



the requested temporary injunctive relief pursuant to Section 10(j) of the Act is just and proper in this case.

Now, therefore, upon the entire record it is ORDERED that pending the final disposition of the proceeding before the National Labor Relations Board, Respondent, its officers, agents, servants, employees and attorneys and all persons acting in concert or participation with it or them shall be and they are ORDERED to:

1. Cease and desist from:

- (a) Discharging, constructively discharging, or otherwise discriminating against employees because of their union support, union activity, or other activity protected by Section 7 of the National Labor Relations Act;
- (b) Interrogating employees regarding employees' union support, union activity, or other activity protected by Section 7 of the Act;
- (c) Seeking to induce employees to abandon their organizing activities by granting them benefits including workplace improvement committees and promotions;
- (d) Creating the impression that employees' union activities are under surveillance;
- (e) Imposing more onerous working conditions by more strictly enforcing workplace safety and parking rules;
- (f) Threatening employees with workplace closure or job loss if they choose to be represented by, or support a union;

- (g) Prohibiting supervisors from providing private transportation to employees because of their support for a union; and
- (h) In any other manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them under Section 7 of the Act;

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

- (a) Within five (5) days of the date of the District Court's Order, offer to Rafael Ordonez and Anaudy Sanchez, in writing, immediate reinstatement to their former positions or, if those positions no longer exist, to substantially equivalent positions, without prejudice to their seniority or any other rights or privileges previously enjoyed and, if necessary, displacing any persons who have been hired or reassigned to replace them;
- (b) Within five (5) days of the date of the District Court's Order, remove from Respondent's files all references to the August 4, 2017 termination of Rafael Ordonez and the August 4, 2017 termination of Anaudy Sanchez, and notify them in writing that this has been done and that the terminations and/or disciplines will not be used against them in any way;
- (c) Within five (5) days of the date of the District Court's Order, post copies of the Order at Respondent's New Jersey facility where notices to employees are customarily posted, and maintain those postings free

from all obstructions and defacements during the pendency of the Board's administrative proceedings;

- (d) Within ten (10) days of the date of the District Court's Order: (i) hold a mandatory meeting or meetings for all non-managerial, non-supervisory transportation employees, including drivers, dispatchers, and administrative assistants, at which the Order will be read to employees by Respondent's Operations Manager, Jonathan Paredes, in the presence of a Board agent, or at Respondent's option, by a Board agent in the presence of Mr. Paredes; (ii) schedule such meetings to be held during working time at times to ensure the widest possible employee attendance; and (iii) announce such meetings in the same manner Respondent customarily announces mandatory employee meetings;
- (e) Within twenty (20) days of the date of the District Court's Order, file with the Court and serve upon the Regional Director for Region 22 of the Board a sworn affidavit from a responsible official setting forth, with specificity, the manner in which Respondent has complied with the terms of the District Court's Order, including where, when, and how it posted the Order.

This Order shall expire six months from the date of its issuance; provided however, that the Petitioner may, upon motion, request a thirty day extension of this Order if it appears that the decision of the National Labor Relations Board's Administrative Law Judge in the underlying unfair labor practice complaint in Cases 22-

CA-203448, 22-CA-203710, 22-CA-204087, 22-CA-206597 and 22-CA-207286 is imminent; provided further, that after the issuance of said decision of the administrative law judge, upon motion of the Petitioner, this Order may be extended, pending the National Labor Relations Board's final decision, for an additional period not to exceed six months from the date of the administrative law judge's decision; provided further, that the Petitioner may, upon motion, request an additional thirty day extension of this Order, if it appears that the final decision of the National Labor Relations Board on the underlying unfair labor practice complaint is imminent.

IT IS FURTHER ORDERED that service of a copy of this order, shall be forthwith made upon Respondent by an agent of the Board in any manner provided in the Federal Rules of Civil Procedure for the United States District Courts or by certified mail and that proof of such service be filed herein.

ORDERED at Trenton, New Jersey this 17<sup>th</sup> day of July 2018.



United States District Judge