

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

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Filed: September 09, 2016

Mr. Adam Armendariz
1600 Harvard Avenue
New Heights, OH 44105-3092

Ms. Linda Dreeben
National Labor Relations Board
Appellate and Supreme Court Litigation Branch
1015 Half Street, S.E.
Washington, DC 20570

Re: Case No. 16-2018, *NLRB v. Alcoa, Inc.-Cleveland Works*
Originating Case No. : 08-CA-164890

Dear Sir or Madam,

The Court issued the enclosed (Order/Opinion) today in this case.

Sincerely yours,

s/Laura A. Jones
Case Manager
Direct Dial No. 513-564-7023

cc: Mr. Allen Binstock
Mr. Scott Dietrich

Enclosure

Mandate to issue

No. 16-2018

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
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NATIONAL LABOR RELATIONS BOARD,)
)
Petitioner,)
)
v.)
)
ALCOA, INC. – CLEVELAND WORKS,)
)
Respondent.)

J U D G M E N T

Before: SUHRHEINRICH, COOK, and STRANCH, Circuit Judges.

The National Labor Relations Board applies for summary enforcement by consent of its July 6, 2016 Order in Case No. 08-CA-164890 against Respondent Alcoa, Inc. - Cleveland Works. Respondent, in a stipulation entered into during the proceedings before the Board, expressly consented to the entry of a judgment enforcing the Board’s order.

It is ORDERED and ADJUDGED that the Board’s Order in Case No. 08-CA-164890 is hereby ENFORCED, and Alcoa, Inc. – Cleveland Works, its officers, agents, successors, and assigns, shall abide by and perform the directions of the Board set forth in its order. (See Attached Order and Appendix). The mandate will issue forthwith.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

NATIONAL LABOR RELATIONS BOARD

v.

ALCOA, INC. - CLEVELAND WORKS

ORDER

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.

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.nlrb.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.

