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9 UNITED STATES OF AMERICA

10 NATIONAL LABOR RELATIONS BOARD

11 DURHAM SCHOOL SERVICES, L.P.

) Case Nos. 32-CA-077078;
) 32-RC-066466

12 Employer,

13 and

) **PETITIONER/CHARGING PARTY'S**
) **EXCEPTIONS TO THE DECISION OF**
) **THE ADMINISTRATIVE LAW JUDGE**

14 FREIGHT, CONSTRUCTION, GENERAL
 15 DRIVERS, WAREHOUSEMEN AND
 16 HELPERS, TEAMSTERS LOCAL NO. 287,
 17 a/w INTERNATIONAL BROTHERHOOD OF
 18 TEAMSTERS,

19 Petitioner/Charging Party

20 **EXCEPTIONS**

No.	Page	Exceptions
1.	12:43	To the use of word "allegedly" since the Administrative Law Judge ("ALJ") found that the Employer changed its policy.
2.	14:32-15:7	To the continued viability of <i>Tri-County</i> . The Board should overrule <i>Tri-County</i> and find that restrictions on non-employees having access to non-working areas is also unlawful.
3.	15:39-16:2	To the application of <i>Lutheran Heritage Village-Livonia</i> rule and to its continued viability. It should be overruled..
4.	16:11-30	To the failure of ALJ to find the following language invalid: "All work related issues should be addressed through normal CSE procedures." See Social Networking Policy
5.	16:11-30	To the failure of ALJ to find that the language contained in the rules which prohibits "inappropriate solicitation of students, parents, school official[s] . . ." is unlawful.
6.	19:30-20:16	To the failure of ALJ to recommend additional remedies and modified remedies as described in the brief.
7.	20:7-15	To the "Lufkin" notice which is inadequate.
8.	20:44-21:22	To the inadequate notice posting remedy.
9.		To the notice to employees which includes the irrelevant and inappropriate language "choose not to engage in any of these protected

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No.	Page	Exceptions
		activities.”
10.		To the limitation of the notice to “any like related manner.” The Employer should refrain from violating Section 7 rights in any manner.
11.		To the Conclusion and Order

Dated: April 17, 2013

Respectfully submitted,
WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: /s/ David A. Rosenfeld
DAVID A. ROSENFELD
Attorneys for Petitioner

PROOF OF SERVICE
(CCP 1013)

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On April 17, 2013, I served upon the following parties in this action:

Executive Secretary
NLRB
1099 14th Street, N.W.
Washington, DC 20570-0001
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Mr. William Baudler
NLRB, Region 32
Regional Director
1301 Clay Street, Room 300N
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copies of the document(s) described as:

PETITIONER/CHARGING PARTY'S EXCEPTIONS TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE

FACSIMILE

BY ELECTRONIC MAIL I caused to be transmitted each document listed herein via the email address(es) listed above or on the attached service list.

I certify under penalty of perjury that the above is true and correct. Executed at Alameda, California, on April 17, 2013.

129337/709121

/s/Katrina Shaw
Katrina Shaw