

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

**ALL AMERICAN SCHOOL BUS CORP.,  
ANJ SERVICE, INC., ATLANTIC QUEENS  
BUS CORP.,<sup>1</sup> BOBBY'S BUS CO. INC.,  
BORO TRANSIT, INC., B-ALERT INC.,  
ATLANTIC ESCORTS INC., CITY WIDE  
TRANSIT, INC., CANAL ESCORTS, INC.,  
CIFRA ESCORTS, INC., EMPIRE STATE  
ESCORTS, INC., GOTHAM BUS CO. INC.,  
GRANDPA'S BUS CO., INC., HOYT  
TRANSPORTATION CORP. (AND ITS  
ALTER EGO HOYT TRANSPORTATION  
CORP., DEBTOR IN POSSESSION), IC  
ESCORTS, INC., KINGS MATRON CORP.,  
LOGAN TRANSPORTATION SYSTEMS,  
INC., LONERO TRANSIT INC., LORISSA  
BUS SERVICE INC., MOUNTAINSIDE  
TRANSPORTATION CO., INC., PIONEER  
SCHOOL BUS RENTAL, INC., PIONEER  
TRANSPORTATION CORP., RAINBOW  
TRANSIT INC., AMBOY BUS CO., INC.,  
RELIANT TRANSPORTATION, INC., RPM  
SYSTEMS INC., SCHOOL DAYS INC. and  
TUFARO TRANSIT CO. INC.**

**and**

**LOCAL 1181-1061, AMALGAMATED  
TRANSIT UNION, AFL-CIO**

**Cases 29-CA-100827; 29-CA 100830; 29-  
CA-100833; 29-CA-100862; 29-CA-  
100863; 29-CA-100864; 29-CA-100865;  
29-CA-100874; 29-CA-100876; 29-CA-  
100879; 29-CA-100885; 29-CA-100887;  
29-CA-100892; 29-CA-100895; 29-CA-  
100914; 29-CA-100916; 29-CA-100918;  
29-CA-100920; 29-CA-100923; 29-CA-  
100926; 29-CA-100930; 29-CA-100933;  
29-CA-100935; 29-CA-100961; 29-CA-  
100962; 29-CA-100966; 29-CA-100967;  
29-CA-100969; 29-CA-101009; 29-CA-  
101013; 29-CA-101014; 29-CA-101019;  
29-CA-101030; 29-CA-101033; 29-CA-  
101036; 29-CA-101069; 29-CA-101072;  
29-CA-101073; 29-CA-101083; 29-CA-  
101084; 29-CA-101087; 29-CA-101089;  
29-CA-101092; 29-CA-101096; 29-CA-  
101101; 29-CA-101105; 29-CA-101108;  
29-CA-101110; 29-CA-101111; 29-CA-  
101139; 29-CA-101146; 29-CA-101153;  
29-CA-101155; 29-CA-101158 and 29-  
CA-101161**

**COUNSEL FOR THE GENERAL COUNSEL'S  
CROSS-EXCEPTIONS TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE**

Submitted by  
Annie Hsu and Erin Schaefer  
Counsel for the General Counsel  
National Labor Relations Board  
Region 29  
Two MetroTech Center, Suite 5100  
Brooklyn, New York 11201  
(718) 330-7713

---

<sup>1</sup> Atlantic Queens Bus Corp., Atlantic Escorts, Inc., Amboy Bus Co., Inc. (the Atlantic Companies) have filed a petition in the Bankruptcy Court for the Southern District of New York seeking to reorganize under Chapter 11 of the Bankruptcy Code. The Atlantic Companies continue to operate as a debtor in possession of its estate.

On September 20, 2013, Administrative Law Judge Raymond P. Green issued a Decision and Recommended Order (the Decision) in the above-captioned cases with respect to a Consolidated Complaint issued against the above-captioned respondents (Respondents). On October 29, 2013, Respondents filed exceptions to the Decision.

Pursuant to Section 102.46 of the Board's Rules and Regulations, Series 8, as amended, Counsel for the General Counsel, for the reasons discussed in the attached Brief in Support of Cross-Exceptions, respectfully takes the following cross-exceptions to the Decision:

- I. In failing to find that even if the Most Favored Nations clause (MFN clause) was a critical issue, there was no existence of a good-faith bargaining impasse;
- II. In failing to find that even if the MFN clause was a critical issue and there was a good-faith impasse over that issue it did not lead to a breakdown in the overall negotiations; and
- III. In failing to recommend in the Recommended Order that all of the Respondents take the following affirmative action: "Make employees whole, with interest, for the loss of any earnings or benefits resulting from any changes in the terms and conditions of employment made after March 10, 2013," the Judge erred by

ignoring well-established precedent safeguarding the fundamental rights of employees guaranteed by Section 7 of the Act.

Dated at Brooklyn, New York, December 6, 2013.



---

Annie Hsu



---

Erin Schaefer

Counsel for the General Counsel  
National Labor Relations Board  
Region 29  
Two MetroTech Center, Suite 5100  
Brooklyn, New York 11201  
(718) 330-7713