

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

**PREMIER ENVIRONMENTAL  
SOLUTIONS, LLC**

**and**

**Case 14-CA-177481**

**TEAMSTERS LOCAL UNION NO. 838,  
AFFILIATED WITH INTERNATIONAL  
BROTHERHOOD OF TEAMSTERS**

**DECISION AND ORDER**

On November 2, 2016, Premier Environmental Solutions, LLC (the Respondent), Teamsters Local Union No. 838, affiliated with International Brotherhood of Teamsters (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 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

The Respondent is a Michigan limited liability company with its principal office in Sterling Heights, Michigan. The Respondent operates within customer facilities throughout the United States, including the Recycle Center at the Ford Kansas City Assembly Plant located in Kansas City, Missouri (the Kansas City plant), where it is engaged in providing environmental recycling services.

In conducting its business operations at the Kansas City plant during the one-year period ending June 30, 2016, the Respondent provided services valued in excess of \$50,000 directly outside the State of Michigan.

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

2. The labor organization

The Union is a labor organization within the meaning of Section 2(5) of the Act.

**ORDER**

Based on the above findings of fact, the Formal 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, Premier Environmental Solutions, LLC, Kansas City, Missouri, its officers, agents, successors, and assigns, shall

1. Cease and desist from

(a) Refusing to bargain collectively and in good faith with Teamsters Local Union No. 838, affiliated with International Brotherhood of Teamsters (the Union) as the exclusive representative of all its unit employees at the Kansas City plant.

(b) Failing to continue in effect all the terms and conditions of its collective-bargaining agreement covering its employees at the Kansas City plant by: (i) failing to remit union dues and initiation fees withheld from employees' paychecks to the Union; (ii) failing to maintain employees' health insurance benefits; and (iii) failing and refusing to process grievances.

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

(a) Remit the union dues and initiation fees withheld from employees' paychecks from April until September 2016 to the Union by payment of the following amounts:

April	\$322.00
May	\$355.00
June	\$672.00
July	\$417.00
August	\$247.00
September	\$386.00

(b) Restore employees' health insurance benefits as required under the terms of the collective-bargaining agreement.

(c) Upon request, process any grievance filed under the terms of the collective-bargaining agreement.



## 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 a representative 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**, upon request, refuse to bargain in good faith with Teamsters Local 838 affiliated with the International Brotherhood of Teamsters (the Union) as the exclusive collective-bargaining representative of our employees in the following appropriate unit:

All full-time and regular part-time warehouse equipment operators employed by us in the Recycle Center at the Ford Kansas City Assembly Plant located in Kansas City, Missouri.

**WE WILL NOT** fail to continue in effect all the terms and conditions of employment included in the collective-bargaining agreement we signed on January 7, 2015, and which remains in effect until January 6, 2017.

**WE WILL NOT** change your health benefits included in our collective-bargaining agreement without bargaining with your Union and without your Union's consent.

**WE WILL NOT** fail to remit your dues to the Union that we have deducted from your paychecks.

**WE WILL NOT** refuse to process grievances filed under the terms of our collective-bargaining agreement.

**WE WILL**, if requested by the Union, rescind any or all changes to your terms and conditions of employment that we made without bargaining with the Union and without the Union's consent.

**WE WILL** immediately reinstate your health benefits as required by the terms and conditions of our collective-bargaining agreement.

**WE WILL** pay employees for the benefits they lost or the bills they incurred because of our changes to your health benefits and other terms and conditions of employment that we made without bargaining with the Union and without the Union's consent.

**WE WILL** remit to the Union all dues owed under the terms of our collective-bargaining agreement and which were deducted from your paychecks.

**WE WILL** process grievances filed by the Union consistent with our collective-bargaining agreement.

**WE WILL NOT** in any like or related manner interfere with your rights under Section 7 of the Act.

**PREMIER ENVIRONMENTAL SOLUTIONS, LLC**

The Board's decision can be found at [www.nlr.gov/case/14-CA-177481](http://www.nlr.gov/case/14-CA-177481) 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.

