



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 28
2600 North Central Avenue, Suite 1400
Phoenix, AZ 85004

Agency Website: www.nlr.gov
Telephone: (602) 640-2160
Fax: (602) 640-2178

November 2, 2018

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

Re: Culinary Workers Union Local 226, a/w
UNITE HERE
(Volume Service, Inc. d/b/a Centerplate)
Case 28-CB-224214

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

We have carefully investigated and considered your charge that the Culinary Workers Union Local 226 a/w UNITE HERE (the Union) has violated the National Labor Relations Act (the Act).

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

You allege that the Union has engaged in unfair labor practices within the meaning of Section 8(b)(1)(A) of the Act by restraining and coercing its employees in the exercise of rights protected by Section 7 of the Act by refusing to process a grievance regarding your discharge and engaging in certain conduct before and during a Board of Adjustment regarding your discharge and for arbitrary or discriminatory reasons or in bad faith.

A union has broad discretion in the handling of grievances and will only be found to have breached its duty of fair representation when its conduct is "arbitrary, discriminatory or in bad faith." *Vaca v. Sipes*, 386 U.S. 171 (1967). The duty of fair representation "does not require that every possible option be exercised or that a grievant's case be advocated in a perfect manner." *Truck Drivers, Local Union No. 355*, 229 NLRB 1319, 1321 (1977). Thus, even negligence in the handling of a grievance will not rise to the level of a breach of the duty of fair representation. *Teamsters Local 692 (Great Western Unifreight)*, 209 NLRB 446 (1974).

The evidence presented during the investigation of your charge shows that the Union has filed a grievance related to your discharge and is still in the process of pursuing it. In fact, the Union has demonstrated that it sought to take your grievance to arbitration and requested a panel of arbitrators when Volume Service, Inc. d/b/a Centerplate (the Employer) initially took the position that you were not contractually entitled to use the parties' contractual grievance-arbitration procedure and have a Board of Adjustment. It further establishes that the Union

scheduled a Board of Adjustment when the Employer later agreed to hold one, and rescheduled that Board of Adjustment after learning you were not available on the originally scheduled date. There is a factual dispute about whether, when it initially attempted to have a Board of Adjustment with the Employer about your discharge, an agent of the Union agreed that you were not entitled to pursue a grievance. However, the evidence reveals that the Union has demonstrated that it has, in fact, continued to pursue your grievance, has taken the position with the Employer that you are entitled to use the grievance procedure, and has informed you of its position and of the status of your grievance, including the date of the upcoming Board of Adjustment. The evidence does not establish that the Union's handling of your grievance has been arbitrary, discriminatory or in bad faith.

Accordingly, the evidence does not establish that the Union has engaged in unfair labor practices within the meaning of Section 8(b)(1)(A) of the Act, by breaching its duty of fair representation, as alleged.

I am, therefore, 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. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlr.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

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

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

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

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

Appeal Due Date: The appeal is due on **November 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 **November 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 November 16, 2018**. The request may be filed electronically through the *E-File Documents* link on our website 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 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/ Cornele A. Overstreet

Cornele A. Overstreet
Regional Director

Enclosure

cc: Sarah Varela, Attorney at Law
McCracken, Stemerma & Holsberry, LLP
595 Market St., Suite 800
San Francisco, CA 94105-2821

Volume Service, Inc. d/b/a Centerplate
3150 Paradise Road
Las Vegas, NV 89109-9096

Culinary Workers Union Local 226, a/w
UNITE HERE
1630 South Commerce Street
Las Vegas, NV 89102-2700



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November 28, 2018

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

Re: Local Joint Executive Board of Las Vegas
(Sands Expo & Convention Center, Inc.)
Case 28-CB-224883

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

We have carefully investigated and considered your charge that the Local Joint Executive Board of Las Vegas (the Union) has violated the National Labor Relations Act (the 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. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlr.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

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 12, 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 11, 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 12, 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 12, 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/ Barbara B. Baynes

Barbara B. Baynes
Acting Regional Director

Enclosure

cc: Richard G. McCracken, Attorney at Law
McCracken Stemerman and Holsberry, LLP
595 Market Street, Suite 800
San Francisco, CA 94105-2813

Local Joint Executive Board of Las Vegas
1630 South Commerce Street
Las Vegas, NV 89102-2700

Sands Expo & Convention Center, Inc.
201 Sands Avenue
Las Vegas, NV 89169-2600

CAO/OLA/mhz



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November 29, 2018

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

Re: International Brotherhood of Teamsters
Local Union 631 (MC2)
Case 28-CB-228642

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

We have carefully investigated and considered your charge that the International Brotherhood of Teamsters Local Union 631 (the Union) has violated the National Labor Relations Act (the 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 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 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 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.

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 13, 2018.** The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after December 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.

