

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

WELLS ENTERPRISES, INC.,)
) CASE 18-CA-150544
) CASE 18-CB-153774
 Respondent,)
)
 and)
)
 NEAL THOMAS KRUCKENBERG, an)
 Individual,)
)
 Charging Party,)
)
 and)
)
 UNITED DAIRY WORKERS OF LeMARS,)
)
 Party-in-Interest.)
)
 _____)
)
 UNITED DAIRY WORKERS OF LeMARS,)
)
 Respondent,)
)
 and)
)
 NEAL THOMAS KRUCKENBERG, an)
 Individual,)
)
 Charging Party,)
)
 and)
)
 WELLS ENTERPRISES, INC.,)
)
 Party-in-Interest.)
)
 _____)

**MOTION FOR EXPEDITED
DETERMINATION BY THE
NATIONAL LABOR RELATIONS
BOARD IN CASE 18-CA-150544
AND CASE 18-CB-153774**

Comes now NEAL KRUCKENBERG, the Charging Party, by and through his counsel, M. H. Weinberg, and moves to obtain an expedited determination by the National Labor Relations Board in Cases 18-CA-150544 and 18-CB-153774 based upon the following:

(1) On June 20, 2016, the Administrative Law Judge, Eric Fine, rendered an opinion finding violations of 8(a)(2) and 8(b)(1)(A) against the Employer, Wells Enterprises, Inc., and the Union, the United Dairy Workers of LeMars.

(2) The appeal process was followed by both the Employer and the Union.

(3) The two cases are currently pending before the National Labor Relations Board.

(4) On or about December 1, 2016 two new charges related to activity after June 20, 2016 were filed by Teamsters Local No. 554 alleging:

- (a) The negotiation of a new collective bargaining agreement by a minority union effective January 1, 2017 had the effect of providing a contract bar to the exercise of Section 7 rights for employees; and
- (b) The payment by the employer of the full expenses of the union so as to effectuate significant assistance and domination of the minority union limiting the Section 7 rights of the employees.

All of the above was despite the decision of the Administrative Law Judge eliminating Employer payments to the Union and disenfranchising the Union if the Union was not certified by the National Labor Relations Board. The Employer's

and Union's actions were done with the intent to block Section 7 rights of self determination while the Board was deciding the case and while the Circuit Court of Appeals was reviewing the appeal of the Board's decision. The Employer and Union estimated the process would take up to four (4) years during which there would be a contract bar to a self determination election.

WHEREFORE, NEAL KRUCKENBERG, the Charging Party prays for an expedited decision by the National Labor Relations Board so as to provide guidance needed currently.

DATED this 1st day of December, 2016.

NEAL THOMAS KRUCKENBERG, an
Individual, Charging Party,

s/ _____
M. H. WEINBERG (#14435)
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CERTIFICATE OF SERVICE

I, M. H. WEINBERG, certify that copies of the MOTION FOR EXPEDITED DETERMINATION BY THE NATIONAL LABOR RELATIONS BOARD IN CASE 18-CA-150544 AND CASE 18-CA-153774 were served by U.S.

Mail, postage prepaid on the following parties on the 1st day of
December, 2016:

Executive Secretary
National Labor Relations Board
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(Priority Mail) (Two copies with copy for
General Counsel's Office of Appeals)

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