

PMH
New Hope, MN

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MULTIBAND EC, INC.

and

Case 25-CA-108828

CHAUFFEURS, TEAMSTERS, WAREHOUSEMEN
AND HELPERS, LOCAL 135

ORDER APPROVING STIPULATION, GRANTING MOTION,
AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the Board upon the joint motion of Respondent Multiband EC, Inc., Charging Party Chauffeurs, Teamsters, Warehousemen and Helpers Local Union No. 135, and the General Counsel to waive a hearing and decision by an administrative law judge and to transfer the proceedings to the Board for a decision based on the stipulated record.

On September 27, 2013, the General Counsel, through the Regional Director for Region 25, issued a complaint and notice of hearing alleging that, since on or about July 1, 2013, the Respondent has maintained a document entitled "Arbitration Agreement" (Agreement), which contains a "Class and Collective Action Waiver" provision, and has required employees to enter into the Agreement as a condition of employment. The complaint alleges that, by the foregoing conduct, the Respondent has violated Section 8(a)(1) of the Act by interfering with, restraining, and coercing employees in the exercise of their Section 7 rights.

On April 30, 2014, the parties filed a joint motion and stipulation of facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C., for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which includes the joint motion and stipulation of facts and all of the exhibits attached thereto (including the charge, the Complaint and Notice of Hearing, the Answer, all other joint exhibits and GC exhibits, and statements of position by the General Counsel and the Respondent) is approved and made part of the record.

The parties may file initial briefs with the Board in Washington, D.C., on or before [21 days after Order issues], and answering briefs within 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., September 12, 2014

By Direction of the Board:

Gary Shinnors

Executive Secretary