

**UNITED STATE OF AMERICA
NATIONAL LABOR RELATIONS BOARD
Region 2**

9TH AVENUE HOTEL PROPERTY	:		
HOLDING D/B/A CASSA HOTEL TIMES	:		
SQUARE, VIP CONCIERGE, INC. AND	:		
A&R BUILDING SOLUTIONS, INC. AS	:		
JOINT EMPLOYERS	:		
	:		
	:		
Respondent,	:		
	:		
and	:	Case Nos.	02-CA-201747
	:		02-CA-201748
	:		
NEW YORK HOTEL AND MOTEL TRADES	:		
COUNCIL, AFL-CIO	:		
	:		
	:		
Charging Party	:		
	:		
	:		
	:		
LOCAL 713 INTERNATIONAL	:		
BROTHERHOOD OF TRADE UNIONS (9TH	:		
AVENUE HOTEL PROPERTY HOLDING	:		
D/B/A CASSA HOTEL TIMES SQUARE, VIP	:		
CONCIERGE, INC. AND A&R BUILDING	:		
SOLUTION, INC., AS JOINT EMPLOYERS)	:		
	:		
	:		
Respondent,	:		
	:		
and	:	Case No.	02-CB-201749
	:		
	:		
NEW YORK HOTEL AND MOTEL TRADES	:		
COUNCIL, AFL-CIO	:		
	:		
	:		
Charging Party	:		

RESPONDENT’S MOTION FOR POSTPONEMENT

VIP CONCIERGE, INC., and A&R BUILDING SOLUTIONS, INC. (“Employers”) move the Regional Director to postpone the hearing in this matter currently scheduled for April 3, 2018 and consecutive days as needed. In support of its request, the Employer, states as follows, namely:

1. Mr. Abe Grunhut, owner and President of the Employers is of the Jewish faith and is devout and observant in the faith's practices and edicts.
2. The majority of the Employer's officers and leaders is also of the Jewish faith and are devout and observant.
3. Passover is one of the most widely observed of all holidays on the Jewish calendar.
4. Passover begin on March 30, 2018 and continues through April 7, 2018.
5. Mr. Grunhut, nor any of the leaders and officers of the Employers, will be available during the Passover observance.
6. The Employers seek a new start date of April 12, 2018.
7. The General counsel's position is that the hearing in the matter should start at the earliest practicable date and has suggested April 9.
8. April 9 would allow no business days between the end of the holiday observance and commencement of hearing precluding Respondent from having pre-hearing preparation time for its witnesses.
9. Respondent Cassa Hotel's position is similar to VIP/A&R, also due to religious observance of its leadership and potential witnesses.
10. Respondent Union Local 713 does not oppose postponement.
11. Charging Party Union Local 6 opposes any postponement.
12. The undersigned is not seeking excessive delay.
13. The undersigned does not seek delay for an unreasonable cause.
14. Any delay is not intended to be prejudicial.
- 15.** All parties have been served with this motion.

WHEREFORE, VIP CONCIERGE, INC. AND A&R BUILDING SOLUTIONS, INC. pray the Regional Director postpone the hearing currently scheduled for April 3, 2018, in New York, New York, reschedule the hearing for a start date of April 12, 2018 or later; and such other relief as the Regional Director finds appropriate.

Respectfully submitted:

/s/ James Allen
James Allen
National Labor Relations Advocates
922 Dry Valley
Villa Hills, KY 41017
(513) 646-6472 – telephone
(877) 700-7541 – fax
jallen@NLRAdvocates.com
Representatives for VIP Concierge, Inc.

CERTIFICATE OF SERVICE

This is to certify that service of the above and foregoing EMPLOYER'S MOTION FOR POSTPONEMENT has been made on Region 2 of the National Labor Relations Board on January 29, 2018 via the Agency's e-filing portal, and courtesy copies have been electronically served on the following parties, namely:

Nicholas Rowe, Esq.
National Labor Relations Board
26 Federal Plaza, Suite 3614
New York, New York 10278-0104
Nicholas.Rowe@nlrb.gov

Brian McCarthy, Esq.
Bryan C. McCarthy, Esq. & Associates, PC
1454 Route 22
Brewster, NY 10509
bcm@bcmassociates.org

Joseph Farreli, Esq.
Pitta, LLP
120 Broadway, 28th Floor
New York, NY 10271
jfarelli@pittalaw.com

Timothy J. Wolf, Esq.
Mintz & Gold, LLP
600 Third Ave, 25th Floor
New York, NY 10016-1901
wolf@mintzandgold.com

Jeffrey D. Pollack, Esq.
Mintz & Gold, LLP
600 Third Ave, 25th Floor
New York, NY 10016-1901
pollack@mintzandgold.com

/s/ James Allen
James Allen
NLRA