

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SHAMROCK FOODS COMPANY

and

Case 28-CA-150157

BAKERY, CONFECTIONERY, TOBACCO
WORKERS' AND GRAIN MILLERS
INTERNATIONAL UNION, LOCAL
UNION NO. 232, AFL-CIO-CLC

ORDER REMANDING¹

On June 22, 2018, the National Labor Relations Board issued a decision in this proceeding that resolved multiple complaint allegations and severed for further consideration allegations that the Respondent violated Section 8(a)(1) of the Act by maintaining various work rules. See 366 NLRB No. 117 (2018). On October 11, 2018, the Board issued a Notice to Show Cause why the severed allegations should not be remanded for further consideration under *The Boeing Co.*, 365 NLRB No. 154 (2017). The General Counsel and Charging Party each filed a response supporting remand. The Respondent filed a response opposing remand.

Having duly considered the matter, the Board has concluded that a remand of these allegations to the administrative law judge is warranted.²

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

² The Respondent opposes remand simply because it believes that all of the challenged rules are lawful. It has not provided any compelling reason why remand is unnecessary or inappropriate here. We find that the most prudent course of action is to remand all of the severed rules to the judge to decide in the first instance the lawfulness of the challenged provisions.

IT IS ORDERED that these allegations are remanded to Administrative Law Judge Jeffrey D. Wedekind for the purpose of reopening the record, if necessary, and preparation of a supplemental decision addressing the complaint allegations affected by *Boeing* and setting forth credibility resolutions, findings of fact, conclusions of law, and a recommended Order. Copies of the supplemental decision shall be served on all parties, after which the provisions of Section 102.46 of the Board's Rules and Regulations shall be applicable.

Dated, Washington, D.C., January 9, 2019

By direction of the Board:

/s/ Roxanne L. Rothschild

Acting Executive Secretary