UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION FOUR

KELLY SERVICES, INC.,

and **Case 04-CA-171036**

T. JASON NOYE, an Individual

RESPONDENT KELLY SERVICES, INC.'S EXCEPTIONS TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE

Pursuant to Section 102.46 of the Board's Rules and Regulation, the Respondent, Kelly Services, Inc. ("Kelly"), respectfully submits the following Exceptions to the May 23, 2017 Decision of Administrative Law Judge Robert A. Giannasi ("ALJ"):

1. The ALJ's finding that the class action waiver in Respondent's Dispute Resolution and Mutual Agreement to Binding Arbitration ("Agreement") violates the National Labor Relations Act. (ALJD at 4).

2. The ALJ's finding that the Respondent's Agreement restricts against the filing of Board charges that could provide monetary remedies. (ALJD at 4-6).

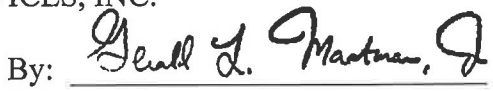
a. The ALJ's finding that an ambiguity exists concerning the language that explicitly informs employees as to their rights to file charges with the NLRB. (ALJD at 5).

b. The ALJ's disregard for the actually stipulated issue, which requires a finding that the Agreement "interferes with and restricts employee access to Board processes by

prohibiting Respondent's employees from receiving back pay or other monetary compensation through Board proceedings." (ALJD at 5; Stipulation at 3).

Respectfully submitted,

KELLY SERVICES, INC.

By: 

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Counsel for Respondent

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of these Exceptions to be served upon the Board and the Region via electronic filing and the following counsel of record in the manner listed below on this 20th day of June, 2017:

Marielle Macher, Esq. (via FedEx)
Counsel for the Charging Party
Community Justice Project
118 Locust Street
Harrisburg, PA 17101-1414

/s/ _____