

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 14**

**TAYLOR ROOFING SOLUTIONS, INC. AND
CAPITOL ROOFING SOLUTIONS, L.L.C., A
SINGLE EMPLOYER**

and

Case 14-CA-211073

**UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS,
LOCAL UNION NO. 2**

**MOTION FOR DEFAULT JUDGMENT DUE TO
WITHDRAWAL OF ANSWER**

Counsel for the General Counsel, pursuant to Sections 102.20, 102.24, and 102.50 of the Board's Rules and Regulations, Series 8, as amended, moves that the proceeding in the above-captioned case be transferred to the Board for final determination on the merits. The General Counsel asserts he is entitled to judgment pursuant to Section 102.20 of the Board's Rules and Regulations, inasmuch as Respondent has withdrawn the Answer it filed to the Complaint and Notice of Hearing in its entirety. *Windward Roofing and Construction Co., Inc.*, 333 NLRB 658, 658-59 (2001); *U.S. Telefactores Corporation*, 293 NLRB 567, 567 (1989). Withdrawal of an answer has the same effect as the failure to file an answer, i.e., the allegations in the complaint must be considered true. *Rock Technologies, Inc.*, 346 NLRB No. 68 (2006).

Counsel for the General Counsel further moves that, upon transfer of this proceeding to the Board, the Board issue an appropriate Order to Show Cause why this Motion should not be granted.

Counsel for the General Counsel further moves that unless Respondent shows good cause why this Motion should not be granted, all allegations contained in the Complaint be deemed to be true and that an order be entered providing for an appropriate remedy for the violations alleged, without holding a hearing and without evidence in support thereof.

In support of said motions, Counsel for the General respectfully submits the following:

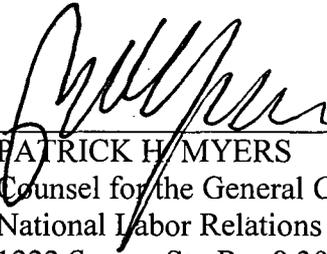
1. Pursuant to an unfair labor practice charge filed on December 5, 2017, and a first amended unfair labor practice charge filed on January 11, 2018, and a second amended unfair labor practice charge filed on May 21, 2018, by United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2 ("the Union") in

Case 14-CA-211073, the Regional Director for Region 14 issued a Complaint and Notice of Hearing on May 30, 2018. A copy of said unfair labor practice charge and the Affidavit of Service for the charge are attached as Exhibits 1 and 2. The first amended charge and Affidavit of Service are attached as Exhibits 3 and 4, respectively. The second amended charge and Affidavit of Service are attached as Exhibits 5 and 6, respectively. A copy of the Complaint and Notice of Hearing and an Affidavit of Service for the Complaint are attached as Exhibits 7 and 8, respectively.

2. Pursuant to the Board's Rules and Regulations, said Complaint described in paragraph (1) above advised Respondent that if Respondent failed to file an Answer to said Complaint by June 13, 2018, within 14 days of service thereof, as required under Section 102.20 of the Board's Rules and Regulations, all allegations in the Complaint would be deemed to be admitted true and that a Motion for Default Judgment would be filed with the Board.
3. Pursuant to the Board's Rules and Regulations, an Answer to the Complaint and Notice of Hearing was filed by Respondent on June 13, 2018, as required under Sections 102.20 and 102.21 of the Board's Rules and Regulations. A copy of the Answer is attached as Exhibit 9.
4. On October 23, 2018, Respondent filed a Motion for Withdrawal of Answer (Respondent's Motion). Respondent's Motion requests that the Board order any and all such further relief as is appropriate, equitable, and available. A copy of Respondent's Motion is attached as Exhibit 10.
5. On October 26, 2018, the Region issued an Order Postponing the Hearing Indefinitely. A copy of the Order and the Affidavit of Service of that Order are attached as Exhibits 11 and 12.
6. On November 1, 2018, the Regional Director for Region 14 issued an Order Approving Respondent's Motion. A copy of said Order and the Affidavit of Service for the Order are attached as Exhibits 13 and 14.

WHEREFORE, Counsel for the General Counsel submits that the matter is appropriate for final determination upon default judgment without a hearing, and that a final order should be entered, in accordance with the allegations of the Complaint, without taking evidence.

Dated: November 7, 2018



PATRICK H. MYERS
Counsel for the General Counsel
National Labor Relations Board, Region 14
1222 Spruce St., Rm 8.302
Saint Louis, MO 63103-2829

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Counsel for the General Counsel's Motion for Default Judgment Due to Withdrawal of Answer was served via regular mail and electronic mail on this 7th day of November, 2018, upon the following parties:

E-Filed:

Executive Secretary
National Labor Relations Board

By E-Mail and Regular Mail:

ELLEN YANK, Owner & COO
CAPITOL ROOFING SOLUTIONS, L.L.C.
2425 Amann Drive
Belleville, IL 62220
Email: eyank@yankgroup.com

JAMES ALLEN
BURDZINKSI & PARTNERS, INC.
2393 Hickory Bark Dr
Dayton, OH 45458-9424
Email: jallen@burdzinski.com

