

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

SYSCO DETROIT LLC

Respondent

**Cases 07-CA-163131
07-CA-163930
07-CA-172824**

**LOCAL 337, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS (IBT)**

Charging Party

ORDER DENYING MOTION

The Respondent's Motion to Dismiss is denied.¹ The Respondent has failed to establish that the complaint allegations should be deferred to the parties' grievance and arbitration procedure pursuant to *Collyer Insulated Wire*, 192 NLRB 837 (1971). This denial is without prejudice to the Respondent renewing its deferral argument before the administrative law judge.

Dated, Washington, D.C., November 29, 2016.

MARK GASTON PEARCE,	CHAIRMAN
PHILIP A. MISCIMARRA,	MEMBER
LAUREN McFERRAN,	MEMBER

¹ On May 18, 2016, the National Labor Relations Board issued a Notice to Show Cause why the Respondent's February 11, 2016, motion should not be granted. The General Counsel and the Respondent filed briefs in response, and the Respondent filed a reply brief.