

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt
Clerk

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Filed: August 20, 2020

Mr. David Habenstreit
National Labor Relations Board
Appellate and Supreme Court Litigation Branch
1015 Half Street, S.E.
Washington, DC 20570

Mr. Zachary Alexander Hallman
Meroueh & Hallman
14339 Ford Road, Second Floor
Dearborn, MI 48126

Re: Case No. 20-1582, *NLRB v. Edward Hotel Michigan, LLC, et al*
Originating Case No. : 07-CA-240810

Dear Counsel:

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Robin L. Johnson
Case Manager
Direct Dial No. 513-564-7039

Enclosure

No mandate to issue

No. 20-1582

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD,)
)
 Petitioner,)
)
 v.)
)
 EDWARD HOTEL MICHIGAN, LLC, d/b/a)
 Edward Hotel & Convention Center, d/b/a Edward)
 Hotel; EDWARD HOTEL DETROIT, LLC;)
 EDWARD HOTEL MANAGEMENT, LLC;)
 EDWARD HOTEL HOLDINGS, INC.,)
)
 Respondents.)

FILED
 Aug 20, 2020
 DEBORAH S. HUNT, Clerk

J U D G M E N T

Before: SUHRHEINRICH, GIBBONS, and KETHLEDGE, Circuit Judges.

The National Labor Relations Board (the “Board”) seeks summary enforcement of its May 19, 2020 Order in Case No. 07-CA-240810 against Respondents Edward Hotel Michigan, LLC, d/b/a Edward Hotel & Convention Center, d/b/a Edward Hotel; Edward Hotel Detroit, LLC; Edward Hotel Management, LLC; and Edward Hotel Holdings, Inc. The Respondents have not responded to the application for summary enforcement.

Upon review of the materials submitted, it is **ORDERED** and **ADJUDGED** that the Board’s May 19, 2020 Order in Case No. 07-CA-240810 is hereby **ENFORCED**, and Respondents Edward Hotel Michigan, LLC, d/b/a Edward Hotel & Convention Center, d/b/a Edward Hotel; Edward Hotel Detroit, LLC; Edward Hotel Management, LLC; and Edward Hotel

No. 20-1582

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Holdings, Inc., their officers, agents, successors, and assigns, shall abide by and perform the directions of the Board set forth therein. (*See* attached Order and Appendix).

ENTERED BY ORDER OF THE COURT

A handwritten signature in black ink, appearing to read "Deborah S. Hunt", written in a cursive style.

Deborah S. Hunt, Clerk

NATIONAL LABOR RELATIONS BOARD

v.

EDWARD HOTEL MICHIGAN, LLC D/B/A EDWARD HOTEL &
CONVENTION CENTER D/B/A EDWARD HOTEL, EDWARD HOTEL
DETROIT, LLC, EDWARD HOTEL MANAGEMENT, LLC,
AND EDWARD HOTEL HOLDINGS, INC.

ORDER

Edward Hotel Michigan, LLC d/b/a Edward Hotel & Convention Center d/b/a Edward Hotel, Edward Hotel Detroit, LLC, Edward Hotel Management, LLC, and Edward Hotel Holdings, Inc., Dearborn, Michigan, its officers, agents, successors, and assigns shall:

1. Cease and desist from
 - (a) Refusing to bargain collectively and in good faith with the Union as the exclusive collective-bargaining representative of the following unit, by failing and refusing to bargain over the effects of its decision to close the Dearborn facility:

All full-time and regular part-time assistant chief engineers—energy managers, shift engineers, skilled maintenance employees, general maintenance employees, general maintenance assistants employed by Respondents at their Dearborn Michigan facility; but excluding professional employees and guards and supervisors as defined by the Act.
 - (b) In any like or related manner refusing to bargain collectively and in good faith with the Union as the exclusive collective-bargaining representative of the unit.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
 - (a) Upon request, bargain collectively and in good faith with the Union with respect to the effects of its decision to close the Dearborn facility, including its permanent layoffs of unit employees.
 - (b) Pay to the unit employees their normal wages for the period set forth in the remedy section of this decision, with interest.

- (c) Within 14 days after service by the Region, duplicate and mail, at its own expense and after being signed by the Respondents' authorized representative, copies of the attached notice marked "Appendix" to the Union and to the skilled maintenance employees, general maintenance employees, and general maintenance assistant employees in the unit who were employed by the Respondents at any time since December 14, 2018, and to the assistant chief engineers, energy managers, and shift engineer employees in the unit who were employed by the Respondents any time since January 9, 2019.
- (d) Within 21 days after service by the Region, file with the Regional Director for Region 7 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondents have taken to comply.

APPENDIX

NOTICE TO EMPLOYEES

MAILED 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 has 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 refuse to meet and bargain with Local 324, International Union of Operating Engineers, AFL–CIO (the Union), over the effects of our decision to close the Dearborn facility, as the designated Section 9(a) collective-bargaining representative for the following unit employees:

All full-time and regular part-time assistant chief engineers – energy managers, shift engineers, skilled maintenance employees, general maintenance employees, general maintenance assistants employed by Respondents at their Dearborn Michigan facility; but excluding professional employees and guards and supervisors as defined by the Act.

WE WILL, upon request, bargain collectively and in good faith with the Union with respect to the effects of our decision to close the Dearborn facility, including the permanent layoffs of unit employees.

WE WILL pay to the unit employees their normal wages for the period set forth in the Decision and Order of the National Labor Relations Board, with interest.

EDWARD HOTEL MICHIGAN, LLC D/B/A EDWARD HOTEL & CONVENTION
CENTER D/B/A EDWARD HOTEL, EDWARD HOTEL DETROIT, LLC, EDWARD
HOTEL MANAGEMENT, LLC, EDWARD HOTEL HOLDINGS, INC.

The Board's decision can be found at www.nlr.gov/case/07-CA-2408104 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.