GERRIT YANK, Owner & CEO
TAYLOR ROOFING SOLUTIONS, INC.
8025 Bonhomme Ave., Ste. 106
Clayton, MO 63105
Email: gyank@yankgroup.com

CYNDI SAUTER, Labor Relations Rep.
BURDZINSKI & PARTNERS INC.
2393 Hickory Bark Dr.
Dayton, OH 45458-9424
Email: csauter@burdzinski.com

DENNIS MARSHALL
Financial Treasurer/Secretary
UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED
WORKERS, LOCAL UNION NO. 2
2920 Locust St
Saint Louis, MO 63103-1311

MATTHEW J. GIERSE, Attorney
HARTNETT, GLADNEY, HETTERMAN, LLC
4399 Laclede Avenue
Saint Louis, MO 63108
Email: mgierse@hghllc.net



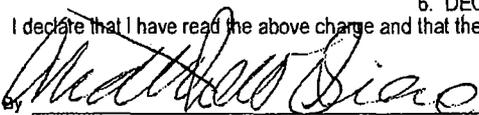
PATRICK H. MYERS
Counsel for the General Counsel
National Labor Relations Board, Region 14
1222 Spruce St., Rm 8.302
Saint Louis, MO 63103-2829
Email: Patrick.Myers@nlrb.gov

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 14-CA-211073	Date Filed 12/5/17

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Taylor Roofing Solutions, Inc.	b. Tel. No. 314-809-7529
	c. Cell No.
	f. Fax No. 618-825-9594
d. Address (Street, city, state, and ZIP code) 1210 East B St. Belleville, IL 62221	e. Employer Representative Gerrit Yank, Owner & CEO Rodger Carpenter, President
	g. e-Mail
	h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Construction contractor	j. Identify principal product or service Roofing contractor
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) On November 29, 2017, the below-named labor organization first became aware that Taylor Roofing Solutions, Inc., was operating a non-union, double-breasted operation under the name of Capitol Roofing Solutions, L.L.C., without affording the employees who worked for Capitol Roofing Solutions, L.L.C., the same wages, hours, benefits, and other terms and conditions of employment contained in the applicable collective bargaining agreement between the parties that had been negotiated with the below-named labor organization. Therefore, Capitol Roofing Solutions, L.L.C., is a single/joint employer with and/or alter ego of Taylor Roofing Solutions, Inc., and Taylor Roofing Solutions, Inc. and Capitol Roofing Solutions, L.L.C. have violated and continue to violate 8(a)(5) by unilaterally changing the wages, hours, benefits, and other terms and conditions of employment of bargaining unit members without providing the below-named labor organization with notice and opportunity to bargain.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2	
4a. Address (Street and number, city, state, and ZIP code) 2920 Locust St. St. Louis, MO 63103	4b. Tel. No. 314-535-9683
	4c. Cell No.
	4d. Fax No. 314-535-6404
	4e. e-Mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) United Union of Roofers, Waterproofers & Allied Workers	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  Matthew J. Gierse (Attorney) <small>(signature of representative or person making charge) (Print/type name and title or office, if any)</small>	
Tel. No. 314-531-1054	
Office, if any, Cell No.	
Fax No. 314-531-1131	
e-Mail mgierse@hghllc.net	
Address 4399 Laclede Avenue, St. Louis, MO 63108	12/04/17 <small>(date)</small>

ORIGINAL

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is for processing unfair labor practice and related proceedings or litigation. The routine uses for the information are set forth in the Privacy Act Statement published in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of the information is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

1

1

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**TAYLOR ROOFING SOLUTIONS, INC. AND
CAPITOL ROOFING SOLUTIONS, LLC,
SINGLE EMPLOYERS OR JOINT EMPLOYERS
OR ALTER EGOS**

Charged Party

and

**UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS,
LOCAL UNION NO. 2**

Charging Party

Case 14-CA-211073

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 6, 2017, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Gerrit Yank, Owner & CEO
Taylor Roofing Solutions, Inc. and Capitol
Roofing Solutions, LLC, Single Employers or
Joint Employers or Alter Egos
8025 Bonhomme Ave., Ste. 106
Clayton, MO 63105

Rodger Carpenter, President
Taylor Roofing Solutions, Inc. and Capitol
Roofing Solutions, LLC, Single Employers or
Joint Employers or Alter Egos
1210 E B St
Belleville, IL 62221-5320

