



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
OFFICE OF THE GENERAL COUNSEL
Washington, DC 20570

October 29, 2018

[REDACTED]

Re: FCA - US LLC
Case 08-CA-185825

Dear [REDACTED]

We have carefully considered your appeal from the Regional Director's decision to partially dismiss and administratively defer certain allegations in the captioned charge. Based upon our review of the evidence disclosed by the Regional Office's investigation, as well as applicable case law and administrative materials, we have decided to deny the appeal, substantially for the reasons explained in the Regional Director's letter dated March 30, 2018.

In this case, the evidence shows that you have not filed Board charges in over 10 years; the Employer did not attempt to discipline you for violating its attendance policy; the Employer eliminated several coaching positions—including yours—for business reasons unrelated to your union activity; you were not chosen to be a team leader because it was your [REDACTED] on a new job; and the position that went to a union official was appropriately posted but you did not apply for it and are not a member of the department which had priority on filling the position. Altogether, the evidence was insufficient to issue complaint on the above-mentioned violations. Regarding the allegations that the Employer unlawfully denied you a launch position and refused to permit you to float between jobs, the Regional Director acted in accordance with the Board's Casehandling Manual in deciding to hold these allegations in abeyance pending the outcome of your private lawsuit. Accordingly, further proceedings on the captioned charge are unwarranted at this time.

Sincerely,

Peter Barr Robb
General Counsel

A handwritten signature in black ink that reads "Mark E. Arbesfeld".

By: _____

Mark E. Arbesfeld, Director
Office of Appeals

FCA - US LLC
Case 08-CA-185825

cc: ALLEN BINSTOCK
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