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March 28, 2014

Gary Shinners
Executive Secretary
National Labor Relations Board
1099 14th St. N.W.
Washington, D.C. 20570-0001

Re: Silgan Plastics Corporation and United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union and its Local Union 822, Charge Nos. 25-CA-063058, 25-CA-065281, 25-CA-068529, 25-CA-072644, 25-CA-074946 (Consolidated Case No. 25-CA-031870) and 25-CA-103473

Dear Executive Secretary Shinners:

I represent Charging Parties, United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union and its Local Union 822 (collectively, "USW") in the above-referenced cases. The Respondent, Silgan Plastics Corporation ("Silgan"), is represented by Attorney Raymond Deeny. I am writing to seek the approval of the motion filed by the Counsel for the General Counsel to remand these cases to the Region in light of a non-Board settlement agreement reached by the parties.

Based upon charges filed by the Union, the Region issued an Order Consolidating Cases and Consolidated Complaint on March 28, 2012, alleging that Silgan had violated the National Labor Relations Act. After issuance of the consolidated complaint, an unfair labor practice hearing was conducted before Administrative Law Judge Paul Bogas on April 18-20, 2012.

Following the unfair labor practice hearing, Judge Bogas issued a decision on September 20, 2012, which found that Silgan had violated Section 8(a)(1) and (5) of the Act. Silgan filed exceptions to the Judge's decision, which are currently pending before the Board.

On October 17, 2013, Silgan and the Union entered into a global non-Board settlement agreement which resolves the primary allegations contained in the matter pending before the Board (as well as a newer matter pending before the Region in Case 25-CA-103473). Specifically, the parties have agreed to execute a successor collective-bargaining agreement with favorable language and economic items regarding the terms and conditions of the bargaining unit.

The parties further agreed that all of the pending unfair labor practices charges would be withdrawn as part of that settlement. The new collective-bargaining agreement was ratified by the Union's membership on December 2, 2013 but effectiveness of the agreement is conditioned upon the Region's approval of the Union's withdrawal request pursuant to the terms of the non-Board settlement agreement.

Counsel for the General Counsel has moved that the Board issue an order remanding these cases to the Region so that the Regional Director can take further appropriate action. We urge the Board to grant that motion so that these cases can be finally resolved, the new collective bargaining agreement implemented and back pay distributed to the bargaining unit members.

Sincerely,

MACEY SWANSON AND ALLMAN

Richard J. Swanson

RJS:cmw
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CC: Derek Johnson
Raymond Deeny
Wayne Dale

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