December 6, 2017

Date

Dannie Abbott, Designated Agent of
NLRB

Name

Dannie Abbott

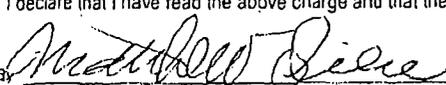
Signature

2

DO NOT WRITE IN THIS SPACE	
Case 14-CA-211073	Date Filed 1/11/18

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer (1) Taylor Roofing Solutions, Inc. and its single/joint employer and/or alter ego (2) Capitol Roofing Solutions, L.L.C. and its single/joint employer and/or alter ego (3) Beltran Contractors, L.L.C.	b. Tel. No. see Attachment A
d. Address (Street, city, state, and ZIP code) See Attachment A	e. Employer Representative See Attachment A
i. Type of Establishment (factory, mine, wholesaler, etc.) Construction contractor	j. Identify principal product or service Roofing contractor
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See Attachment B	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2	
4a. Address (Street and number, city, state, and ZIP code) 2920 Locust St. St. Louis, MO 63103	4b. Tel. No. 314-535-9683 4c. Cell No. 4d. Fax No. 314-535-6404 4e. e-Mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) United Union of Roofers, Waterproofers & Allied Workers	
6. DECLARATION	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
 (signature of representative or person making charge)	Matthew J. Gierse, Attorney (Print/Type name and title or office, if any)
Address 4399 Laclède Ave., St. Louis, MO 63108	
January 11, 2018 (date)	
Tel. No. 314-531-1054	
Office, if any, Cell No.	
Fax No. 314-531-1131	
e-Mail mgierse@hghllc.net	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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ORIGINAL

3

Attachment A

(1) Taylor Roofing Solutions, Inc.

(a) 1210 East B St.
Belleville, IL 62221

Tel. No. 314-809-7529

Fax No. 618-825-9594

(b) 8025 Bonhomme Ave., Ste. 106

Clayton, MO 63105

Tel. No. 314-809-7529

Fax No. 618-825-9594

Employer Representative: Gerrit Yank, Owner & CEO

(2) Capitol Roofing Solutions, L.L.C.

1210 East B St.
Belleville, IL 62221

Tel. No. 314-809-7529

Fax No. 618-825-9594

Employer Representative: Ellen Yank, Owner & COO

(3) Beltran Contractors, L.L.C.

235 Walnut St.
New Memphis, IL 62266

Tel. No. 618-670-4171

Employer Representative: Jesus Beltran, Owner

Attachment B

Since about August 22, 2017, the Employer, Taylor Roofing Solutions, Inc. has established and/or maintained the single/joint employer and/or alter ego Capitol Roofing Solutions, L.L.C., and the single/joint employer and/or alter ego Beltran Contractors, L.L.C. so as to avoid its bargaining obligations with United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2 (the Union), and has refused to recognize and bargain in good faith with the Union, and has unilaterally subcontracted work, and unilaterally changed the wages, hours, benefits and other terms and conditions of employment of bargaining unit members without notifying and bargaining with the Union. The Employer has refused to apply collective bargaining terms to employees performing work within the Union's jurisdiction.

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

**TAYLOR ROOFING SOLUTIONS, INC. AND IT
SINGLE/JOINT EMPLOYER AND/OR ALTER
EGO CAPITOL ROOFING SOLUTIONS, L.L.C.
AND ITS SINGLE EMPLOYER AND/OR ALTER
EGO BELTRAN CONTRACTORS, L.L.C.**

Case 14-CA-211073

Charged Party

and

**UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS,
LOCAL UNION NO. 2**

Charging Party

AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on January 16, 2018, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

GERRIT YANK, Owner & CEO
TAYLOR ROOFING SOLUTIONS, INC.
8025 Bonhomme Ave., Ste. 106
Clayton, MO 63105

ELLEN YANK, Owner & COO
CAPITOL ROOFING SOLUTIONS, L.L.C.
1210 E B St
Belleville, IL 62221-5320

CYNDI SAUTER, Labor Relations Rep.
BURDZINSKI & PARTNERS INC.
2393 Hickory Bark Dr.
Dayton, OH 45458-9424

JESUS BELTRAN, Owner
BELTRAN CONTRACTORS, L.L.C.
235 Walnut St.
New Memphis, IL 62266

JAMES ALLEN
BURDZINSKI & PARTNERS, INC.
2393 Hickory Bark Drive
Dayton, OH 45458

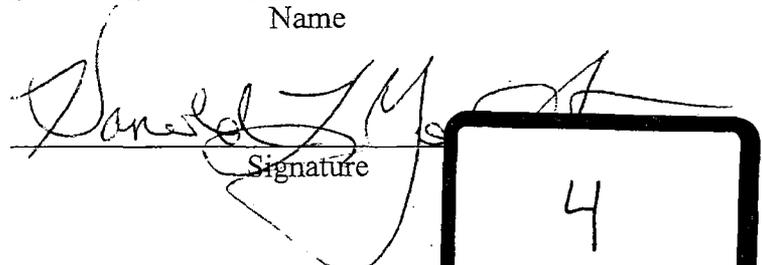
GERRIT YANK, Owner & CEO
TAYLOR ROOFING SOLUTIONS, INC.
1210 E B St
Belleville, IL 62221-5320

January 16, 2018

Date

Harold L. Young, Jr., Designated Agent of
NLRB

Name


Signature

4

INTERNET
FORM NLRB-501
(2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case
14-CA-211073

