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America, Local Union No. 405  
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8 UNITED STATES OF AMERICA  
9 NATIONAL LABOR RELATIONS BOARD  
10 REGION 32

11 International Brotherhood of Electrical  
Workers, Local 332,  
12  
13 Charged Party,  
14 and  
15 Rudolph and Sletten,  
16  
17 Charging Party,  
18 United Brotherhood of Carpenters and Joiners  
of America, Local Union No. 405,  
19  
20 Involved Party.

No. 32-CD-198681

**BRIEF OF UNITED BROTHERHOOD  
OF CARPENTERS AND JOINERS OF  
AMERICA, LOCAL UNION NO 405**

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22 United Brotherhood of Carpenters and Joiners of America, Local Union No. 405  
23 (“Carpenters” or “Local 405”) presents this brief in support of a finding that the Charged Party,  
24 International Brotherhood of Electrical Workers, Local 332 (“Electricians” or “Local 332”)   
25 violated Section 10(k) of the Act. The Carpenters join the Charging Party’s brief, but submit this  
26 brief to request a very specific remedy.

27 The uncontradicted testimony of Jay Bradshaw, Director of Organizing for the Northern  
28 California Carpenters Regional Council provides that Region 32’s failure to seek a 10(l)

1 injunction encouraged the Electricians to engage in a second day of a sick out or wildcat strike  
2 and encouraged them to continue to refuse to do work necessary for George Family Enterprises to  
3 complete the ceiling system in a timely manner.

4 Bradshaw testified that he had a conversation with John Hillegass on the evening of  
5 March 29, 2017. Mr. Hillegass is the Senior Director of Construction for Apple. Hillegass told  
6 Bradshaw that Neal Struthers, a person Hillegass believed to be an Electrician's representative  
7 told Hillegass that the Electricians would "wobble the job" if Apple did not see that the work in  
8 question was reassigned to the Electricians. Tr. 195-196. Hillegass asked Bradshaw what the  
9 term wobble meant. Bradshaw told Hillegass that it is a term to describe wildcat action, sabotage,  
10 slowdowns and strikes. Tr. 196, 1. 6-16. Bradshaw also provided the definition of wobble at the  
11 hearing. Tr. 202, 1. 13 – 204, 1. 2. Struthers was, in fact, speaking on behalf of the Electricians.  
12 He is an employee of the Santa Clara County IBEW/NECA (National Electrical Contractors  
13 Association). Tr. 204, 1. 1-4, 207, 1. 1-11.

14 Bradshaw testified that on May 15, 2017, after the first walkout, he was on a telephone  
15 call with Region 32, Regional Director Valerie Mahoney, employer counsel, Rich Hill and the  
16 investigating Board Agent. Bradshaw told Mahoney that if the Region continued to delay on the  
17 10(l) injunction, it would lead to more troubles on the job and it would be harmful to Apple and  
18 the other neutrals as well as members of the Carpenters' Union. He pointed out that the Board's  
19 primary function is to keep disputes like this from affecting commerce and that if the Region took  
20 no action, the Electricians would be emboldened and would take another action which is exactly  
21 what happened the following day on May 16. Tr. 197, 1. 11-12.

22 Bradshaw testified that the Electricians walked off again on the 16th and continue to  
23 engage in a slowdown. Tr. 200, 1. 10-24.

24 In addition to the remedies the Charging Party requests, including the validation of the  
25 Charging Party's and its subcontractor's assignment of the work, the Carpenters request that an  
26 order issue barring the Electricians from wobbling or threatening to wobble this or any other job

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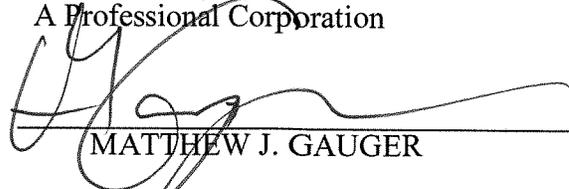
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1 on the basis of a jurisdictional dispute. The order should use the same definition of the term  
2 wobble as did Mr. Bradshaw, wildcat action, sabotage, slowdowns and strikes.

3 Dated: June 27, 2017

WEINBERG, ROGER & ROSENFELD  
A Professional Corporation

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6 By:



MATTHEW J. GAUGER

Attorneys for United Brotherhood of Carpenters  
and Joiners of America, Local Union No. 405

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**PROOF OF SERVICE  
(CCP §1013)**

I am a citizen of the United States and resident of the State of California. I am employed in the County of Sacramento, State of California, in the office of a member of the bar of this Court, at whose direction the service was made. I am over the age of eighteen years and not a party to the within action.

On June 27, 2017, I served the following documents in the manner described below:

**BRIEF OF UNITED BROTHERHOOD OF CARPENTERS  
AND JOINERS OF AMERICA, LOCAL UNION NO. 405**

- (BY U.S. MAIL) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing with the United States Parcel Service, and I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States Postal Service at Sacramento, California.
- (BY MESSENGER SERVICE) by consigning the document(s) to an authorized courier and/or process server for hand delivery on this date.
- (BY FACSIMILE) I am personally and readily familiar with the business practice of Weinberg, Roger & Rosenfeld for collection and processing of document(s) to be transmitted by facsimile and I caused such document(s) on this date to be transmitted by facsimile to the offices of addressee(s) at the numbers listed below.
- (BY ELECTRONIC SERVICE) By electronically mailing a true and correct copy through Weinberg, Roger & Rosenfeld's electronic mail system from tgreve@unioncounsel.net to the email addresses set forth below.

On the following part(ies) in this action:

Mr. Richard N. Hill  
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 27, 2017, at Sacramento, California.

  
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Trish Greve