

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**PURPLE COMMUNICATIONS, INC. and Its
Successor and Joint Employer CSDVRS, LLC
d/b/a ZVRS**

and

**PACIFIC MEDIA WORKERS GUILD,
LOCAL 39521, THE NEWSPAPER GUILD,
COMMUNICATIONS WORKERS OF
AMERICA, AFL-CIO**

Cases	
	21-CA-149635
	28-CA-179794
	21-CA-182016
	32-CA-185337
	21-CA-185343
	27-CA-185377
	27-CA-186448
	28-CA-186509
	21-CA-187642
	28-CA-192041
	27-CA-192084
	28-CA-197009
	27-CA-197062

**GENERAL COUNSEL’S MOTION FOR EXTENSION OF TIME TO
RESPOND TO NOTICE TO SHOW CAUSE**

On February 20, 2020, the National Labor Relations Board (the Board) issued a Notice to Show Cause as to why the complaint allegations in the matter that involved the maintenance of an allegedly unlawful electronic communications policy should not be severed and remanded to the Administrative Law Judge for further proceedings consistent with the Board’s decision in *Caesars Entertainment d/b/a Rio All-Suites Hotel & Casino*, 368 NLRB No. 143 (Dec. 16, 2019) (*Rio All-Suites*), in which the Board overruled *Purple Communications, Inc.*, 361 NLRB 1050 (2014) (*Purple Communications I*). The Notice to Show Cause required a response be filed on or before March 9, 2020.

Counsel for the General Counsel (CGC) respectfully moves the Board for an extension of time of two weeks in order to provide a response to the Notice to Show Cause. CGC needs additional time to respond in order to seek guidance from the Division of Advice

regarding the issue addressed in the Notice to Show Cause. Specifically, the question to be submitted to the Division of Advice is whether the loss of company email in this case would leave employees employed at different facilities, who have historically communicated with each other by company email, not to have alternative reasonable means of communicating with each other, such that Respondents' restriction on email use would still be unlawful under the framework established in *Rio All-Suites*. For the foregoing reasons, CGC respectfully moves the Board for a two-week extension of time to respond to the Notice to Show Cause.

Dated at Phoenix, Arizona this 27th day of February 2020.

Respectfully submitted,

/s/ Fernando Anzaldua

Fernando Anzaldua

Kyler Scheid

Counsel for the General Counsel

National Labor Relations Board, Region 28

2600 North Central Avenue, Suite 1400

Phoenix, AZ 85004-3099

Telephone: 602-416-4757

Facsimile: 602-640-2178

Email: fernando.anzaldua@nlrb.gov

kyler.scheid@nlrb.gov

CERTIFICATE OF SERVICE

I hereby certify that a copy of the General Counsel's Motion for Extension of Time to Respond to Notice to Show Cause in *Purple Communications, Inc. and Its Successor and Joint Employer CSDVRS, LLC d/b/a ZVRS*, Cases 21-CA-149635, 28-CA-179794, 21-CA-182016, 32-CA-185337, 21-CA-185343, 27-CA-185377, 27-CA-186448, 28-CA-186509, 21-CA-187642, 28-CA-192041, 27-CA-192084, 28-CA-197009, and 27-CA-197062, was served by E-Gov, E-Filing and E-Mail on this 27th day of February 2020 on the following:

Via E-Gov, E-Filing:

Roxanne Rothschild, Executive Secretary
Office of the Executive Secretary
National Labor Relations Board
1099 14th Street NW – Room 5100
Washington, DC 20570

Via E-Mail:

Lawrence D. Levien
James C. Crowley
Akin Gump Strauss Hauer & Feld LLP
1333 New Hampshire Avenue NW
Washington, DC 20036-1564
llevien@akingump.com
jcrowley@akingump.com

Sheila K. Sexton
Beeson, Tayer & Bodine
Ross House, 2nd Floor
484 Ninth Street
Oakland, CA 94607
ssexton@beesontayer.com

David Rosenfeld
Weinberg, Roger & Rosenfeld
1001 Marina Village Parkway, Suite 200
Alameda, CA 94501
drosenfeld@unioncounsel.net



Dawn M. Moore
Acting Secretary to the Regional Attorney
National Labor Relations Board
Region 28 - Las Vegas Resident Office
Foley Federal Building
300 Las Vegas Boulevard South, Suite 2-901
Las Vegas, NV 89101
Telephone: (702) 820-7466
Facsimile: (702) 388-6248
E-Mail: Dawn.Moore@nrlb.gov