Date Filed
5/21/18

SECOND AMENDED

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer (1) Taylor Roofing Solutions, Inc. and its single employer (2) Capitol Roofing Solutions, L.L.C.	b. Tel. No. See Attachment A
	c. Cell No.
	f. Fax No. See Attachment A
d. Address (Street, city, state, and ZIP code) See Attachment A	e. Employer Representative See Attachment A
	g. e-Mail
	h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Construction contractor	j. Identify principal product or service Roofing contractor
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (5) _____ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See Attachment B	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2	
4a. Address (Street and number, city, state, and ZIP code) 2920 Locust St. St. Louis, MO 63103	4b. Tel. No. 314-535-9683
	4c. Cell No.
	4d. Fax No. 314-535-6404
	4e. e-Mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) United Union of Roofers, Waterproofers & Allied Workers	
6. DECLARATION	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
By <u>Matthew J. Gierse</u> (signature of representative or person making charge)	Matthew J. Gierse, Attorney (Print/type name and title or office, if any)
Address 4399 Laclede Ave., St. Louis, MO 63108	
	Tel. No. 314-531-1054
	Office, if any, Cell No.
	Fax No. 314-531-1131
	e-Mail mgierse@hghllc.net

RECEIVED
 NLRB REGION 14
 2018 MAY 21 PM 3:24
 SAINT LOUIS, MO 63103

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of the information is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

5

Attachment A

(1) Taylor Roofing Solutions, Inc.

(a) 1210 East B St.
Belleville, IL 62221

Tel. No. 314-809-7529

Fax No. 618-825-9594

(b) 8025 Bonhomme Ave., Ste. 106

Clayton, MO 63105

Tel. No. 314-809-7529

Fax No. 618-825-9594

Employer Representative: Gerrit Yank, Owner & CEO

(2) Capitol Roofing Solutions, L.L.C.

1210 East B St.
Belleville, IL 62221

Tel. No. 314-809-7529

Fax No. 618-825-9594

Employer Representative: Ellen Yank, Owner & COO

Attachment B

Since about August 22, 2017, the Employer, Taylor Roofing Solutions, Inc. has established and/or maintained the single employer Capitol Roofing Solutions, L.L.C. so as to avoid its bargaining obligations with United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2 (the Union), and has refused to recognize and bargain in good faith with the Union. The Employer has refused to apply collective bargaining terms to employees performing work within the Union's jurisdiction.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

CAPITOL ROOFING SOLUTIONS, L.L.C.

Charged Party

and

**UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS,
LOCAL UNION NO. 2**

Charging Party

Case 14-CA-211073

AFFIDAVIT OF SERVICE OF SECOND AMENDED CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on May 22, 2018, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Ellen Yank, Owner & COO
Capitol Roofing Solutions, L.L.C.
1210 E B St
Belleville, IL 62221-5320

Karen Rose, Labor Relations Specialist
922 Dry Valley Ct
Villa Hills, KY 41017-3610

JAMES ALLEN
Burdzinski & Partners, Inc.
2393 Hickory Bark Dr
Dayton, OH 45458-9424

Gerrit Yank, Owner & CEO
Taylor Roofing Solutions, Inc.
8025 Bonhomme Ave., Ste. 106
Clayton, MO 63105

Cyndi Sauter, Labor Relations Specialist
Burdzinski & Partners, Inc.
2393 Hickory Bark Dr
Dayton, OH 45458-9424

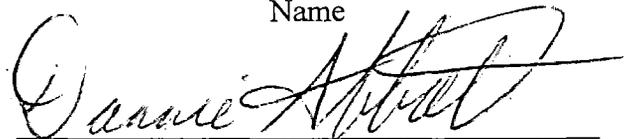
Jesus Beltran, Owner
Beltran Contractors, L.L.C.
235 Walnut St.
New Memphis, IL 62266

May 22, 2018

Dannie Abbott, Designated Agent of
NLRB

Date

Name



Signature

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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 14

TAYLOR ROOFING SOLUTIONS, INC. AND
CAPITOL ROOFING SOLUTIONS, L.L.C. , A
SINGLE EMPLOYER

and

Case 14-CA-211073

UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS,
LOCAL UNION NO. 2, AFL-CIO

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by United Union of Roofers, Waterproofers and Allied Workers, Local Union No. 2, AFL-CIO (Union). It is issued pursuant to Section 10(b) of the National Labor Relations Act (the Act), 29 U.S.C. § 151 et seq., and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board) and alleges that Taylor Roofing Solutions, Inc. (Taylor) and Capitol Roofing Solutions, L.L.C., (Capitol), hereafter collectively referred to as Respondent, have violated the Act as described below.

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A. The charge in this proceeding was filed by the Union on December 5, 2017, and a copy was served on Respondent by U.S. mail on December 6, 2017.

B. The first amended charge in this proceeding was filed by the Union on January 11, 2018, and a copy was served on Respondent by U.S. mail on January 16, 2018.

C. The second amended charge in this proceeding was filed by the Union on May 21, 2018, and a copy was served on Respondent by U.S. mail on May 22, 2018.

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A. At all material times, Taylor has been an Illinois corporation with an office and place of business in Belleville, Illinois (Respondent's facility) and an office in Clayton, Missouri and has been a contractor in the building and construction industry performing residential and commercial roofing.

