



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

April 15, 2020



Re: UNITE! HERE Local 8 (Aramark
Washington State Convention and Trade
Center)
Case 19-CB-252134

Dear [REDACTED]:

Your appeal from the Regional Director's refusal to issue complaint has been carefully considered. The appeal is denied substantially for the reasons in the Regional Director's letter of January 31, 2020.

It is well established that a union is generally afforded wide range of discretion in the performance of its representation functions provided that its conduct is not motivated by arbitrary, invidious, or discriminatory considerations. *See Vaca v. Sipes*, 386 U.S. 171 (1967). Contrary to your allegation on appeal, the evidence demonstrates that the Employer informed the Union that it sustained the first two grievances and the Union accepted the proposed resolutions. Thus, your third grievance alleging the Employer failed to respond to the first two grievances is now moot, and the Union did not pursue that grievance accordingly. There is insufficient evidence to establish that the Union handled these matters in an arbitrary or discriminatory manner. Accordingly, we cannot conclude that the Union violated the Act.

Sincerely,

Peter Barr Robb
General Counsel

A handwritten signature in black ink that reads "Mark E. Arbesfeld".

By: _____

Mark E. Arbesfeld, Director
Office of Appeals

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cc: RONALD K. HOOKS
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