

UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

ARLINGTON METALS CORP.

and

Case 13-CA-160569

UNITED STEEL, PAPER AND FORESTRY,  
RUBBER, MANUFACTURING, ENERGY, ALLIED  
INDUSTRIAL AND SERVICE WORKERS  
INTERNATIONAL UNION, AFL-CIO (USW)

ORDER DENYING MOTION

This matter comes before the National Labor Relations Board upon the joint motion by the parties to waive a hearing and decision by an administrative law judge and to transfer the proceedings to the Board for a decision based on the stipulated record. For the reasons that follow, the Board has decided to deny the joint motion.

On December 22, 2015, the General Counsel, through the Regional Director for Region 13, issued a complaint alleging that the Respondent violated Sections 8(a)(1) and (5) of the National Labor Relations Act by granting wage increases to its employees and installing surveillance cameras without giving the Union notice and an opportunity to bargain. The complaint also alleges that the Respondent violated Sections 8(a)(1) and (3) of the Act by granting the wage increases to employees. On March 23, the parties filed their joint motion with the Board and requested that the Board set a time for the filing of briefs.

On September 13, 2019, the Board issued a decision in the related case of *Arlington Metals Corp.*, 368 NLRB No. 74 (*Arlington Metals I*), in which it found that the Respondent lawfully withdrew recognition from the Union prior to the events at issue in this proceeding.

The Board having considered the matter,

IT IS ORDERED that the Joint Motion is denied, without prejudice, in light of the decision in *Arlington Metals I*.

IT IS FURTHER ORDERED that this proceeding is remanded to the Regional Director for Region 13 for further processing consistent with *Arlington Metals I*.

Dated, Washington, D.C., September 20, 2019.

By Direction of the Board:

/s/ Roxanne L. Rothschild

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Executive Secretary