B. In conducting its operations during the 12-month period ending April 30, 2018, Taylor performed services valued in excess of \$50,000 in States other than the State of Illinois.

C. At all material times, Capitol has been an Illinois limited liability company with its place of business at Respondent's facility and has been a contractor in the building and construction industry performing residential and commercial roofing.

D. In conducting its operations during the 12-month period ending April 30, 2018, Capitol performed services valued in excess of \$50,000 in States other than the State of Illinois.

E. At all material times, Taylor and Capitol have been affiliated business enterprises with common officers, ownership, directors, management, and supervision; have administered a common labor policy; have shared common premises, facilities, and equipment; have provided services for and made sales to each other; have interchanged personnel with each other; have interrelated operations with common business purposes, sales, purchasing, and insurance; and have held themselves out to the public as a single-integrated business enterprise.

F. Based on its operations described above in paragraph 2E, Taylor and Capitol constitute a single-integrated business enterprise and a single employer within the meaning of the Act.

G. At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

At all material times, the Union has been a labor organization within the meaning of Section 2(5) of the Act.

At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act:

- Gerrit Yank - Owner/Chief Executive Officer/Director- Taylor
Co-owner/Manager of Business Development –Capitol
- Ellen Yank - Co-owner/President/Chief Operating Officer/Director – Capitol
Director – Taylor
- Rodger Carpenter - President –Taylor (until March 2018)
- Jesus Beltran Carranza - Foreman –Taylor/Capitol
- Juan Beltran Carranza - Foreman –Taylor/Capitol

A. About August 22, 2017, Taylor entered into a collective-bargaining agreement effective by its terms from March 1, 2017 through February 28, 2022, whereby Taylor recognized the Union as the exclusive collective-bargaining representative of the Unit without regard to whether the Union’s majority status had ever been established under Section 9(a) of the Act.

B. The unit of Respondent’s employees covered by the collective-bargaining agreement described above in paragraph 5A (the Unit) constitutes a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act.

C. From August 22, 2017 through February 28, 2022, based on Section 9(a) of the Act, the Union has been the exclusive collective-bargaining representative of the Unit.

A. Since about August 22, 2017, based on the acts and conduct described above in paragraphs 2E, 2F, and 5, Capitol has been bound by the collective-bargaining agreement described above in paragraph 5A.

B. Since about August 22, 2017, Respondent has failed and refused to apply the terms and conditions of the collective-bargaining agreement described above in paragraph 5A to all Unit employees, including failing to pay all Unit employees the wage rates specified in the collective-bargaining agreement, failing to make all fringe benefit contributions due on behalf of Unit employees, and subcontracting Unit work.

C. The terms and conditions of employment described above in paragraph 6B are mandatory subjects for the purposes of collective-bargaining.

D. Respondent engaged in the conduct described above in paragraph 6B without the Union's consent.

By the conduct described above in paragraph 6, Respondent has been failing and refusing to bargain collectively and in good faith with the exclusive collective-bargaining representative of its employees in violation of Section 8(a)(1) and (5) of the Act.

The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, they must file an answer to the complaint. The answer must be **received by this office on or before, June 13, 2018, or postmarked on or before June 12, 2018.** Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules

and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on **September 17, 2018, at 10:00 am** at **1222 Spruce Street, Room 8.302, St. Louis, Missouri, 63103-2829**, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondents and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: May 30, 2018



LEONARD J. PEREZ, Regional Director
National Labor Relations Board, Region 14
1222 Spruce Street Rm 8.302
Saint Louis, Mo 63103-2829

Attachments

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 14

TAYLOR ROOFING SOLUTIONS, INC. AND
CAPITOL ROOFING SOLUTIONS, L.L.C. , A
SINGLE EMPLOYER

and

Case 14-CA-211073

UNITED UNION OF ROOFERS, WATERPROOFERS
AND ALLIED WORKERS, LOCAL UNION NO. 2,
AFL-CIO

AFFIDAVIT OF SERVICE OF: Complaint and Notice of Hearing (with forms NLRB-4338 and NLRB-4668 attached)

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on **May 30, 2018**, I served the above-entitled document(s) by **certified or regular mail**, as noted below, upon the following persons, addressed to them at the following addresses:

ELLEN YANK
CAPITOL ROOFING SOLUTIONS, L.L.C.
1210 E B St
Belleville, IL 62221-5320
**CERTIFIED MAIL, RETURN RECEIPT
REQUESTED**

JAMES ALLEN
BURDZINKSI & PARTNERS, INC.
2393 Hickory Bark Dr
Dayton, OH 45458-9424
FIRST CLASS MAIL

GERRIT YANK
TAYLOR ROOFING SOLUTIONS, INC.
8025 Bonhomme Ave., Ste. 106
Clayton, MO 63105
**CERTIFIED MAIL, RETURN RECEIPT
REQUESTED**

