



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
OFFICE OF THE GENERAL COUNSEL
Washington, DC 20570

August 21, 2015

[REDACTED]
WEINBERG ROGER & ROSENFELD
1001 MARINA VILLAGE PKWY STE 200
ALAMEDA, CA 94501-6430

Re: Fresh & Easy Neighborhood Market
Cases 31-CA-077074
31-CA-080734

Dear [REDACTED]:

We have carefully considered your appeal from the Regional Director's compliance determination. You raise no issue that the Regional Office had not considered previously. We agree with the Regional Director's decision and deny the appeal substantially for the reasons in her July 1, 2015.

On appeal, you argue that the Respondent representative's signature is illegible and that its illegibility dilutes the remedial effect of the Notice to Employees. We note that you cited no legal authority to support your appeal. The Respondent's treasurer signed the Notice. His title is clearly legible. There is no evidence that Respondent did not sign the Notice or that the signature is not Respondent's treasurer. Moreover, the Respondent fully complied and rescinded the rule in issue and mailed out the Notice to current and former employees. Thus, Respondent's actions fully remedied the alleged unfair labor practice. Further, at your request, Respondent mailed the Notice by U.S. mail.

Accordingly, we deny the appeal.

You may file a request for review of our decision with the National Labor Relations Board. You may file your request electronically, by mail, or by delivery service. Filing a request for review electronically is preferred but not required. Your request for review should clearly identify the facts and reasons that form the basis of your objection. The Board must receive your request for review no later than 14 days after the date on this letter and it must be served on the General Counsel and on the Regional Director.

To file a request for review electronically, go to the Agency's website at www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. To file a request for review by mail or delivery service, address the request for review to:

Executive Secretary
National Labor Relations Board
1015 Half Street, SE, Rm 5011
Washington, DC 20570

If you file the request for review electronically, the Board will consider the request timely filed if you send it, together with any other documents you want considered, through the Agency's website so the transmission is completed no later than 11:59 p.m. Eastern Time on the due date. If you mail the request for review or send it by a delivery service, the Executive Secretary must receive it in Washington, D.C. by the close of business at 5:00 p.m. Eastern Time on the due date.

Sincerely,

Richard F. Griffin, Jr.
General Counsel



By:

Mark E. Arbesfeld, Acting Director
Office of Appeals

cc: MORI RUBIN
REGIONAL DIRECTOR
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