

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

**NORTH JACKSON SPECIALTY STEEL, LLC,
A WHOLLY-OWNED SUBSIDIARY OF
UNIVERSAL STAINLESS & ALLOY PRODUCTS, INC.**

and

Case 08-CA-199945

**UNITED STEEL, PAPER AND FORESTRY,
RUBBER, MANUFACTURING, ENERGY,
ALLIED-INDUSTRIAL AND SERVICE WORKERS
INTERNATIONAL UNION, AFL-CIO/CLC**

DECISION AND ORDER

Statement of the Case

On March 23, 2018, North Jackson Specialty Steel, LLC, a wholly-owned subsidiary of Universal Stainless & Alloy Products, Inc. (the Respondent), Charging Party United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union, AFL-CIO/CLC (the Union), and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to the Board's approval, providing for the issuance of a Board Order and the entry of a court judgment enforcing the Order by any appropriate United States Court of Appeals. The parties waived all further and other proceedings before the Board to which they may be entitled under the National Labor Relations Act and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a court judgment or to receive further notice of the application therefor.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

Findings of Fact

1. The Respondent's business

(a) At all material times, the Respondent, a wholly-owned subsidiary of Universal Stainless & Alloy Products, Inc., has been a Delaware limited liability company with an office and place of business in North Jackson, Ohio, the only location involved in this proceeding, and has been engaged in the manufacture of specialty steel products.

(b) Annually, the Respondent, in conducting its business operations described above in paragraph 1(a), purchases and receives at its North Jackson, Ohio facility goods valued in excess of \$50,000 directly from points outside the State of Ohio.

(c) At all material times, the Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

2. The labor organization involved

At all material times, the Union has been a labor organization within the meaning of Section 2(5) of the Act.

3. The following employees of the Respondent (the unit) constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All full-time and regular part-time production and maintenance employees, employed by the Employer at its facility located at 2058 S. Bailey Road, North Jackson, Ohio, but excluding all office clerical employees, professional employees, guards and supervisors as defined in the Act.

On March 4, 2016, the Union was certified as the exclusive collective-bargaining representative of the unit.

At all times since March 4, 2016, based on Section 9(a) of the Act, the Union has been the exclusive collective-bargaining representative of the unit.

ORDER

Based on the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that the Respondent, North Jackson Specialty Steel, LLC, a wholly-owned subsidiary of Universal Stainless & Alloy Products, Inc., North Jackson, Ohio, its officers, agents, successors and assigns, shall

1. Cease and desist from

(a) Failing and refusing to bargain collectively and in good faith with the Union by issuing discretionary suspensions and discharges to unit employees without first providing the Union with notice and an opportunity to bargain over those discretionary actions.

(b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act.

(a) Before issuing discretionary disciplinary actions to unit employees which have an immediate impact on their tenure, status, or earnings, notify and, on request, bargain with the Union over those discretionary actions.

(b) Within 14 days of service by the Region, post at its North Jackson, Ohio facility copies of the attached notice marked "Appendix A." Copies of the notice, on forms provided by Region 8, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, the notices shall be distributed electronically such as by email, posting on an intranet or internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. The Respondent will take reasonable steps to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since March 7, 2017.

(c) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply, including stating the locations that the attached notice marked "Appendix A" was posted.

Dated, Washington, D.C., May 16, 2018

Mark Gaston Pearce, Member

Marvin E. Kaplan, Member

William J. Emanuel, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

APPENDIX A

NOTICE TO EMPLOYEES

**POSTED BY ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government**

**PURSUANT TO A STIPULATION PROVIDING
FOR A BOARD ORDER AND A CONSENT JUDGMENT
OF ANY APPROPRIATE UNITED STATES COURT OF APPEALS**

FEDERAL LAW GIVES YOU THE RIGHT TO:

Form, join, or assist a union
Choose a representative to bargain with us on your behalf
Act together with other employees for your benefit and protection
Choose not to engage in any of these protected activities.

WE WILL NOT do anything to prevent you from exercising the above rights.

The United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union, AFL-CIO/CLC (the Union) is your exclusive collective-bargaining representative in dealing with us regarding wages, hours, and other working conditions of the employees in the following appropriate unit:

All full-time and regular part-time production and maintenance employees, employed by the Employer at its facility located at 2058 S. Bailey Road, North Jackson, Ohio, but excluding all office clerical employees, professional employees, guards and supervisors as defined in the Act.

WE WILL NOT issue discretionary suspensions, discharges, or other forms of discretionary discipline on you which have an immediate impact on your tenure, status, or earnings without first providing the Union with notice and an opportunity to bargain over those discretionary actions.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

WE WILL provide the Union with notice and an opportunity to bargain over discretionary disciplinary actions having an immediate impact on your tenure, status, or earnings.

**NORTH JACKSON SPECIALTY STEEL, LLC, a
wholly-owned subsidiary of UNIVERSAL
STAINLESS & ALLOY PRODUCTS, INC.**

The Board's decision can be found at www.nlr.gov/case/08-CA-199945 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half St., S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

