



United States Government

NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

Washington, D.C. 20570

August 22, 2016

Lyle W. Cayce
Clerk, United States Court of Appeals
for the Fifth Circuit
F. Edward Hebert Building
600 S. Maestri Place
New Orleans, LA 70130-3408

Re: *ISS Facility Services, Incorporated v. NLRB*
5th Cir. No. 16-60261
Board Case No. 28-CA-126024

Dear Mr. Cayce:

On August 4, 2016, Petitioner ISS Facility Services, Incorporated (“the Company”) filed a motion to lift stay and for summary reversal of an April 7, 2016 Decision and Order issued by the National Labor Relations Board (“the Board”). *See ISS Facility Services, Inc*, 363 NLRB No. 160 (2016). In that Order, the Board found, among other violations, that the Company had unlawfully maintained an agreement that employees would reasonably construe as restricting their right to file unfair-labor-practice charges with the Board. In its August 15, 2016 opposition, the Board represented that the Court had never granted summary reversal of a contested unfair-labor-practice finding based on an apparent contractual restriction of employees’ right to file charges with the Board. Since that filing, the Court granted summary reversal in *Securitas Security Services, USA, Incorporated v. NLRB*, No. 16-60304, which involved such a violation. The Board plans to file a motion for partial reconsideration of the Court’s grant of summary reversal in *Securitas*.

Very truly yours,

/s/ Linda Dreeben

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