

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 28**

**THE GEO GROUP, INC.**

**and**

**Cases 28-CA-076869  
28-CA-082747**

**INTERNATIONAL UNION, SECURITY,  
POLICE AND FIRE PROFESSIONALS  
OF AMERICA (SPFPA) and its LOCAL NO. 827**

**and**

**Case 28-CA-082651**

**JENNA AUSEMA, an Individual**

**and**

**Case 28-CA-092911**

**DOUGLAS LONG, an Individual**

**and**

**Case 28-CA-094752**

**ROBERTA JONES, an Individual**

**MOTION TO RECONVENE HEARING**

Counsel for the Acting General Counsel (General Counsel) hereby moves the Honorable Gerald A. Wacknov, Administrative Law Judge (ALJ), to reconvene the unfair labor practice hearing in these matters.

**I. BACKGROUND**

On October 31, 2012, the ALJ opened the unfair labor practice hearing in Cases 28-CA-076869, 28-CA-082747, and 28-CA-082651 telephonically and then continued the hearing indefinitely while taking under advisement three proposed non-Board settlement agreements presented to him by The GEO Group, Inc. (Respondent). At the hearing, the General Counsel objected to the proposed non-Board settlement agreements. Three of the

discriminatees also objected to the proposed non-Board settlements. Following adjournment of the hearing, two new charges were filed by individuals against Respondent in Cases 28-CA-092911 and 28-CA-094752. On December 28, 2012, a Complaint and Notice of Hearing issued in Case 28-CA-092911. On January 31, 2013, a Complaint and notice of Hearing issued in Case 28-CA-094752, which was amended on February 13, 2013. On February 26, 2013, the ALJ granted General Counsel's Motions to Consolidate Cases 28-CA-076869, 28-CA-082747, and 28-CA-082651 with Cases 28-CA-092911 and 28-CA-094752. These cases having been consolidated, the General Counsel moves that the ALJ reschedule the hearing in these matters.

## **II. RESUMPTION OF THE HEARING IS APPROPRIATE**

The ALJ should reconvene the hearing in these matters for the purpose of taking evidence on the allegations contained in these cases which have been consolidated. General Counsel is aware the only one new development with respect to the non-Board settlement agreements—that is the issuance of the arbitrator's decision on January 30, 2013, sustaining the grievance filed by the International Union Security, Police and Fire Professionals of America Local No. 827 regarding the discharge of Jessica Gonzales. General Counsel is unaware of any other developments related to the non-Board settlement agreements. Moreover, the original charge in this matter was filed on March 19, 2012, almost one year ago. There is no sound reason to continue to delay the adjudication of the rights of the aggrieved discriminatees. Accordingly, General Counsel moves that the ALJ, following consultation with the parties, reconvene the hearing in these matters on the earliest date practicable.

### **III. CONCLUSION**

Based on the foregoing, the General Counsel respectfully requests that this Motion to Reconvene be granted.

Dated at Phoenix, Arizona, this 15<sup>th</sup> day of March 2013.

/s/ Mary Gray Davidson

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## CERTIFICATE OF SERVICE

I hereby certify that a copy of MOTION TO RECONVENE HEARING in THE GEO GROUP, INC., Cases 28-CA-076869, et al. was served by E-Gov, E-Filing, and E-Mail on this 15<sup>th</sup> day of March 2013, on the following:

***Via E-Gov, E-Filing:***

Honorable Gerald M. Etchingham  
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National Labor Relations Board  
Administrative Law Judge Division  
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