

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 16**

**ETS OILFIELD SERVICES, L.P.
Respondent**

and

Case 16-CA-172847

**LLOYD W. OSTER, an Individual
Charging Party**

**MOTION TO REMAND CASE TO THE REGIONAL DIRECTOR
TO APPROVE WITHDRAWAL OF CHARGE AND DISMISS COMPLAINT**

Pursuant to Section 102.24 of the Board's Rules and Regulations, Counsel for the General Counsel moves to remand Case 16-CA-172847 to the Regional Director of Region 16 to approve withdrawal of the charge and dismiss the Complaint. Counsel for Lloyd W. Oster (Charging Party) and ETS Oilfield Services, L.P. (Respondent) have been informed of this motion and neither opposes it.

1. The Hearing in this matter was held on December 5, 2016 before Administrative Law Judge Sharon Levinson Steckler. Following the hearing, ALJ Steckler issued a bench decision finding violations as alleged in the Complaint. On December 23, 2016, pursuant to Section 102.45 of the Board's Rules and Regulations, ALJ Steckler certified the decision.

2. On December 23, 2016, the Board issued an Order Transferring Proceeding to the Board.

3. Thereafter, on April 18, 2017 and September 21, 2018, counsel for the Charging Party submitted and confirmed request(s) to Region 16 to withdraw the charge pursuant to an

agreement reached with Respondent. The parties have resolved their disputes and, as a result, the Charging Party no longer wishes to proceed with the charge.

4. Counsel for the General Counsel submits that under Board law there are no obstacles preventing the Board from granting the instant Motion. In *Metropolitan Taxicab Board of Trade, Inc.*, 342 NLRB 1300 (2004), the Board declined to exercise its discretion to dismiss the charge and discontinue all related proceedings. Therein, the Board noted that the case posture, time and resources invested by the Board, and the stage of the Board's decisional process were factors considered by the Board. Unlike in *Metropolitan Taxicab*, the instant case does not present a novel issue, no party opposes the instant Motion, and there are no considerations that would outweigh the cost savings that would result from the Board's decision to grant the instant Motion.

Based on the foregoing, Counsel for the General Counsel respectfully moves that the Board issue an order remanding this case to the Regional Director of Region 16 for processing the withdrawal of the underlying charge and the dismissal of the Complaint.

DATED at Fort Worth, Texas this 26th day of September 2018.



Roberto Perez, Counsel for the General Counsel
NATIONAL LABOR RELATIONS BOARD
REGION 16
819 Taylor St Rm 8A24
Fort Worth, TX 76102-6107

CERTIFICATE OF SERVICE

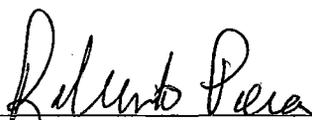
I certify that a true and correct copy of the above and foregoing Motion to Remand Case to the Regional Director to Approve Withdrawal of Charge and Dismiss Complaint has been served this 26th day of September 2018 upon each of the following:

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