



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 4  
615 Chestnut St Ste 710  
Philadelphia, PA 19106-4413

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (215)597-7601  
Fax: (215)597-7658

Agent's Direct Dial: (215)597-7652

September 23, 2015

Gary W. Shinnars, Executive Secretary  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570

Re: Sands Bethworks Gaming LLC d/b/a  
Sands Casino Resort Bethlehem

Cases 04-CA-076289, 04-CA-115226 and  
04-RC-021833

Dear Mr. Shinnars:

Enclosed please find Counsel for the General Counsel's Motion to Remand Cases for Further Proceedings including an attachment. Copies of this document are being e-mailed to Counsel for the parties as indicated below.

Very truly yours,

HENRY R. PROTAS  
Counsel for the General Counsel  
(215) 597-7652

cc:

Matthew Wakefield, Esq., [mwakefield@brgslaw.com](mailto:mwakefield@brgslaw.com)  
Terrence Dwyer, Esq., [TPDLAW@AOL.COM](mailto:TPDLAW@AOL.COM)

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

SANDS BETHWORKS GAMING, LLC d/b/a  
SANDS CASINO RESORT BETHLEHEM

Cases 04-CA-076289

and

04-CA-115226 and  
04-RC-021833

LAW ENFORCEMENT EMPLOYEES  
BENEVOLENT ASSOCIATION

**MOTION TO REMAND CASES FOR FURTHER PROCEEDINGS**

Counsel for the General Counsel hereby moves the National Labor Relations Board (the Board) to remand the above-captioned cases to the Regional Director of the Board's Fourth Region for further proceedings resulting from a disclaimer of interest submitted by Law Enforcement Employees Benevolent Association (LEEBA) and LEEBA's withdrawal request. Counsel for the General Counsel submits the following in support of the Motion:

1. On November 12, 2014, the Board issued its Decision, Certification of Representative, and Notice to Show Cause in this matter (Cases 04-CA-076289 and 04-RC-021833) reported at 361 NLRB No. 102).

2. In the Notice to Show Cause, the Board observed that the positions taken by the parties earlier in the proceeding might have changed. Thus, Sands Bethworks Gaming, LLC d/b/a Sands Casino Resort Bethlehem, (Respondent) might no longer be unwilling to commence bargaining with LEEBA. Further, the parties might wish to apprise the Board of events that occurred during the pendency of the litigation that warrant its attention.

3. To address these possibilities the Board, in its November 12, 2014 Decision, granted the General Counsel leave to amend the Complaint to conform its content to the current state of the evidence.

4. On December 29, 2014, Respondent filed with the Board a document entitled “Renewed Opposition to General Counsel’s Motion for Summary Judgment and Renewed Response to Board’s Notice to Show Cause.” On January 20, 2015, Counsel for the General Counsel filed its Answer to Respondent’s Renewed Opposition the General Counsel’s Motion For Summary Judgment And Renewed Response to the Board’s Notice To Show Cause.” This matter is currently pending before the Board.

5. Also before the Board is the General Counsel’s Motion for Summary Judgment in Case 04-CA-115226. That Motion concerns Respondent’s refusal to furnish information to LEEBA, a matter related to Respondent’s test of certification.

6. On September 3, 2015, Counsel for the General Counsel filed with the Board a Motion to Amend the Complaint seeking permission to add an allegation that LEEBA requested bargaining on December 5, 2014 and that Respondent had not responded to the Union’s request.

7. On September 11, 2015, the Union submitted to Region Four the aforementioned disclaimer of interest and withdrawal requests. (Appendix A).

8. Upon information, belief, and communications between the parties, the undersigned Counsel for the General Counsel represents that LEEBA has not been engaging in conduct inconsistent with its disclaimer of interest and withdrawal requests.

**WHEREFORE**, Counsel for the General Counsel respectfully requests that the instant Motion be granted so that Cases 04-CA-076289, 04-CA-115226 and 04-RC-

021833 are remanded to the Regional Director for processing of the Union's withdrawal requests consistent with its disclaimer of interest.

Signed at Philadelphia, Pennsylvania on this 23<sup>rd</sup> day of September, 2015.

A handwritten signature in black ink that reads "1st Henry R Protas". The signature is written in a cursive style with a horizontal line underneath the name.

**HENRY R. PROTAS**

Counsel for the General Counsel  
National Labor Relations Board, Region 4  
615 Chestnut Street, 7<sup>th</sup> Floor  
Philadelphia, Pennsylvania 19106

Attachment

141 N. State Rd.  
Suite 1E  
Brinckliff Manor, NY 10510  
Phone: (518) 943-5065  
Fax: (866) 354-9326



18 North 7th Street  
Stroudsburg, PA 18360  
Phone: (570) 872-9150  
Fax: (866) 514-9326

LAW ENFORCEMENT EMPLOYEES BENEVOLENT ASSOCIATION

11-September-2105

Sands Casino Resort Bethlehem  
77 Sands Blvd.  
Bethlehem, PA 18015

Mark Juliano,

The Law Enforcement Employees Benevolent Association (L.E.E.B.A.), is disclaiming interest in representing the security officers at the Sands Casino-Bethlehem. This decision is based on the desire of the officers to have the International Union of Security, Police and Fire Professionals of America (SPIPA) represent them.

As a result of this action we are withdrawing the following cases filed with the NLRB, 04-RC-211833  
04-CA-076289, 04-CA115226.

Very truly yours,

Kenneth Wynder, President

