

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

ALCAN ROLLED PRODUCTS—  
RAVENSWOOD, LLC,

AND

CASE 9-CA-46267

UNITED STEEL, PAPER AND  
FORESTRY, RUBBER, MANUFACTURING,  
ENERGY, ALLIED INDUSTRIAL, AND  
SERVICE WORKERS INTERNATIONAL  
UNION, LOCAL 5668, AFL-CIO-CLC.

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EXCEPTIONS TO THE DECISION  
OF THE ADMINISTRATIVE LAW JUDGE

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Filed on behalf of Respondent,

ALCAN ROLLED PRODUCTS—  
RAVENSWOOD, LLC,<sup>1</sup>

By Counsel,

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<sup>1</sup> On August 1, 2011, Alcan Rolled Products—Ravenswood, LLC changed its name to Constellium Rolled Products Ravenswood, LLC. Respondent shall continue to use the Alcan corporate name in this case.

## **I. INTRODUCTION**

In accordance with Rule 102.46 of the Rules and Regulations of the National Labor Relations Board (“Rules and Regulations”), and the *Order Transferring Proceeding to the National Labor Relations Board* issued by the Executive Secretary on September 12, 2011, Respondent, Alcan Rolled Products—Ravenswood, LLC (“Respondent” or “Alcan”), hereby submits its *Exceptions to the Decision of the Administrative Law Judge*. Alcan is also contemporaneously filing a brief in support of the *Exceptions*, which is incorporated into this document by reference.

## **II. EXCEPTIONS TO FINDINGS OF FACT**

Alcan takes exception to the Administrative Law Judge’s following findings of fact:

1. that Hank Chawansky, Respondent’s Manager of Industrial Relations, supported the Company’s discipline and/or discharge of Mr. Bush by arguing in the grievance proceedings that Bush’s co-workers had complained about his unsafe work habits (Decision at 11);
2. that Hank Chawansky did not “foreswear reliance” on the statements of Bush’s co-workers in the grievance proceedings (Id.);
3. that the Union did not know that Respondent would not rely on the statements of Bush’s co-workers in the arbitration of Bush’s discipline and/or discharge (Id.);
4. that “there was no indication to the Union that the Employer was not relying on these statements” (Id.); and
5. that the Union is not able to make a personal appeal to the union employees who made statements to their supervisor critical of Bush’s unsafe work habits without disclosure of the names of those employees (Decision at 12).

### **III. EXCEPTIONS TO CONCLUSIONS OF LAW**

Alcan takes exception to the Administrative Law Judge's conclusion that Alcan violated Sections 8(a)(1) and (5) of the Act by failing to offer to bargain with the Union for an accommodation of interests in response to the Union's request for the names of employees who made safety-related complaints to the Respondent's supervisor about fellow employee Bush, information the Respondent considers confidential.

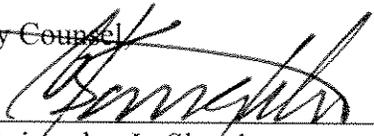
### **IV. CONCLUSION**

In accordance with these exceptions, and as more fully set forth in Alcan's accompanying *Brief in Support of Exceptions to the Administrative Law Judge's Decision*, Alcan requests that the Board: 1) reverse the Administrative Law Judge's decision in a manner consistent with these exceptions and the brief; 2) find that Alcan did not violate Sections 8(a)(1) and (5) of the Act by its conduct in this case; and 3) dismiss the General Counsel's complaint with prejudice to all parties.

Respectfully submitted this 11<sup>th</sup> day of October, 2011.

ALCAN ROLLED PRODUCTS—  
RAVENSWOOD, LLC,

~~By Counsel~~

  
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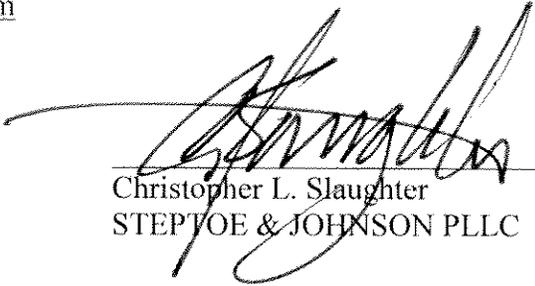
**CERTIFICATE OF SERVICE**

I certify that, on October 11, 2011, I served true and exact copies of the foregoing *Exceptions to the Decision of the Administrative Law Judge* and supporting brief on the parties by electronic mail addressed as follows:

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