



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 8
1240 E 9TH ST
STE 1695
CLEVELAND, OH 44199-2086

Agency Website: www.nlr.gov
Telephone: (216)522-3715
Fax: (216)522-2418

September 28, 2018

[REDACTED]

Re: FCA US LLC
Case 08-CA-203727

Dear [REDACTED]:

The Region has carefully investigated and considered your charge that FCA US, LLC (the Employer) violated the National Labor Relations Act (the Act).

Decision to Partially Administratively Defer: I have decided that further proceedings on certain allegations contained within this charge should be administratively deferred [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Decision to Partially Dismiss: Based on the investigation, I have decided to dismiss certain allegations contained in your charge because there is insufficient evidence to establish violations of the Act. Specifically, I am dismissing the Section 8(a)(1) allegation that the Employer failed to meet with you regarding alleged inaccuracies in your attendance record. The investigation showed nothing unlawful regarding the Employer's failure to meet with you as the grievance procedure is the mechanism available for bargaining unit employees to challenge such terms and conditions of employment and no grievance had been filed over the asserted inaccuracies. I am also dismissing the Sections 8(a)(1), (3) and (5) allegations related to the Employer's award of the [REDACTED] position to [REDACTED]. The evidence disclosed that [REDACTED] had more plant seniority than you and was thus awarded the position. I am, therefore, refusing to issue a complaint with respect to these allegations.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. To file electronically using the Agency's e-filing system, go to our website at www.nlr.gov and:

- 1) Click on E-File Documents;
- 2) Enter the NLRB Case Number; and,
- 3) Follow the detailed instructions.

Electronic filing is preferred, but you also may use the enclosed Appeal Form, which is also available at www.nlr.gov. You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **October 12, 2018**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than October 11, 2018. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before October 12, 2018**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after October 12, 2018, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to

keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/ Allen Binstock

ALLEN BINSTOCK
Regional Director

Enclosure

cc: ADAM HILLOCK, SENIOR HUMAN
RESOURCE MANAGER
FCA US LLC
4400 CHRYSLER DR
TOLEDO, OH 43608-4000

DARLENE HAAS AWADA, ESQ.
FCA US LLC
1000 CHRYSLER DR
CIMS 485-07-88
AUBURN HILLS, MI 48326-2766