, 2018**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlr.gov](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 7, 2018, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

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

Very truly yours,

/s/ Dennis P. Walsh

DENNIS P. WALSH  
Regional Director

Enclosure

AFSCME District 1199C, AFL-CIO  
(Wyndmoor Hills Rehabilitation Center)  
Case 04-CB-227661

- 3 - October 24, 2018

cc:

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

AFSCME District 1199C, AFL-CIO  
1319 Locust Street  
Philadelphia, PA 19107-5498

Wyndmoor Hills Rehabilitation Center  
8601 Stenton Avenue  
Wyndmoor, PA 19038



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REGION 4

100 Penn Square East, Suite 403  
Philadelphia, PA 19107

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Telephone: (215) 597-7601  
Fax: (215) 597-7658

October 26, 2018

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

Re: IATSE Local 8  
(Elliott-Lewis Convention Services LLC)  
Case 04-CB-228602

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

We have carefully considered your charge that IATSE Local 8 has violated the National Labor Relations Act and the Postal Reorganization Act.

**Decision to Dismiss:** In view of your lack of cooperation in this matter, I have determined that further proceedings are unwarranted at this time and I am dismissing your charge. You filed the charge in this case on October 3, 2018, without any supporting evidence. You agreed to meet with the Board Agent assigned to the case on October 9, 2018, to provide an affidavit in support of the charge, but you did not keep the scheduled appointment, nor did you call to reschedule. On October 9, the Board Agent notified you by letter and email that the charge would be dismissed for non-cooperation if you failed to contact her by October 15, 2018, and provide your affidavit by October 22. To date, you have not responded to the Board Agent's letter or email, nor have you presented any evidence in support of your charge. As you have not provided evidence in support of your charge and failed to cooperate in the investigation, though being given an opportunity to do so, I am refusing to issue Complaint in this matter.

If you wish to re-file this charge later when you can cooperate in the investigation, you may do so. However, your attention is directed to section 10(b) of the Act, which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

**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:

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- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at [www.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 **Friday, November 9, 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 Thursday, November 8, 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 Friday, November 9, 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 **Friday, November 9, 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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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/ Harold A. Maier

HAROLD A. MAIER  
Acting Regional Director

Enclosure

cc: Michael Barnes, President  
IATSE Local 8  
2401 S. Swanson Street  
Philadelphia, PA 19148-4113

Mark J. Foley, Esquire  
Drinker Biddle & Reath LLP  
One Logan Square, Suite 2000  
Philadelphia, PA 19103-6996

Elliott-Lewis Convention Services LLC  
2900 Black Lake Place  
Philadelphia, PA 19154-1018