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Very truly yours,

/s/ Barbara B. Baynes

Barbara B. Baynes
Acting Regional Director

Enclosure

cc: see next page

cc: International Brotherhood of Teamsters Local Union 631
700 North Lamb Boulevard
Las Vegas, NV 89110

James J. Gillespie, Attorney at Law
Jackson Lewis, P.C.
200 Headquarters Plaza
East Tower, 7th Floor
Morristown, NJ 07960-6855

MC2
6830 Spencer Street
Las Vegas, NV 89119-4730

BBB/LJD/mhz



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November 30, 2018

John L. Zenor, Counsel for MCALV
Mechanical Contractors Association of Las Vegas
2640 South Jones Boulevard, Suite 1
Las Vegas, NV 89146

Re: United Association of Plumbing,
Pipefitting, and Refrigeration Local 525
(Bombard Mechanical, LLC)
Case 28-CB-229534

Dear Mr. Zenor:

We have carefully investigated and considered your charge that United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Union No. 525 (Union) has violated the National Labor Relations Act (the Act).

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

The charge alleges that the Union violated Section 8(b)(3) of the Act by demanding, through the filing of an unlawful grievance, recognition as representative of computer aided design (CAD) employees of an employer subcontracted by Bombard Mechanical LLC (Bombard), without an election or a showing of majority support.

The investigation revealed that Mechanical Contractors Association of Las Vegas (MCA) is an Employer Association who has a Master Labor Agreement (MLA) with the Union. Bombard is a Contractor Member of the MLA. On September 14, 2018, The Union filed a grievance over Bombard subcontracting computer-aided design (CAD) work to Trimble, Inc. (Trimble), a non-union employer who is not subject to the MLA. The MCA and Bombard have refused to process the Union's grievance, averring that it would be unlawful and that Article II of the MLA does not explicitly include CAD work. Article II of the MLA states, in part, that Union-represented work includes "...all other work included in the trade jurisdiction of the United Association."

In the instant case, the investigation revealed that MCA Contractor Members, including Bombard, use and have consistently used Union-represented employees to perform CAD work for its construction projects. The CAD work performed by these Union-represented employees is substantially related to other construction work completed by the Union which is clearly

encompassed by the MLA. Additionally, the evidence is insufficient to establish that the Union clearly and unmistakably waived its right to seek the inclusion of CAD work in the MLA. The evidence also is insufficient to establish that the Union did not have a legitimate work preservation claim related to CAD work performed for MCA Contractor Members and their subcontractors.

The evidence established that the Union attempted to include language referencing CAD and/or the Rochester Agreement during 2013 and 2016 contract bargaining. Although the Union's 2013 and 2016 bargaining proposals were either rejected by the Industrial Relations Council for the Plumbing and Pipefitting Industry or withdrawn by the Union, the Union is not foreclosed from seeking CAD work simply because it did not achieve its inclusion during contract bargaining. Filing a grievance is another attempt to bargain with Bombard and the MCA over CAD work. I am, therefore, refusing to issue 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 and:

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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.

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Very truly yours,

/s/ Barbara B. Baynes

Barbara B. Baynes
Acting Regional Director

Enclosure

cc: Matt Lydon, Business Manager
United Association of Journeymen and
Apprentices of the Plumbing and
Pipefitting Industry of the United States
and Canada Local Union No. 525
760 North Lamb Boulevard
Las Vegas, NV 89110

Angelo Iannucci, President
Bombard Mechanical, LLC
3933 West Ali Baba Lane
Las Vegas, NV 89118-1623

BBB/CJG/dmm



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November 30, 2018

John L. Zenor, Counsel for MCALV
Mechanical Contractors Association of Las Vegas
2640 South Jones Boulevard, Suite 1
Las Vegas, NV 89146

Re: United Association of Plumbing,
Pipefitting, and Refrigeration Local 525
(Bombard Mechanical, LLC)
Case 28-CC-229530

Dear Mr. Zenor:

We have carefully investigated and considered your charge that United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Union No. 525 (Union) has violated the National Labor Relations Act (the Act).

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

The charge alleges that the Union violated Sections 8(b)(4)(ii)(A) and 8(b)(4)(ii)(B) of the Act by forcing or requiring any employer or self-employed person to join any labor or employer organization or to enter into any agreement which is prohibited by Section 8(e) and forcing or requiring Bombard Mechanical, L.L.C. (Bombard) to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees.

The investigation revealed that Mechanical Contractors Association of Las Vegas (MCA) is an Employer Association who has a Master Labor Agreement (MLA) with the Union. Bombard is a Contractor Member of the MCA. On September 14, 2018, the Union filed a grievance over Bombard subcontracting computer-aided design (CAD) work to Trimble, Inc. (Trimble), a non-union employer who is not subject to the MLA. The MCA and Bombard have refused to process the Union's grievance, averring that it would be unlawful and that Article II of the MLA does not explicitly include CAD work. Article II of the MLA states, in part, that Union-represented work includes "...all other work included in the trade jurisdiction of the United Association."

In *Meat & Highway Drivers Local Union No. 710 v. NLRB*, 335 F.2d 709, 714 (D.C. Cir. 1964) the DC Circuit rejected the Board's finding of violations of 8(e) and 8(b)(4) under the notion that the Union had a legitimate work preservation claim where previously recognized and completed work by the Union was so closely related to the work being completed by other entities that, "to hold otherwise is to say that a union may not seek to bargain with an employer either about the quantum of work, or the qualifications of its members to perform closely related work, whenever technological changes or mere changes in methods of distribution are to be effected."

