

NOT INCLUDED IN  
BOUND VOLUMES

PGB  
Atlanta, GA

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

AMERISAVE MORTGAGE CORPORATION

and

Case 10-CA-082519

AMANDA A. FARAHANY

ORDER APPROVING STIPULATION, GRANTING MOTION,  
AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the Board upon the joint motion of Respondent Amerisave Mortgage Corporation, Charging Party Amanda A. Farahany, and the Acting General Counsel to waive a hearing and decision by an administrative law judge and to transfer the proceedings to the Board for a decision based on the stipulated record.

On January 23, 2013, the Acting General Counsel of the National Labor Relations Board, through the Regional Director for Region 10, issued a complaint and notice of hearing alleging that, since on or about June 22, 2011, the Respondent has required employees and employment applicants to sign a document titled "Arbitration Agreement" (Agreement) and has thereby maintained and enforced a mandatory arbitration agreement that unlawfully prohibits employees from engaging in protected concerted activities. The complaint further alleges that on May 31, 2011, employees engaged in concerted activities for the purpose of mutual aid and protection by filing a class action in United States District Court alleging that the Respondent violated the Fair Labor Standards Act; that on April 16, 2012, the Respondent filed a Motion to

Compel Arbitration and Dismiss Collective Action; and that by maintaining the motion, the Respondent has unlawfully prohibited employees from engaging in protected concerted activities and has implemented and enforced a rule or policy unlawful under the Act. The complaint alleges that, by the foregoing conduct, the Respondent has been interfering with, restraining, and coercing employees in the exercise of their Section 7 rights in violation of Section 8(a)(1) of the Act.

On March 11, 2013, the parties filed a Joint Motion and Stipulation of Facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the Joint Motion is granted and the case is transferred to and continued before the Board in Washington, D.C., for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which includes a stipulation of facts, a statement of issues presented, Exhibits 1 through 19, and statements of position by the Acting General Counsel, the Charging Party, and the Respondent, is approved and made part of the record.

The parties may file initial briefs with the Board in Washington, D.C., on or before June 12, 2013, and answering briefs within 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., May 22, 2013.

By Direction of the Board:

Gary Shinnars

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Executive Secretary