

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

SYSCO GRAND RAPIDS, LLC

and

**Cases 07-CA-197034
07-CA-197035
07-CA-197039**

**GENERAL TEAMSTERS LOCAL
UNION NO. 406, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS (IBT)**

ORDER DENYING MOTION¹

The Respondent's motion to dismiss the consolidated complaint is denied. The Respondent has failed to establish that there are no genuine issues of material fact warranting a hearing and that it is entitled to judgment as a matter of law.²

Dated, Washington, D.C., April 30, 2018.

MARK GASTON PEARCE, MEMBER

LAUREN McFERRAN, MEMBER

MARVIN E. KAPLAN, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel. Member Emanuel is recused and took no part in the consideration of this case.

² In light of the Erratum issued by the Administrative Law Judge in Case 07-CA-146820 et al., which corrected an inadvertent typographical error in the identity of the Charging Party Union in those cases, there is no merit to the Respondent's assertion, based on that misidentification, that the Sec. 8(a)(5) allegations in the instant case must be dismissed because the Respondent had not been found to have any obligation to recognize or bargain with the Charging Party.