

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

NP LAKE MEAD LLC d/b/a)	
FIESTA HENDERSON CASINO HOTEL)	
)	
Petitioner/Cross-Respondent,)	
)	
v.)	
)	
NATIONAL LABOR RELATIONS BOARD)	
)	Nos. 19-1138
Respondent/Cross-Petitioner,)	19-1151
)	
and)	
)	
INTERNATIONAL UNION OF OPERATING)	
ENGINEERS, LOCAL 501,)	
)	
Intervenor)	

CONSENT JUDGMENT

THIS CAUSE came to be heard upon a petition for review by NP Lake Mead LLC d/b/a Fiesta Henderson Casino Hotel and a cross application for enforcement filed by the National Labor Relations Board in Board Case No. 28-CA-230458, dated June 28, 2019, reported at 368 NLRB No. 19; and the parties having advised this Court of their desire to dispose of this matter by entry of a consent judgment enforcing the Board’s Order;

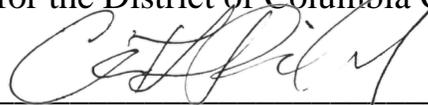
IT IS HEREBY ORDERED AND ADJUDGED by the Court that the said Order of the National Labor Relations Board is hereby enforced and that NP Lake Mead LLC d/b/a Fiesta Henderson Casino Hotel, its officers, agents, successors, and assigns, shall abide by and perform the directions of the Board set forth in its Order. (See attached Order and Appendix)



Judge, United States Court of Appeals
for the District of Columbia Circuit

Karen LeCraft Henderson

Judge, United States Court of Appeals
for the District of Columbia Circuit



Judge, United States Court of Appeals
for the District of Columbia Circuit

ENTERED: May 12, 2020

NATIONAL LABOR RELATIONS BOARD

v.

NP LAKE MEAD LLC D/B/A FIESTA HENDERSON CASINO HOTEL

ORDER

NP Lake Mead LLC d/b/a Fiesta Henderson Casino Hotel, Henderson, Nevada, its officers, agents, successors, and assigns, shall

1. Cease and desist from
 - (a) Failing and refusing to recognize and bargain with the International Union of Operating Engineers, Local 501, AFL–CIO (the Union) as the exclusive collective-bargaining representative of the employees in the bargaining unit.
 - (b) Refusing to bargain collectively with the Union by failing and refusing to furnish it with requested information that is relevant and necessary to the Union’s performance of its functions as the collective-bargaining representative of the Respondent’s unit employees.
 - (c) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
 - (a) On request, bargain with the Union as the exclusive collective-bargaining representative of the employees in the following appropriate unit concerning terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

All full-time and regular part-time slot technicians and utility technicians employed by the Employer at its facility in Henderson, Nevada; excluding all other employees, office and clerical employees, guards, and supervisors as defined by the National Labor Relations Act.
 - (b) Furnish to the Union in a timely manner the information requested by the Union on about May 14, 2018, with the exception of employee Social Security numbers.

- (c) Within 14 days after service by the Region, post at its Henderson, Nevada facility copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 28, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, de-faced, or covered by any other material. If the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since May 25, 2018.
- (d) Within 21 days after service by the Region, file with the Regional Director for Region 28 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX**NOTICE TO EMPLOYEES**

**POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government**

The National Labor Relations Board had found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities

WE WILL NOT fail and refuse to recognize and bargain with International Union of Operating Engineers, Local 501, AFL-CIO (the Union) as the exclusive collective-bargaining representative of our employees in the bargaining unit.

WE WILL NOT refuse to bargain collectively with the Union by failing and refusing to furnish it with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of our unit employees.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL, on request, bargain with the Union as the exclusive collective-bargaining representative of our employees in the following appropriate unit concerning terms and conditions of employment and, if an understanding is reached, embody that understanding in a signed agreement:

All full-time and regular part-time slot technicians and utility technicians employed by the employer at its facility in Henderson, Nevada; excluding all other employees, office and clerical employees, guards, and supervisors as defined by the National Labor Relations Act.

WE WILL furnish to the Union in a timely manner the information requested by the

Union on May 14, 2018, with the exception of employee Social Security numbers.

NP LAKE MEAD LLC D/B/A FIESTA HENDERSON CASINO HOTEL

The Board's decision can be found at <https://www.nlr.gov/case/28-CA-230458> or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

