

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

STERICYCLE, INC.

and

TEAMSTERS LOCAL 628

Cases 04-CA-137660  
04-CA-145466  
04-CA-158277  
04-CA-160621

**ORDER REMANDING**

On January 15, 2019, the National Labor Relations Board issued a Notice to Show Cause why this case should not be remanded for further consideration under *The Boeing Co.*, 365 NLRB No. 154 (2017). The General Counsel filed a response to the Notice to Show Cause, in which he supported severing the allegations that certain work rules relating to personal conduct, conflicts of interest and retaliation maintained by the Respondent were unlawful under *Boeing*; and retention by the Board of the remaining allegations. The Respondent also filed a response to the Notice to Show Cause, in which it supported either remanding all allegations to the judge or retention by the Board of all allegations.

Having duly considered the matter, IT IS ORDERED that the allegations that the work rules – including those relating to the use of personal electronic devices,<sup>1</sup> personal conduct, conflicts of interest, confidentiality of harassment complaints, electronic communications,<sup>2</sup> and

---

<sup>1</sup> The Use of Personal Electronics policy set forth in paragraph 6(a)(i) of the complaint and the Use of Personal Electronics in the Workplace Policy set forth in paragraph 6(c) of the complaint are almost identical and were analyzed together by the judge. Both allegations are subject to this remand.

<sup>2</sup> Unlike the other rules, the Respondent's electronic communications policy implicated the use of its email system by employees. Accordingly, the judge analyzed this allegation under *Purple*

camera and video use – have been unlawfully maintained are severed and remanded to Administrative Law Judge Michael A. Rosas for the purpose of reopening the record, if necessary, preparing a supplemental decision addressing those allegations, setting forth credibility resolutions (if necessary), findings of fact, conclusions of law, and a recommended Order.

Copies of the supplemental decision shall be served on all parties, after which the provisions of Section 102.46 of the Board’s Rules and Regulations shall be applicable.<sup>3</sup>

Dated, Washington, D.C., May 8, 2020.

\_\_\_\_\_  
John F. Ring, Chairman

\_\_\_\_\_  
Marvin E. Kaplan, Member

\_\_\_\_\_  
William J. Emanuel, Member

NATIONAL LABOR RELATIONS BOARD

---

*Communications*, 361 NLRB 1050 (2014). After the Notice to Show Cause issued, the Board overruled *Purple Communications* and announced a new standard that applies retroactively to all pending cases. *Caesars Entertainment d/b/a Rio All-Suites Hotel and Casino*, 368 NLRB No. 143, slip op. at 8-9 (2019). Accordingly, we remand this specific allegation to the judge for further consideration under *Caesars Entertainment*.

<sup>3</sup> Neither party has provided any compelling reason why remanding all rules-related allegations would be unnecessary or inappropriate here.

We shall retain for future consideration the allegations that the Respondent unlawfully refused to provide various categories of requested information, refused to bargain with the Union over recoupment of health care premiums, and unilaterally distributed a handbook that changed terms and conditions of employment.