EMPLOYER’S EXCEPTIONS TO HEARING OFFICER’S REPORT
AND RECOMMENDATION ON OBJECTIONS AND CHALLENGES

The Employer, Associates and Leisure Activities, LLC, hereby makes the following exceptions to the Hearing Officer’s Report and Recommendation on Objections and Challenges, in this matter:

1) The Hearing Officer failed to apply controlling Board precedent to the facts found in recommending that the Union’s Objection No. 3 be sustained. The Hearing Officer’s conclusion in this regard – that the Employer unlawfully threatened to reduce the number of shows to only comedy performances if the Union were successful in the election – has no basis in fact or law.
2) The Hearing Officer also erred in recommending that a new election be conducted in this matter.

In support of these exceptions, the Employer submits the accompanying Brief in Support of Employer’s Exceptions to Hearing Officer’s Report and Recommendation on Objections and Challenges.

Respectfully submitted,

ASSOCIATES AND LEISURE ACTIVITIES, LLC,

By its Attorneys,

STONEMAN, CHANDLER & MILLER LLP,

[Signature]

Alan S. Miller
99 High Street, Suite 1601
Boston, MA 02110
(617) 542-6789

Dated: January 3, 2013
UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

In the Matter of

ASSOCIATES AND LEISURE ACTIVITIES, LLC,

Employer,

and

Case 01-RC-087226

INTERNATIONAL ALLIANCE OF THEATRICAL
STAGE EMPLOYEES, MOVING PICTURE
TECHNICIANS, ARTISTS AND ALLIED CRAFTS
OF THE UNITED STATES AND CANADA,
LOCAL 11,

Petitioner.

STATEMENT OF SERVICE

I, Alan S. Miller, hereby certify that on January 3, 2013, I served, in the same manner or a faster manner as that utilized in filing with the Board, copies of:

1) Employer’s Exceptions to Hearing Officer’s Report and Recommendation on Objections and Challenges; and

2) Brief in Support of Employer’s Exceptions to Hearing Officer’s Report and Recommendation on Objections and Challenges, on the following:

Ronald Cohen, Acting Regional Director
National Labor Relations Board
Region 1
10 Causeway Street
6th Floor
Boston, MA 02222-1072

and

Gabriel O. Dumont, Esq.
14 Beacon Street, Suite 300
Boston, MA 02108
Respectfully submitted,

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Dated: January 3, 2013