

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

CASINO PAUMA

and

Case 21-CA-161832

UNITE HERE INTERNATIONAL UNION

ORDER REMANDING¹

On October 2, 2018, the National Labor Relations Board issued a Notice to Show Cause why this case should not be remanded for further consideration under *The Boeing Co.*, 365 NLRB No. 154 (2017). The Respondent filed a response supporting remand. The General Counsel filed a response supporting a partial remand.²

Having duly considered the matter,

IT IS ORDERED that this proceeding is remanded to Administrative Law Judge Robert A. Giannasi 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.³ Copies

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

² The General Counsel opposes remand of three allegations simply because he believes those work rules are unlawful and not affected by *Boeing*. He 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 rules to the judge to decide in the first instance the lawfulness of the challenged provisions.

³ The Board's jurisdiction over the Respondent is not at issue in this remand. See *Casino Pauma*, 363 NLRB No. 60 (2015), enfd. 888 F.3d 1066 (9th Cir. 2018); *Casino Pauma*, 362 NLRB No. 52 (2015).

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., February 12, 2019.

By direction of the Board:

/s/ Roxanne L. Rothschild

Executive Secretary