



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

September 18, 2020

[REDACTED]
ROTHNER, SEGALL & GREENSTONE
510 S MARENGO AVE
PASADENA, CA 91101

Re: McDonald's Restaurants of California, Inc.,
McDonald's USA LLC, and McDonald's
Corporation
Case 21-CA-243184

Dear [REDACTED]

This office has carefully considered the appeal from the Regional Director's approval of a unilateral settlement agreement. The appeal is denied substantially for the reasons in the Regional Director's letter of July 20, 2020.

The evidence fails to establish that the settlement agreement does not adequately address the meritorious violations of the National Labor Relations Act. In the instant case, all of the meritorious allegations were made at a single restaurant, by a local restaurant [REDACTED] to local restaurant employees. The settlement agreement remedies the Section 8(a)(1) allegations of threats, creating the impression of [REDACTED]. The notice language adequately addresses all these allegations and will be posted at the restaurant where the employees work.

Additionally, the evidence failed to establish that the Employer is a [REDACTED] employer. The meritorious violations in this charge occurred during a narrow timeframe. There are no recent prior violations of the Act by any named entity, and specifically not by McDonald's Restaurants of California, Inc., an undisputed Employer for the location where the violations occurred. And as set forth in the Region's unilateral approval letter, the *Independent Stave* factors weigh in favor of settlement.

Finally, the Board has stated that a joint or single-employer analysis is unnecessary if a full remedy can be ordered without performing that analysis. *Wiers International Trucks, Inc.* 353 NLRB 475, 485 (2008). McDonald's California admits it is the employer at issue in the charge. McDonald's USA is not alleged to have committed any unfair labor practice itself; and McDonald's USA and McDonald's Corporation are not needed to remedy any allegedly meritorious violation.

Accordingly, the appeal is denied.

Sincerely,

Peter Barr Robb
General Counsel



By: _____

Mark E. Arbesfeld, Director
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cc: WILLIAM B. COWEN
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