

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

THE BOEING COMPANY

and

Case 19-CA-089374

JOANNA GAMBLE

NOTICE TO SHOW CAUSE¹

In an August 27, 2015 Decision and Order, the National Labor Relations Board affirmed Administrative Law Judge Jeffrey D. Wedekind's findings that the Respondent violated Section 8(a)(1) of the Act by (1) maintaining work policies requiring or requesting that employees keep confidential information disclosed in Human Resources investigations, and (2) disciplining an employee pursuant to one of those policies. *The Boeing Co.*, 362 NLRB No. 195 (2015). The Respondent petitioned for review of that Decision and Order with the United States Court of Appeals for the Ninth Circuit, and the Board cross-petitioned for enforcement. While those petitions were pending, the Board overruled part of its decision in *Lutheran Heritage Village-Livonia*, 343 NLRB 646 (2004), regarding whether employees would reasonably construe a facially neutral work rule to prohibit Section 7 activity, and announced a new standard that applies retroactively to all pending cases. *The Boeing Co.*, 365 NLRB No. 154, slip op. at 14-17 (2017). The Ninth Circuit then granted the Respondent's unopposed motion to remand this case to the Board for further consideration in light of that decision.

¹ Chairman Ring is recused and did not participate in this proceeding.

Having accepted the remand, the Board hereby issues the following notice to show cause why this proceeding should not be remanded to the judge for further proceedings in light of *The Boeing Co.*, 365 NLRB No. 154, including, if necessary, the filing of statements, reopening the record, and issuance of a supplemental decision.

NOTICE IS GIVEN that any party seeking to show cause why this case should not be remanded to the administrative law judge must do so in writing, filed with the Board in Washington, D.C., on or before December 31, 2018 (with affidavit of service on the parties to this proceeding). Any briefs or statements in support of the motion shall be filed on the same date.

Dated, Washington, D.C., December 17, 2018.

By direction of the Board:

Roxanne Rothschild
Acting Executive Secretary