

St. Clairsville, OH

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MURRAY AMERICAN ENERGY, INC. AND THE
MONONGALIA COUNTY COAL COMPANY, A
SINGLE EMPLOYER

and

Case 06–CA–215195

UNITED MINE WORKERS OF AMERICA,
DISTRICT 31, LOCAL 1702 AFL-CIO, CLC

MURRAY AMERICAN ENERGY, INC. AND THE
HARRISON COUNTY COAL COMPANY, A
SINGLE EMPLOYER

and

Case 06–CA–218979

UNITED MINE WORKERS OF AMERICA,
DISTRICT 31, AFL-CIO, CLC

ORDER APPROVING STIPULATION, GRANTING MOTION,
AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the National Labor Relations Board upon the joint motion of Respondents Murray American Energy, Inc. (Respondent Murray) and the Monongalia County Coal Company, a single employer, and Respondent Murray and the Harrison County Coal Company, a single employer (collectively “Respondents”); Charging Parties United Mine Workers of America, District 31, Local 1702, AFL-CIO, CLC and United Mine Workers of America, District 31, AFL-CIO, CLC (collectively “Charging Parties”); and the General Counsel to waive a hearing and decision by an administrative law judge and to transfer the proceeding to the Board for a decision based on the stipulated record.

On August 31, 2018, the General Counsel, through the Regional Director for Region 6, issued an order consolidating cases, consolidated complaint and notice of hearing alleging that

since about February 14, 2018, and at all material times, the Respondents have failed and refused to furnish the Charging Parties with requested information and unreasonably delayed in furnishing the Charging Parties with requested information. The complaint alleges that, by this conduct, the Respondents have been failing and refusing to bargain collectively and in good faith with the exclusive collective-bargaining representatives of their employees in violation of Section 8(a)(5) and (1) of the Act. On July 23, 2019, the General Counsel, through the Regional Director for Region 6, issued an amendment to the consolidated complaint.

On August 15, 2019, the parties filed a joint motion and stipulation of facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C., for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which consists of the joint motion and stipulation of facts, Joint Exhibits 1-32, a statement of the issues presented, and statements of position by the Respondent and by the General Counsel and the Charging Parties, is approved and made part of the record.

The parties may file initial briefs with the Board in Washington, D.C., on or before October 23, 2019, and answering briefs within 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., October 2, 2019.

By direction of the Board:

Roxanne L. Rothschild

Executive Secretary