CYNDI SAUTER, Labor Relations Specialist
BURDZINSKI & PARTNERS, INC.
2393 Hickory Bark Dr
Dayton, OH 45458-9424
FIRST CLASS MAIL

UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED
WORKERS, LOCAL UNION NO. 2.
2920 Locust St
Saint Louis, MO 63103-1311
CERTIFIED MAIL

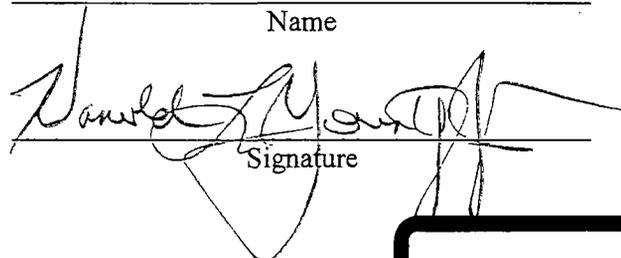
MATTHEW J. GIERSE, Attorney
HARTNETT, GLADNEY, HETTERMAN, LLC
4399 Laclede Avenue
Saint Louis, MO 63108
FIRST CLASS MAIL

May 30, 2018

Date

Harold L. Young, Jr., Designated Agent of
NLRB

Name


Signature

8

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case 14-CA-211073

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements *will not be granted* unless good and sufficient grounds are shown *and* the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in *detail*;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

ELLEN YANK
CAPITOL ROOFING SOLUTIONS, L.L.C.
1210 E B St
Belleville, IL 62221-5320

JAMES ALLEN
BURDZINKSI & PARTNERS, INC.
2393 Hickory Bark Dr
Dayton, OH 45458-9424

GERRIT YANK
TAYLOR ROOFING SOLUTIONS, INC.
8025 Bonhomme Ave., Ste. 106
Clayton, MO 63105

CYNDI SAUTER, Labor Relations Specialist
BURDZINSKI & PARTNERS, INC.
2393 Hickory Bark Dr
Dayton, OH 45458-9424

UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED
WORKERS, LOCAL UNION NO. 2
2920 Locust St
Saint Louis, MO 63103-1311

MATTHEW J. GIERSE, Attorney
HARTNETT, GLADNEY, HETTERMAN, LLC
4399 Laclede Avenue
Saint Louis, MO 63108

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlr.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlr.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- **Special Needs:** If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.
- **Pre-hearing Conference:** One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- **Witnesses and Evidence:** At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.
- **Exhibits:** Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- **Transcripts:** An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.
- **Oral Argument:** You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.
- **Date for Filing Post-Hearing Brief:** Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.
- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.
- **Exceptions to the ALJ's Decision:** The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

**UNITED STATE OF AMERICA
NATIONAL LABOR RELATIONS BOARD
Region 14**

TAYLOR ROOFING SOLUTIONS, INC.)
AND CAPITOL ROOFING SOLUTIONS, LLC)

Respondent,)

and)

Case No. 14-CA-211073

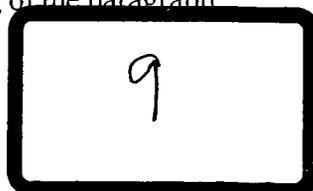
UNITED UNION OF ROOFERS,)
WATERPROOFERS, AND ALLIED)
WORKERS, LOCAL UNION NO. 2, AFL-CIO)

Charging Party.)

RESPONDENT’S ANSWER AND AFFIRMATIVE DEFENSES

TAYLOR ROOFING SOLUTIONS, INC. (“TRS”) AND CAPITOL ROOFING SOLUTIONS, LLC (“CRS”) submits the following answer to the complaint filed in the above-captioned case(s). Regarding the specific allegations contained in the complaint, the Employers respond as follows:

1. (A) Respondent admits.
- (B) Respondent admits.
- (C) Respondent admits.
2. (A) Respondent admits.
- (B) Respondent admits.
- (C) Respondent admits.
- (D) Respondent admits.
- (E) Respondent denies.
- (F) Respondent denies.
- (G) Respondent admits that both entities are employers engaged in commerce within the meaning of the Act, but denies as to the wording of the paragraph



that indicates the singular for the word "Respondent" based on its denials of all paragraphs alleging TRS and CRS are a single employer.

3. Respondent lacks sufficient knowledge to admit or deny.
4. Respondent admits as to Gerrit Yank, Ellen Yank, and Rodger Carpenter, but denies as to Jesus Beltran Carranza and Juan Beltran Carranza.
5. (A) Respondent admits.
(B) Respondent admits.
(C) Respondent admits.
6. (A) Respondent denies.
(B) Respondent denies.
(C) Respondent denies.
(D) Respondent denies.
7. Respondent denies.
8. Respondent denies.

AFFIRMATIVE DEFENSE NO. 1

Respondent asserts as its first affirmative defense that the Charging Party fails to state a claim upon which relief may be granted under the Act.

AFFIRMATIVE DEFENSE NO. 2

Respondent asserts as its second affirmative defense that the Charging Party's damages, if any, were the direct and proximate cause of the Charging Party's own actions. The Charging Party's recovery, if any, should be proportionally reduced.

