UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
WASHINGTON, D.C.

QUANTUM HOTELS, LLC; METROPOLITAN LODGING, LLC;
and WICK ROAD HOTEL MANAGEMENT, LLC; ALTER EGOS,
d/b/a THE METROPOLITAN HOTEL, ROMULUS
Respondent

and Case 07-CA-090429

LOCAL 24, UNITE HERE!, AFL-CIO
Charging Union

**COUNSEL FOR THE ACTING GENERAL COUNSEL'S MOTION FOR RECONSIDERATION**

Now comes Scott R. Preston, Counsel for the Acting General Counsel in this matter, and pursuant to Sections 102.48(d) of the Board's Rules and Regulations, Series 8, as amended, files this Motion for Reconsideration, and in support of said Motion states as follows:

1. On April 16, 2013, Counsel for the Acting General Counsel filed Motions to Transfer Case to the Board and for Default Judgment.

2. On June 11, 2013, the National Labor Relations Board granted the Motions, in part, and issued its Decision and Order in this case (359 NLRB No. 132). The Order grants, in part, backpay to unit employees.

3. On pages 3 and 4 of that Decision, within the Remedy section, it states, in part:

> Additionally, in accordance with our recent decision in *Latino Express, Inc.*, 359 NLRB No. 44 (2012), we shall order the Respondent to compensate the unit employees for the adverse tax consequences, if any, of receiving a lump-sum backpay award and to file a report with the Social Security Administration allocating the backpay award to the appropriate calendar quarters for unit employees.

4. In an apparent oversight, the accompanying Order provides no provisions requiring Respondent to compensate the unit employees for any adverse tax consequences or file any report with the Social Security Administration.

Wherefore, Counsel for the Acting General Counsel respectfully moves that the Board reconsider its June 11, 2013 Decision and Order, and issue a supplemental Order, requiring Respondent to reimburse unit employees an amount equal to the difference in taxes owed upon receipt of a lump-sum backpay payment and taxes that would have been owed had there been no discrimination against them, and to submit the appropriate documentation to the Social Security Administration allocating the backpay awards to the appropriate calendar quarters for the unit employees, consistent with the remedy section.

Respectfully submitted this 9th day of July, 2013.

/s/ Scott R. Preston
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I certify that on the 9th day of July, 2013, I e-mailed copies of Counsel for the Acting General Counsel's Motion for Reconsideration to the following parties of record:

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Date: July 9, 2013