

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 16**

DISH NETWORK CORPORATION

RESPONDENT

and

**COMMUNICATIONS WORKERS OF AMERICA,
AFL-CIO**

CHARGING PARTY

Cases 16-CA-173719

16-CA-173720

16-CA-173770

16-CA-177314

16-CA-177321

16-CA-178881

16-CA-178884

**GENERAL COUNSEL'S CROSS-EXCEPTIONS
TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE**

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Dated: March 7, 2017

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Pursuant to Section 102.46(e) of the Board's Rules and Regulations, Counsel for the General Counsel files these Cross-Exceptions to the Decision and Recommended Order of Administrative Law Judge Robert A. Ringler (JD-02-07) dated January 23, 2017.¹ General Counsel takes exception to the following factual findings, conclusions of law and remedial order:

1.) The Judge's failure to reach a finding as to whether Respondent violated Section 8(a)(3) by reducing employees' wages, stating "Given that Dish violated Section 8(a)(5), when it unilaterally implemented its final offer absent a good-faith impasse, a finding that this action also violated Section 8(a)(3) violation would be cumulative and not impact the remedy. It is, thus, unnecessary to decide this redundant allegation." (JD slip op. at 17, LL. 6-9)

¹ General Counsel contemporaneously files a Brief in Support of Cross-Exceptions.

2.) The Judge's failure to reach a finding as to whether seventeen employees who quit were constructively discharged under the traditional constructive discharge theory. (JD slip op. at 16)

3.) The Judge's rejection of General Counsel's exhibits 125-133 which consists of evidence of Respondent's campaign messages. (Tr. 831-835)

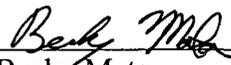
4.) The Judge's failure to grant compensatory damages. (JD slip op. at 18, LL. 44-46; 19, LL. 1-42; 20, LL. 1-35)

DATED at Fort Worth, Texas, this 7th day of March 2017.

Respectfully Submitted,



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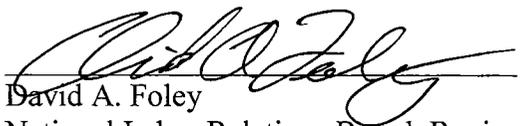
CERTIFICATE OF SERVICE

I hereby certify that, on this 7th day of March 201, a copy of General Counsel's Cross-Exceptions to the Decision of the Administrative Law Judge was electronically served upon the following parties:

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