RESERVATION TO SUPPLEMENT DEFENSES

The Respondent reserves the right to supplement this Answer with any additional Affirmative Defenses.

CERTIFICATE OF SERVICE

This is to certify that service of the above and foregoing ANSWER AND AFFIRMATIVE DEFENSES has been made on Region 14 of the National Labor Relations Board on June 13, 2018 via the Agency's e-filing portal, and courtesy copies have been electronically served on the following parties, namely:

Patrick H. Myers, Esq.
Field Attorney
Region 14
1222 Spruce Street, Room 8.302
St. Louis, MO 63103-2829
Patrick.Myers@nlrb.gov

Matthew Gierse, Esq.
Hartnett Gladney Hetterman, LLC
4399 Laclede Ave.
St. Louis, Missouri 63108
MGierse@hghllc.net

/s/ James Allen
James Allen
Burdzinski & Partners



/s/ Cynthia Sauter
Cynthia Sauter
Burdzinski & Partners

WHEREFORE, the Respondent prays that the Complaint be dismissed with prejudice, that the matter be dismissed, and that the NLRB order any and all such further relief as is appropriate, equitable, and available.

Respectfully submitted:

/s/ James Allen
James Allen
Burdzinski & Partners, Inc.
2393 Hickory Bark Dr.
Dayton, OH 45458
(513) 646-6472
(877) 700-7541 – fax
jallen@Burdzinski.com
Representative for TRS, Inc. & CRS, LLC

/s/ Cynthia Sauter
Cynthia Sauter
Burdzinski & Partners, Inc.
2393 Hickory Bark Dr.
Dayton, OH 45458
(937) 885-3705
(877) 700-7541 – fax
csauter@Burdzinski.com
Representative for TRS, Inc. & CRS, LLC

UNITED STATE OF AMERICA
NATIONAL LABOR RELATIONS BOARD
Region 14

TAYLOR ROOFING SOLUTIONS, INC.)
AND CAPITOL ROOFING SOLUTIONS, LLC)
Respondent,)
and)
UNITED UNION OF ROOFERS,)
WATERPROOFERS, AND ALLIED)
WORKERS, LOCAL UNION NO. 2, AFL-CIO)
Charging Party.)

Case No. 14-CA-211073

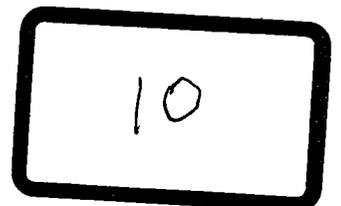
RESPONDENT’S WITHDRAWAL OF ANSWER

TAYLOR ROOFING SOLUTIONS, INC. (“TRS”) AND CAPITOL ROOFING SOLUTIONS, LLC (“CRS”) hereby withdraws its Answer previously filed in the above-captioned case.

WHEREFORE, the Respondent prays the NLRB order any and all such further relief as is appropriate, equitable, and available.

Respectfully submitted:

/s/ James Allen
James Allen
Burdzinski & Partners, Inc.
2393 Hickory Bark Dr.
Dayton, OH 45458
(513) 646-6472
(877) 700-7541 – fax
jallen@Burdzinski.com
Representative for TRS, Inc. & CRS, LLC



CERTIFICATE OF SERVICE

This is to certify that service of the above and foregoing AMENDED ANSWER has been made on Region 14 of the National Labor Relations Board on October 23, 2018 via the Agency's e-filing portal, and courtesy copies have been electronically served on the following parties, namely:

Patrick H. Myers, Esq.
Field Attorney
Region 14
1222 Spruce Street, Room 8.302
St. Louis, MO 63103-2829
Patrick.Myers@nlrb.gov

Matthew Gierse, Esq.
Hartnett Gladney Hetterman, LLC
4399 Laclede Ave.
St. Louis, Missouri 63108
MGierse@hghllc.net

/s/ James Allen
James Allen
Burdzinski & Partners

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 14

TAYLOR ROOFING SOLUTIONS, INC. AND
CAPITOL ROOFING SOLUTIONS, L.L.C., A
SINGLE EMPLOYER

and

Case 14-CA-211073

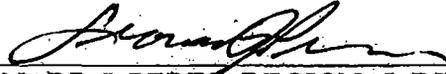
UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS,
LOCAL UNION NO. 2

ORDER POSTPONING HEARING INDEFINITELY

Counsel for Respondent Taylor Roofing Solutions, Inc. and Capitol Roofing Solutions, L.L.C., a Single Employer, has filed a Withdrawal of Answer that it filed in response to the Complaint and Notice of Hearing that issued in the above-captioned matter. Further, counsel for Respondent has stated that Respondent will not oppose Counsel for the General Counsel's Motion for Summary Judgment based on its Withdrawal of Answer. Accordingly, it is no longer necessary to conduct an evidentiary hearing.

IT IS ORDERED that the hearing in the above matter set for October 29, 2018 is hereby postponed indefinitely pending the Board's decision of the above-mentioned motion.

