

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

XPO CARTAGE, INC.

and

INTERNATIONAL BROTHERHOOD OF
TEAMSTERS

Cases 21-CA-150873
21-CA-164483
21-CA-175414
21-CA-192602

ORDER REMANDING¹

On March 26, 2019, the National Labor Relations Board issued a Notice to Show Cause why this case should not be remanded for further consideration under *SuperShuttle DFW, Inc.*, 367 NLRB No. 75 (2019). The General Counsel filed a response indicating he did not oppose remand. The Respondent filed a response opposing remand.²

Having duly considered the matter,

IT IS ORDERED that this proceeding is remanded to Administrative Law Judge Christine E. Dibble for the purpose of reopening the record, if necessary, and the preparation of a supplemental decision addressing the complaint allegations affected by *SuperShuttle* 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

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel. Member Emanuel is recused and took no part in this proceeding.

² The Respondent opposes remand, but it has not provided any compelling reason why remand is unnecessary or inappropriate here. Rather, we believe that the most prudent course of action is to remand this case to the judge to initially decide the lawfulness of the allegations in light of *SuperShuttle*.

Member McFerran adheres to her dissent in *SuperShuttle*, but nevertheless agrees that a remand is appropriate in these circumstances.

parties, after which the provisions of Section 102.46 of the Board's Rules and Regulations shall be applicable.

Dated, Washington, D.C., May 10, 2019.

By direction of the Board:

/s/ Roxanne L. Rothschild
Executive Secretary