

## UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse  
Room 2722 - 219 S. Dearborn Street  
Chicago, Illinois 60604



Office of the Clerk  
Phone: (312) 435-5850  
www.ca7.uscourts.gov

### FINAL JUDGMENT

June 7, 2018

Before: JOEL M. FLAUM, Circuit Judge

No. 18-2004	NATIONAL LABOR RELATIONS BOARD, Petitioner  v.  BUDDY'S PARKING COMPANY, LLC, Respondent
<b>Originating Case Information:</b>	
Agency Case No: 13-CA-202604 National Labor Relations Board	

Upon consideration of the **APPLICATION FOR SUMMARY ENTRY OF A JUDGMENT ENFORCING AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD**, filed on May 3, 2018, by counsel for the petitioner,

**IT IS ORDERED** that the application for summary enforcement is **GRANTED** and the attached judgment is **ENFORCED**.

form name: c7\_FinalJudgment(form ID: 132)

**CERTIFIED COPY**

A True Copy

Teste:

  
 Deputy Clerk  
 of the United States  
 Court of Appeals for the  
 Seventh Circuit

UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT

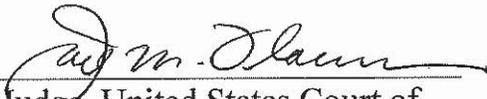
NATIONAL LABOR RELATIONS BOARD	:	
	:	No.
Petitioner	:	
v.	:	
	:	Board Case No.:
BUDDY'S PARKING COMPANY, LLC	:	13-CA-202604
	:	
Respondent	:	

JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD

Before:

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Respondent, Buddy's Parking Company, LLC, its officers, agents, successors, and assigns, enforcing its order dated March 14, 2018, in Case No. 13-CA-202604, reported at 366 NLRB No. 33, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent, Buddy's Parking Company, LLC, its officers, agents, successors, and assigns, shall abide by said order (See Attached Order and Appendix).

  
\_\_\_\_\_  
Judge, United States Court of  
Appeals for the Seventh Circuit

## NATIONAL LABOR RELATIONS BOARD

v.

### BUDDY'S PARKING COMPANY, LLC

#### ORDER

Buddy's Parking Company, LLC, Chicago, Illinois, its officers, agents, successors, and assigns, shall take the following affirmative action necessary to effectuate the policies of the Act.

1. Cease and desist from

- (a) Failing and refusing to bargain collectively with Teamsters Local 727 (the Union) as the exclusive collective-bargaining representative of the employees in the unit set forth below, about the effects of the Respondent's decision to discharge all eight bargaining unit employees at its 2 East Oak Street, Chicago, Illinois location:

All Cashiers, hikers, attendants, porters, maintenance men/custodians, drive men, washers, collectors, customer service representatives (excluding those who do sales and/or marketing), drivers, dispatchers, bellmen, doormen and supervisors who perform bargaining unit work, but excluding clerical employees, guards, professional employees and supervisors as defined in the National Labor Relations Act.

- (b) Failing and refusing to bargain collectively with the Union by failing and refusing to respond to and process two grievances related to change of address form and back dues owed.
- (c) Refusing to bargain collectively with the Union by failing and refusing to furnish the Union with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of the Respondent's unit employees.
- (d) 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 purposes of the Act.
- (a) On request, bargain collectively and in good faith with the Union about

the effects of the Respondent's decision to discharge all eight bargaining unit employees at its 2 East Oak Street location, and reduce to writing and sign any agreement reached as a result of such bargaining.

- (b) Pay the eight discharged bargaining unit employees formerly employed at the Respondent's 2 East Oak Street location their normal wages for the period set forth in the remedy section of this decision, with interest.
- (c) Compensate affected employees for the adverse tax consequences, if any, of receiving lump-sum backpay awards, and file with the Regional Director for Region 13, within 21 days of the date of the amount of backpay is fixed, either by agreement or Board order, a report allocating the backpay awards to the appropriate calendar years for each employee.
- (d) On request, respond to and process two grievances related to change of address form and back dues owed.

Furnish to the Union in a timely manner the information requested by the Union on June 28, July 3 and 10, 2017.

- (e) Within 14 days after service by the Region, post at its Chicago, Illinois facilities copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 13, 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, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent 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 its facilities 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 April 14, 2017.
- (f) Within 21 days after service by the Region, file with the Regional Director for Region 13 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.

## APPENDIX

### NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES  
COURT OF APPEALS ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

#### **FEDERAL LAW GIVES YOU THE RIGHT TO**

Form, join, or assist a union

Choose representatives 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 fail and refuse to bargain collectively with Teamsters Local 727 (the Union) as the exclusive collective-bargaining representative of our employees in the unit set forth below, about the effects of our decision to discharge all eight bargaining unit employees at our 2 East Oak Street, Chicago, Illinois location:

All Cashiers, hikers, attendants, porters, maintenance men/custodians, drive men, washers, collectors, customer service representatives (excluding those who do sales and/or marketing), drivers, dispatchers, bellmen, doormen and supervisors who perform bargaining unit work, but excluding clerical employees, guards, professional employees and supervisors as defined in the National Labor Relations Act.

WE WILL NOT fail and refuse to bargain collectively with the Union by failing and refusing to respond to and process two grievances related to change of address form and back dues owed.

WE WILL NOT refuse to bargain collectively with the Union by failing and refusing to furnish it with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of our unit employees

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL, on request, bargain collectively and in good faith with the Union about the effects of our decision to discharge all eight bargaining unit employees at our 2 East Oak Street location, and WE WILL reduce to writing and sign any agreement reached as a result of such bargaining.

WE WILL pay the eight discharged bargaining unit employees formerly employed at our 2 East Oak Street location their normal wages for the period set forth in the

Decision and Order of the National Labor Relations Board, with interest.

WE WILL compensate our affected employees for the adverse tax consequences, if any, of receiving lump-sum backpay awards and WE WILL file with the Regional Director for Region 13, within 21 days of the date the amount of backpay is fixed, either by agreement or Board order, a report allocating the backpay to the appropriate calendar years for each employee.

WE WILL, on request, respond to and process two grievances related to change of address form and back dues owed.

WE WILL furnish to the Union in a timely manner the information requested by the Union on June 28, July 3 and 10, 2017.

### BUDDY'S PARKING CO.

The Board's decision can be found at <https://www.nlr.gov/case/13-CA-202604> 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 Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.



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## NOTICE OF AGENCY CASE CLOSING

July 30, 2018

No. 18-2004	NATIONAL LABOR RELATIONS BOARD, Petitioner  v.  BUDDY'S PARKING COMPANY, LLC, Respondent
<b>Originating Case Information:</b>	
Agency Case No: 13-CA-202604 National Labor Relations Board	

Herewith is the final order of this court in this matter, along with the Bill of Costs, if any. This court's order is final and this case is closed in this court.

RECORD ON APPEAL STATUS:

**No record to be returned.**

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Received above closing letter, if any, from the Clerk, U.S. Court of Appeals for the Seventh Circuit.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Agency Rep., National Labor Relations Board