Dated: October 26, 2018


LEONARD J. PEREZ, REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 14
1222 SPRUCE ST
RM 8.302
SAINT LOUIS, MO 63103-2829

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 14**

**TAYLOR ROOFING SOLUTIONS, INC. AND
CAPITOL ROOFING SOLUTIONS, L.L.C., A
SINGLE EMPLOYER**

and

Case 14-CA-211073

**UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS,
LOCAL UNION NO. 2**

**AFFIDAVIT OF SERVICE OF: Order Postponing Hearing Indefinitely, dated
October 26, 2018 .**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on October 26, 2018, I served the above-entitled document(s) by **regular mail** upon the following persons, addressed to them at the following addresses:

Ellen Yank , Owner & COO
Capitol Roofing Solutions, L.L.C.
1210 E B St
Belleville, IL 62221-5320

Gerrit Yank , Owner & CEO
Taylor Roofing Solutions, Inc.
8025 Bonhomme Ave., Ste. 106
Clayton, MO 63105

JAMES ALLEN
Burdzinski & Partners, Inc.
2393 Hickory Bark Dr
Dayton, OH 45458-9424

CYNDI SAUTER , Labor Relations Rep.
Burdzinski & Partners Inc.
2393 Hickory Bark Dr.
Dayton, OH 45458-9424

Cyndi Sauter , Labor Relations Specialist
Burdzinski & Partners, Inc.
2393 Hickory Bark Dr
Dayton, OH 45458-9424

James Allen
BURDZINSKI & PARTNERS, INC.
2393 Hickory Bark Drive
Dayton, OH 45458

Jesus Beltran , Owner
Beltran Contractors, L.L.C.
235 Walnut St.
New Memphis, IL 62266

MATTHEW J. GIERSE , Attorney
Hartnett, Gladney, Hetterman, LLC
4399 Laclede Avenue
Saint Louis, MO 63108

Karen Rose , Labor Relations Specialist
922 Dry Valley Ct
Villa Hills, KY 41017-3610

United Union of Roofers, Waterproofers and
Allied Workers, Local Union No. 2
2920 Locust St
Saint Louis, MO 63103-1311

Philip J. Wells, Jr. Designated Agent of
NLRB

October 26, 2018

Date

Name

A handwritten signature in black ink, appearing to read "P. J. Wells, Jr.", written over a horizontal line.

Signature

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 14

TAYLOR ROOFING SOLUTIONS, INC. AND
CAPITOL ROOFING SOLUTIONS, L.L.C., A
SINGLE EMPLOYER

and

Case 14-CA-211073

UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS,
LOCAL UNION NO. 2

**ORDER APPROVING RESPONDENT'S MOTION
FOR WITHDRAWAL OF ANSWER**

A Complaint and Notice of Hearing issued in the above-captioned matter on May 30, 2018. Pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, an Answer to the Complaint and Notice of Hearing was filed by Respondent on June 13, 2018.

On October 23, 2018, Respondent filed a Motion for Withdrawal of Answer (Respondent's Motion). Respondent's Motion requests that the Board order any and all such further relief as is appropriate, equitable, and available.

IT IS HEREBY ORDERED that Respondent's Motion for Withdrawal of Answer in the above referenced matter is granted.

Dated: November 1, 2018



Leonard J. Perez, Regional Director
National Labor Relations Board, Region 14
1222 Spruce Street
Room 8.302
Saint Louis, MO 63103-2829

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 14

TAYLOR ROOFING SOLUTIONS, INC. AND
CAPITOL ROOFING SOLUTIONS, L.L.C., A
SINGLE EMPLOYER

and

Case 14-CA-211073

UNITED UNION OF ROOFERS,
WATERPROOFERS AND ALLIED WORKERS,
LOCAL UNION NO. 2

**AFFIDAVIT OF SERVICE OF: Order Approving Respondent's Motion for Withdrawal
of Answer, dated November 1, 2018.**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on November 1, 2018, I served the above-entitled document(s) by **regular mail** upon the following persons, addressed to them at the following addresses:

Ellen Yank, Owner & COO
Capitol Roofing Solutions, L.L.C.
2425 Amann Drive
Belleville, IL 62220

Gerrit Yank, Owner & CEO
Taylor Roofing Solutions, Inc.
8025 Bonhomme Ave., Ste. 106
Clayton, MO 63105

James Allen
Burdzinski & Partners, Inc.
2393 Hickory Bark Dr
Dayton, OH 45458-9424

Matthew J. Gierse, Attorney
Hartnett, Gladney, Hetterman, LLC
4399 Laclede Avenue
Saint Louis, MO 63108

Cyndi Sauter, Labor Relations Specialist
Burdzinski & Partners, Inc.
2393 Hickory Bark Dr
Dayton, OH 45458-9424

Dennis Marshall, Financial
Treasurer/Secretary
United Union of Roofers, Waterproofers and
Allied Workers, Local Union No. 2
2920 Locust St
Saint Louis, MO 63103-1311

November 1, 2018

Date

Philip J. Wells, Jr., Designated Agent of
NLRB

Name


Signature

14