

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

ALCOA, INC. - CLEVELAND WORKS

and

Case 08-CA-164890

**UNITED AUTOMOBILE AEROSPACE AND
AGRICULTURAL IMPLEMENT WORKERS OF
AMERICA (UAW) LOCAL 1050**

DECISION AND ORDER

Statement of the Case

On April 29, 2016, Alcoa, Inc. - Cleveland Works (the Respondent), United Automobile Aerospace and Agricultural Implement Workers of America, UAW, Local 1050 (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 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

At all material times, the Respondent has been a Pennsylvania corporation with an office and place of business in Cleveland, Ohio, and has been engaged in the forging and extrusion of aluminum at its Cleveland, Ohio facility, the only location involved in this proceeding.

Annually, in conducting its operations as described above, the Respondent sells and ships from its Cleveland, Ohio facility goods valued in excess of \$50,000 directly to points outside the State of Ohio.

At all material times, the Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

2. The labor organization

At all material times the Union has been a labor organization within the meaning of Section 2(5) of the Act.

3. The bargaining unit

The following employees of the Respondent (the Unit) constitute a unit appropriate for the purposes of collective-bargaining within the meaning of Section 9(b) of the Act:

Those employees of the Respondent at its Cleveland, Ohio plant for which the Union has been certified by the National Labor Relations Board, or for whom the Respondent has recognized the Union as the exclusive collective-bargaining agency including all production, maintenance and skilled trades employees.

Since at least 1967 and at all material times, the Respondent has recognized the Union as the exclusive collective-bargaining representative of the Unit. This recognition has been embodied in successive collective-bargaining agreements, the most recent of which is effective from September 30, 2012 to February 28, 2017.

At all material times, based on Section 9(a) of the Act, the Union has been the exclusive collective-bargaining representative of the Unit.

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, Alcoa, Inc. - Cleveland Works, Cleveland, Ohio, its officers, agents, successors, and assigns, shall

1. Cease and desist from

(a) Refusing to bargain collectively with the Union by failing and refusing to furnish the Union with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of employees in the Unit.

(b) Refusing to bargain collectively with the Union by unreasonably delaying in furnishing it with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of employees in the Unit.

(c) Unreasonably delaying in informing the Union that requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of employees in the Unit does not exist.

(d) In any like or related manner, interfering with, restraining or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

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

(a) Within 14 days, provide the Union with any available job and lot numbers for work contracted out from the test lab as first requested in the Union's June 25, 2015 request, and that were not provided in the Employer's March 17, 2016 and April 6, 2016 responses.

(b) Within 14 days of service by the Region, post at its Cleveland, Ohio plant copies of the attached notice marked "Appendix A." Copies of the notice, on forms provided by Region 8, 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 all places where notices to employees are customarily posted. In addition to physical posting of paper notices, the Respondent shall distribute notices electronically, by email, posting on an intranet or internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced or covered by any other material.

(c) Within 21 days after service by the Region, file with the Regional Director for Region 8, a sworn certificate of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply, including the locations that the attached notice marked "Appendix A" was posted.

Dated, Washington, D.C., July 6, 2016

Philip A. Miscimarra, Member

Kent Y. Hirozawa, Member

Lauren McFerran, 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
- Choose representatives to bargain with us on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

WE WILL NOT refuse to bargain collectively with United Auto Workers, Local 1050 (the Union) by failing and refusing to provide it with requested information that is relevant and necessary to its role as the exclusive bargaining representative of employees in the following unit:

Those employees of the Company at its Cleveland, Ohio plant for which the Union has heretofore been certified by the National Labor Relations Board, or for whom the Company has recognized the Union as the exclusive collective-bargaining agency including all production, maintenance and skilled trades employees.

WE WILL NOT unreasonably delay in furnishing the Union with requested information that is relevant and necessary to its role as the exclusive bargaining representative of employees in the above unit.

WE WILL NOT unreasonably delay in informing the Union that the information it has requested does not exist.

WE HAVE provided the Union with a partial response to its June 25, 2015 request for the job and lot numbers for work contracted out from the test lab, and **WE WILL** provide any additional relevant job and lot numbers that we acquire.

WE HAVE provided the Union with the information related to the type, quantity, price per piece, time period, and shipping costs of work being contracted out from the test lab, as that information was first requested in the Union's June 25, 2015 information request.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights guaranteed you under Section 7 of the Act.

ALCOA, INC. - CLEVELAND WORKS

The Board's decision can be found at www.nlr.gov/case/08-CA-164890 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.

