



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
OFFICE OF THE GENERAL COUNSEL
Washington, DC 20570

May 28, 2019

████████████████████
NOAH PETERS LAW
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Re: Google LLC
Case 32-CA-231887

Dear ██████████

Your appeal from the Regional Director's refusal to issue complaint has been carefully considered. The appeal is denied. The evidence disclosed by the Regional Office's investigation was insufficient to establish a violation of the National Labor Relations Act, as alleged.

On appeal, you allege that a written statement by the Employer in a late 2018 arbitration proceeding demonstrated that the Employer's true motivation for discharging the Charging Party was for his Board-related activities. Specifically, that the Employer alleged misconduct for which the Charging Party was terminated for providing certain information to the Region as part of an ongoing investigation into charges ██████ filed against the Employer. As a result, the appeal contends that the Employer made a binding admission that it terminated the Charging Party's employment for providing information to the Region in connection with ██████ charge filing activities.

The Region in its investigation determined that the Employer was well aware of the Charging Party's dealings with searching for and providing Employer information to the Region and took no action against ██████ until ██████ conduct crossed a line and became unprotected. The Employer did not terminate the Charging Party because of the many searches he made over the years, the termination occurred because of admitted conduct that was not protected under the Act.

Finally, regarding the Employer's alleged admission, the Region also determined that the statement the Charging Party characterized as an admission made by the Employer was not new evidence but was rather a re-statement of what the Employer explained in the Charging Party's termination notification that in essence explained why is conduct lost the protection of the Act. Inasmuch as the Employer noted the conduct in its termination decision, there is no basis to find that the Employer violated the Act, as alleged.

Accordingly, further proceedings are not warranted.

Sincerely,

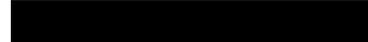
Peter Barr Robb
General Counsel

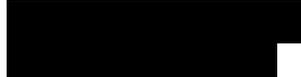


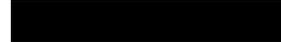
By: _____

Mark E. Arbesfeld, Director
Office of Appeals

cc: VALERIE HARDY-MAHONEY
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