

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

**CONSTELLIUM ROLLED PRODUCTS
RAVENSWOOD, LLC**

and

Cases 09-CA-060235
09-CA-096523
09-CA-100369

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

DECISION AND ORDER¹

Statement of the Cases

On July 5, 2013, Constellium Rolled Products Ravenswood, LLC (the Respondent), United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 5668, AFL-CIO-CLC (the Union), and the Acting General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation subject to the Board's approval. The parties waived all further and other proceedings before the Board to which they may be entitled under the National Labor Relations Act, as amended, and the Board's Rules and Regulations.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the formal Settlement Stipulation.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following:

Findings of Fact

1. The Respondent's business

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

At all material times, the Respondent, a limited liability company with offices and places of business located in Ravenswood, West Virginia, has been engaged in the operation of an aluminum rolling mill.

During the 12-month period preceding entry of the Formal Settlement Stipulation, the Respondent, in conducting its operations described above, sold and shipped goods and materials valued in excess of \$50,000 from its Ravenswood, West Virginia facility directly to points outside the State of West Virginia.

At all material times, the Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

2. The labor organization involved

At all material times, United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, Local 5668, AFL-CIO-CLC has been a labor organization within the meaning of Section 2(5) of the Act.

ORDER

Based on the above findings of fact, the Formal Settlement Stipulation and the entire record and pursuant to Section 10(c) of the National Labor Relations Act, as amended, the National Labor Relations Board orders that

Respondent, Constellium Rolled Products Ravenswood, LLC, its officers, agents, successors and assigns, shall

1. Cease and desist from

(a) Failing and refusing to provide the Union with information that is relevant and necessary for it to fulfill its role as the exclusive collective-bargaining representative of the employees in the unit described below.

(b) Unreasonably delaying in complying with the requests of the Union for information that is relevant and necessary for it to fulfill its role as the exclusive collective-bargaining representative of the employees in the unit described below.

(c) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act.

(a) On request by the Union, furnish the Union information which is necessary for, and relevant to, the Union's performance of its functions as the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All production and maintenance employees employed at the [Respondent's] Ravenswood, West Virginia plant, but excluding executives, administrative and professional employees, office and clerical employees, guards, full-time first-aid and safety employees, foremen and any other supervisory employees with the authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees or effectively recommend such actions.

(b) Furnish to the Union the information requested in the Union's September 27, 2012 written request regarding all significant incident reports at its Ravenswood, West Virginia plant since August 5, 2012, to the extent such reports exist and have not previously been provided to the Union. If such reports do not exist, the Respondent will so promptly inform the Union.

(c) Bargain in good faith with the Union as the exclusive collective-bargaining representative of the employees in the unit described above.

(d) Within 14 days of service by the Region, post at its Ravenswood, West Virginia facility copies of the attached notice marked "Appendix A." Copies of the notice on forms provided by Region 9, after being signed by Respondent's authorized representative, shall be posted by Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, the Respondent shall distribute notices electronically, by email, posting on an intranet or internet site, and/or other electronic means, if Respondent customarily communicates with its employees by such means. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since May 17, 2011.

(e) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

Dated, Washington, D.C., September 25, 2013,

MARK GASTON PEARCE, CHAIRMAN

KENT Y. HIROZAWA , MEMBER

HARRY I JOHNSON III,

MEMBER

(SEAL)

NATIONAL LABOR RELATIONS BOARD

Appendix A

NOTICE TO EMPLOYEES

Posted by Order of the
National Labor Relations Board
An Agency of the United States Government

PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER

FEDERAL LAW GIVES YOU THE RIGHT TO:

Form, join, or assist a union
Choose representatives to bargain with us on your behalf
Act together with other employees for your benefit and
protection
Choose not to engage in any of these protected activities.

WE WILL NOT refuse to bargain in good faith with United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers Union, Local 5668, AFL-CIO-CLC (the Union) by failing and refusing to provide the Union with requested information that is relevant and necessary for it to fulfill its role as the exclusive collective-bargaining representative of our employees.

WE WILL NOT unreasonably delay in complying with the requests of the Union for information that is relevant and necessary for it to fulfill its statutory duty to represent our employees in the unit described below.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL promptly comply with the Union's requests for relevant information which is necessary for the Union's performance of its functions as the exclusive collective-bargaining representative of the employees in the appropriate unit:

All production and maintenance employees employed at our Ravenswood, West Virginia plant, but excluding executives, administrative and professional employees, office and clerical employees, guards, full-time first-aid and safety employees, foremen and any other supervisory employees with the authority to hire, promote, discharge, discipline, or otherwise effect changes in the status of employees or effectively recommend such action.

WE WILL furnish the Union with the information requested by the Union in its written request dated September 27, 2012, regarding all significant incident reports at our plant in Ravenswood, West Virginia since August 5, 2012, to the extent such reports exist and have not previously been provided to the Union. If such reports do not exist, we will promptly so inform the Union.

WE WILL bargain in good faith with the Union as the collective-bargaining representative of our employees in the unit described above.

CONSTELLIUM ROLLED PRODUCTS
RAVENSWOOD, LLC
(Employer)

DATE: _____ BY: _____
(Representative) (Title)