

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

UNITED STATES POSTAL SERVICE

and

Case 01-CA-132315

**AMERICAN POSTAL WORKERS UNION,
AFL-CIO, BOSTON METRO AREA LOCAL 100**

DECISION AND ORDER

Statement of the Case

On June 17, 2015, the United States Postal Service (the Respondent), American Postal Workers Union, AFL-CIO, Boston Metro Area Local 100 (the Union), and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to the Board's approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals. 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, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

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

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

The Respondent provides postal services for the United States and operates various facilities throughout the United States in performing this function, including the main post office in Brookline, Massachusetts (the Brookline facility), which is located in the Respondent's Greater Boston District of the Northeast Area.

The Board has jurisdiction over the Respondent and this matter by virtue of Section 1209 of the Postal Reorganization Act, 39 U.S.C. Section 101 et seq. (PRA).

2. The labor organization involved

Local 100 and the American Postal Workers Union, AFL-CIO (the APWU) are each 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, the National Labor Relations Board orders that:

The Respondent, United States Postal Service, Brookline, Massachusetts, its officers, agents, successors, and assigns, shall

1. Cease and desist from

(a) Failing or refusing to bargain collectively and in good faith with the American Postal Workers Union, AFL-CIO, Boston Metro Area Local 100 (Local 100), by failing to provide Local 100 with requested information in a timely manner that is necessary for, and relevant to, APWU's and Local 100's ability to perform as the employees' bargaining agent at its facility at 1295 Beacon St. in Brookline, Massachusetts in the following appropriate unit:

All employees designated as Maintenance Employees, Motor Vehicle Employees, Postal Clerks, Mail Equipment Shops Employees, Material Distribution Centers Employees, and Operating Services and Facilities Services Employees in Article 1, Section 1, entitled "Union Recognition" of the National Agreement between the APWU and Respondent.

(b) In any other manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the National Labor Relations Act.

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

(a) Bargain collectively and in good faith with APWU and Local 100 as the exclusive collective-bargaining representative of the unit in its facility at 1295 Beacon St. in Brookline, Massachusetts.

(b) Supply APWU and Local 100 in a timely manner with requested information that is necessary for, and relevant to the APWU and Local 100's representation of the employees in the unit in its facility at 1295 Beacon St. in Brookline, Massachusetts.

(c) Within 14 days of service by the Region, (1) post at its facility at 1295 Beacon St. in Brookline, Massachusetts, and (2) send to all of its managers and supervisors at that facility, copies of the attached notice marked "Appendix A." Copies of the notice, on forms provided by the Region, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous

places, including its branches and stations, including all places where notices to employees are customarily posted. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced, or covered by any other material. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means.

(d) Within 21 days after service by the Region, file with the Regional Director for Region 1 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., August 17, 2015

Mark Gaston Pearce, Chairman

Philip A. Miscimarra, Member

Kent Y. Hirozawa, 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 AND A CONSENT JUDGMENT OF ANY APPROPRIATE UNITED STATES COURT OF APPEALS

FEDERAL LAW GIVES YOU THE RIGHT TO:

Form, join, or assist a union;
Bargain collectively through a representative chosen by employees;
Act together with other employees for your benefit and protection;
Choose not to engage in any of these protected activities.

WE WILL NOT fail or refuse to bargain collectively and in good faith with the American Postal Workers Union, AFL-CIO, Boston Area Local 100 (the Union), by failing to provide the Union in a timely manner with requested information that is necessary for, and relevant to the Union's representation of the employees in our facility at 1295 Beacon St. in Brookline, Massachusetts:

All employees designated as Maintenance Employees, Motor Vehicle Employees, Postal Clerks, Mail Equipment Shops Employees, Material Distribution Centers Employees, and Operating Services and Facilities Services Employees in Article 1, Section 1, entitled "Union Recognition" of the National Agreement between the APWU and Respondent.

WE HAVE provided information requested on June 14, 2014, by the American Postal Workers Union, AFL-CIO, Boston Area Local 100.

WE WILL NOT in any other manner interfere with, restrain, or coerce you in the exercise of your rights under Federal Law listed above.

WE WILL bargain collectively and in good faith with the Union as the exclusive collective bargaining representatives of the unit by furnishing the Union in a timely manner with requested information that is necessary for, and relevant to the Union's representation of the unit in our facility at 1295 Beacon St. in Brookline, Massachusetts.

UNITED STATES POSTAL SERVICE

The Board's decision can be found at www.nlr.gov/case/01-CA-132315 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

