



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
OFFICE OF THE GENERAL COUNSEL
Washington, DC 20570

March 14, 2018

[REDACTED]
BUSH GOTTLIEB, A LAW CORPORATION
801 N BRAND BLVD STE 950
GLENDALE, CA 91203-1260

Re: California Cartage Company, LLC and
Orient Tally Company, Inc., A Single
Employer, and Core Employee
Management, Inc., A Joint Employer
Case 21-CA-201215

Dear [REDACTED]

Your appeal from the Regional Director's refusal to issue complaint has been carefully considered. The appeal is denied.

The Charging Party appeals from the Regional Director's dismissal of the allegation that an alleged Section 2(11) [REDACTED] or otherwise a Section 2(13) agent of the Employers [REDACTED] for engaging in protected, concerted activity. The investigation reveals that the alleged [REDACTED] was made on or about [REDACTED] and directed at employee union picketers set up outside of California Cartage's Wilmington, CA facility. The evidence further reveals that picketers attributed the alleged [REDACTED] statement to an employee. Contrary to the Charging Party's contention the investigation adduced insufficient evidence that the employee was a [REDACTED] of the Employer as defined in Section 2(11) and Section 2(13) of the Act, as alleged. Consequently, the evidence from the investigation fails to support a finding that the Employer violated Section 8(a)(1) or (3) of the Act by [REDACTED] picketing employees on or about [REDACTED].

Accordingly, further proceedings are unwarranted.

Sincerely,

Peter Barr Robb
General Counsel



By:

Mark E. Arbesfeld, Director
Office of Appeals

cc: WILLIAM B. COWEN
REGIONAL DIRECTOR
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