In the instant case, the investigation revealed that MCA Contractor Members, including Bombard, use and have consistently used Union-represented employees to perform CAD work for its construction projects. The CAD work performed by these Union-represented employees is substantially related to other construction work completed by the Union which is clearly encompassed by the MLA. Additionally, the evidence is insufficient to establish that the Union clearly and unmistakably waived its right to seek the inclusion of CAD work in the MLA. The evidence also is insufficient to established that the Union did not have a legitimate work preservation claim related to CAD work performed for MCA Contractor Members and their subcontractors. The grievance filed by the Union did not have a secondary objective aimed at neutral employers such as Trimble. Rather, the grievance sought to pursue a legitimate work preservation claim for the same and/or similar work already performed by Union-represented employees for Bombard. I am, therefore, refusing to issue 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 and:

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Very truly yours,

/s/ Barbara B. Baynes

Barbara B. Baynes
Acting Regional Director

Enclosure

cc: Angelo Iannucci, President
Bombard Mechanical, LLC
3933 West Ali Baba Lane
Las Vegas, NV 89118-1623

United Association of Plumbing,
Pipefitting, and Refrigeration Local 525
(Bombard Mechanical, LLC)
Case 28-CC-229530

- 4 -

November 30, 2018

Matt Lydon, Business Manager
United Association of Journeymen and
Apprentices of the Plumbing and
Pipefitting Industry of the United States
and Canada Local Union No. 525
760 North Lamb Boulevard
Las Vegas, NV 89110

BBB/CJG/dmm



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November 30, 2018

John L. Zenor, Counsel for MCALV
Mechanical Contractors Association of Las Vegas
2640 South Jones Boulevard, Suite 1
Las Vegas, NV 89146

Re: United Association of Plumbing,
Pipefitting, and Refrigeration Local 525
(Bombard Mechanical, LLC)
Case 28-CE-229535

Dear Mr. Zenor:

We have carefully investigated and considered your charge that United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada Local Union No. 525 (Union) has violated the National Labor Relations Act (the Act).

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

The charge alleges that the Union violated Section 8(e) of the Act by filing an unlawful grievance demanding that Bombard Mechanical, LLC (Bombard) cease doing business with another company by seeking to apply a collective bargaining agreement's "no subcontracting" clause outside of the narrow protections of Section 8(e) of the Act, specifically with respect to non-represented employees who do not perform work at a construction site, and with respect to work not covered by the parties' collective-bargaining agreement.

The investigation revealed that Mechanical Contractors Association of Las Vegas (MCA) is an Employer Association who has a Master Labor Agreement (MLA) with the Union. Bombard is a Contractor Member of the MLA. On September 14, 2018, the Union filed a grievance over Bombard subcontracting computer-aided design (CAD) work to Trimble, Inc. (Trimble), a non-union employer who is not subject to the MLA. The evidence established that MCA and Bombard have refused to process the Union's grievance, averring that it would be unlawful and that Article II of the MLA does not explicitly include CAD work. Article II of the MLA states, in part, that Union-represented work includes "...all other work included in the trade jurisdiction of the United Association."

In *Meat & Highway Drivers Local Union No. 710 v. NLRB*, 335 F.2d 709, 714 (D.C. Cir. 1964) the DC Circuit rejected the Board's finding of violations of 8(e) and 8(b)(4) under the

notion that the Union had a legitimate work preservation claim where work previously recognized and completed by the Union was so closely related to the work being completed by other entities that, “to hold otherwise is to say that a union may not seek to bargain with an employer either about the quantum of work, or the qualifications of its members to perform closely related work, whenever technological changes or mere changes in methods of distribution are to be effected.”

In the instant case, the investigation revealed that MCA Contractor Members, including Bombard, use and have consistently used Union-represented employees to perform CAD work for its construction projects. The CAD work performed by these Union-represented employees is substantially related to other construction work completed by the Union which is clearly encompassed by the MLA. Additionally, the evidence is insufficient to establish that the Union clearly and unmistakably waived its right to seek the inclusion of CAD work in the MLA. The evidence also is insufficient to establish that the Union does not have a legitimate work preservation claim related to CAD work performed for MCA Contractor Members and their subcontractors. The grievance filed by the Union did not have a secondary objective aimed at neutral employers such as Trimble. Rather, the grievance sought to pursue a legitimate work preservation claim for the same and/or similar work already performed by Union-represented employees for Bombard. I am, therefore, refusing to issue 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 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/ Barbara B. Baynes

Barbara B. Baynes
Acting Regional Director

Enclosure

cc: Matt Lydon, Business Manager
United Association of Journeymen and
Apprentices of the Plumbing and
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760 North Lamb Boulevard
Las Vegas, NV 89110

United Association of Plumbing,
Pipefitting, and Refrigeration Local 525
(Bombard Mechanical, LLC)
Case 28-CE-229535

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November 30, 2018

Angelo Iannucci, President
Bombard Mechanical, LLC
3933 West Ali Baba Lane
Las Vegas, NV 89118-1623

BBB/CJG/dmm