

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION TWENTY-FIVE

INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 150, AFL-CIO

Charged Party

and

Case 25-CD-178156

JACK GRAY TRANSPORT, INC. D/B/A LAKES &
RIVERS TRANSFER

Charging Party

and

INTERNATIONAL LONGSHOREMEN'S
ASSOCIATION LOCAL 1969

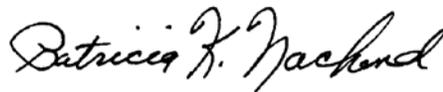
Party-in-Interest

NOTICE OF HEARING

PLEASE TAKE NOTICE that on June 28, 2016, at 10:00 a.m. (CDT) in the conference room of the Porter County Public Library branch located at 2665 Irving Street, Portage, Indiana, and on consecutive days thereafter until concluded, a hearing officer of the National Labor Relations Board will conduct a hearing pursuant to Section 10(k) of the National Labor Relations Act. At the hearing, the parties will have the right to appear and present testimony regarding the dispute alleged in Case 25-CD-178156 involving the assignment of the following work:

The material handler work, including operation of any hydraulic material handler, for Jack Gray Transport at its Port of Indiana-Burns Harbor location.

Signed at Indianapolis, Indiana, on this 20th day of June, 2016.



Patricia K. Nachand, Regional Director
National Labor Relations Board
Region 25
575 North Pennsylvania Street
Indianapolis, IN 46204-1577

**STATEMENT OF STANDARD PROCEDURES IN FORMAL HEARINGS HELD BEFORE
THE NATIONAL LABOR RELATIONS BOARD PURSUANT TO CHARGES FILED UNDER
SECTION 10(K) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED**

The hearing will be conducted before a Hearing Officer of the National Labor Relations Board.

Parties may be represented by an attorney or other representatives and present evidence relevant to the issues. *(Copies of exhibits should be supplied to the Hearing Officer and other parties at the time the exhibit is offered in evidence.)*

The 10(k) hearing is a nonadversary factfinding hearing and the technical rules of evidence are not controlling. The 10(k) hearing procedure shall conform, insofar as applicable, to the procedures set forth in Sections 102.64 to 102.68, inclusive, of the Rules and Regulations of the National Labor Relations Board and the parties' attention is also called to Sections 102.89 through 102.93, inclusive, of those Regulations.

An official reporter will make the only official transcript of the proceedings and all citations in briefs or arguments must refer to the official record. After the close of the hearing, one or more of the parties may wish to have corrections made in the record. All such proposed corrections, either by way of stipulation or motion, should be forwarded to the Board in Washington instead of to the Hearing Officer, inasmuch as the Hearing Officer has no power to make any rulings in connection with the case after the hearing is closed. All matter that is spoken in the hearing will be recorded by the official reporter while the hearing is in session. In the event that any party wishes to make off-the-record remarks, requests to make such remarks should be directed to the Hearing Officer and not to the official reporter.

Statements of reasons in support of motions or objections should be as concise as possible. Objections and exceptions may upon appropriate request be permitted to stand to an entire line of questioning. Automatic exceptions will be allowed to all adverse rulings.

An original and two copies of all motions submitted during the hearing shall be served on the other parties.

The sole objective of the Hearing Officer is to ascertain the respective positions of the parties and to obtain a full and complete factual record upon which the duties under Section 10(k) of the National Labor Relations Act may be discharged by the Board. It may become necessary for the Hearing Officer to ask questions, to call witnesses, and to explore avenues with respect to matters not raised by the parties. The services of the Hearing Officer are equally at the disposal of all parties to the proceedings in developing the material evidence.

Upon the close of the hearing, the proceeding will be transferred to the Board and the Board will proceed either forthwith upon the record, or after oral argument, or the submission of briefs, or further hearing, to determine the dispute or make other disposition of the matter. Should any party desire to file a brief with the Board, eight copies thereof shall be filed with the Board at Washington, D.C., within 7 days after the close of the hearing: **Provided, however,** that in cases involving the national defense and so designated in the notice of hearing no briefs shall be filed, and the parties, after the close of the evidence, may argue orally upon the record their respective contentions and positions: **Provided further,** that in cases involving the national defense, upon application for leave to file briefs expeditiously made to the Board in Washington, D.C., after the close of the hearing, the Board may for good cause shown grant such leave and thereupon specify the time for filing. Immediately upon such filing, a copy shall be served on the other parties. Proof of such service must be filed with the Board simultaneously with the briefs. Such brief shall be printed or otherwise legibly duplicated: **Provided, however,** that carbon copies of typewritten matter shall not be filed and if submitted will not be accepted. Request for extension of time in which to file a brief shall be in writing and must be received by the Board in Washington, D.C., 3 days prior to the due date with copies thereof served on the other parties. No reply brief may be filed except upon special leave of the Board.

As provided in Section 102.112 of the Board's Rules, service on all parties of a request for an extension of time shall be made in the same manner as that utilized in filing the paper with the Board; however, when filing with the Board is accomplished by personal service, the other parties shall be promptly notified of such action by telephone, followed by service of a copy by mail or telegraph.

An exhibit number may be reserved for posthearing submission of exhibits by stipulation of the parties.

Any party shall be entitled, upon request, to a reasonable period at the close of the hearing for oral argument, which shall be included in the stenographic report of the hearing. In the absence of a request, the Hearing Officer may ask for oral argument if at the close of the hearing it is believed that such arguments would be beneficial to the Board's understanding of the contentions of the parties and the issues involved.

Voluntary adjustments consistent with the policies of the Act reduce Government expenditures and promote amity in labor relations. Upon request, the Hearing Officer will afford reasonable opportunity during the hearing for discussions between the parties if adjustment of the jurisdictional dispute appears possible.