

**IN THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

NATIONAL LABOR RELATIONS BOARD)

Petitioner,)

v.)

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

Case No. 18-1651

Respondent,)

and)

United Steel, Paper and Forestry, Rubber,)
Manufacturing, Energy, Allied Industrial &)
Service Workers International Union,)
AFL-CIO, CLC)

Intervenor.)

UNION’S MOTION TO INTERVENE

Now Comes United Steel, Paper and Forestry, Rubber, Manufacturing,
Energy, Allied Industrial & Service Workers International Union, AFL-CIO/CLC
 (“Union”), moves this Court for leave to intervene in the above-captioned case
 pursuant to Rule 15(d) of the Federal Rules of Appellate Procedure. In support of
 this Motion, the Union states the following:

1. On June 6, 2018, the National Labor Relations Board (“NLRB” or “Board”) filed an application for enforcement of its May 16, 2018, Decision and Order against North Jackson Specialty Steel, LLC, a wholly-owned subsidiary of Universal Stainless & Alloy Products, Inc. (“Respondent”), issued in Board Case No. 08-CA-199945. In that Order, the Board found that Respondent violated §§ 8(a)(1) and (5) of the National Labor Relations Act, 29 U.S.C. §§ 158(a)(1), (5), and ordered it to take appropriate remedial action.

2. The Union was the Charging Party in Case No. 08-CA-199945. In a formal settlement agreement with the Union and the Board, Respondent expressly consented to entry of this judgment in a stipulation it entered into in the underlying Board proceedings. As the successful charging party, the Union has the right to intervene in this case in support of the aforesaid Decision and Order of the NLRB pursuant to FRAP Rule 15(d). *See Int’l Union v. Scofield*, 382 U.S. 205, 208 (1965) (holding that the successful party in NLRB proceedings has the “right to intervene in the Court of Appeals proceeding which reviews or enforces Labor Board orders.”); *Oil Chemical & Atomic Workers, Local Union No. 6-75 v. NLRB*, 694 F.2d 1289, 1298 (D.C. Cir. 1982) (“parties before the Board have the right to *intervene* in review or enforcement proceedings.”) (court’s emphasis).

3. The Union’s instant petition to intervene, filed less than 30 days after the Board filed its application for enforcement, is timely. *See* FRAP Rule 15(d)

(motion to intervene “must be filed within 30 days after the petition for review [or application to enforce] is filed”).

WHEREFORE, this Court should grant leave for the Union to intervene in the above-captioned case.

Dated: June 29, 2018

Respectfully submitted,

/s/ Nancy A. Parker

Nancy A. Parker

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CERTIFICATE OF SERVICE

I, Nancy A. Parker, do hereby certify that on June 29, 2018, an electronic copy of the Union's Motion to Intervene was filed with the Court via the ECF system. I also certify that a copy of the foregoing was served upon the following persons via U.S. Mail, postage prepaid:

Linda J. Dreeben
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this 29th day of June, 2018.

/s/ Nancy A. Parker
Nancy A. Parker