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NOT TO BE INCLUDED
IN BOUND VOLUMES

RMcK
Memphis, TN

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

OZBURN-HESSEY LOGISTICS, LLC,

and

Cases 26-CA-092192
15-CA-097046
15-CA-105527
15-CA-106180
15-CA-106387
15-CA-106511
15-CA-109235
15-CA-111520
15-CA-111523
15-CA-117208
15-CA-119925
15-CA-119826
15-CA-123315
15-CA-111581

UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO, CLC a/k/a UNITED STEELWORKERS UNION

and

Case 15-CA-117208

LAUREN KEELE

and

Case 15-CA-108749

STACEY WILLIAMS

ORDER DENYING MOTION FOR RECONSIDERATION[1]

The Respondent's motion for reconsideration of the Board's Decision and Order reported at 366 NLRB No. 177 (2018) is denied. The Respondent has not

[1] The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

demonstrated extraordinary circumstances warranting reconsideration under Section 102.48(c)(1) of the Board's Rules and Regulations.[2]

Dated, Washington, D.C., December 3, 2018.

John F. Ring,	Chairman
Lauren McFerran,	Member
Marvin E. Kaplan,	Member

(SEAL) NATIONAL LABOR RELATIONS BOARD

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[2] The Respondent moves for reconsideration of the Board's conclusions that the Respondent's discharges of employees Shawn Wade, Nannette French, Jerry Smith Sr., and Stacey Williams violated Sec. 8(a)(3), the Board's Order requiring it to reinstate employee Lauren Keele with backpay, and the expanded notice-reading, notice-posting, and notice-publication remedies. With respect to French's discharge, the Respondent contends that the judge's credibility findings preclude the Board from inferring from circumstantial evidence that the Respondent had knowledge of French's union activity. We disagree. While the judge credited Operations Manager Margaret Bonner's testimony that Bonner did not observe French distributing union cards, Bonner did not testify that she had no other source of knowledge that French had distributed union cards.

Chairman Ring adheres to his partial dissent in the underlying decision, but he agrees that the Respondent has not shown extraordinary circumstances warranting reconsideration.

Member Kaplan did not participate in the underlying decision, and he expresses no view as to whether it was correctly decided. He agrees, however, that the Respondent's motion for reconsideration should be denied because the Respondent has not shown extraordinary circumstances warranting reconsideration.