

OFFICE OF THE CLERK

PATRICIA S. DODSZUWEIT

UNITED STATES COURT OF APPEALS

TELEPHONE

CLERK

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA 19106-1790

215-597-2995

Website: www.ca3.uscourts.gov



September 17, 2020

Chairman
National Labor Relations Board
1015 Half Street, S.E.
Washington, DC 20570

RE: NLRB v. Silver Services Group Corp, et al

Case Number: 20-2652

District Court Case Number: 22-ca-230596

Dear District Court Clerk,

Enclosed herewith is the certified judgment together with copy of the opinion or certified copy of the order in the above-captioned case(s). The certified judgment or order is issued in lieu of a formal mandate and is to be treated in all respects as a mandate.

Counsel are advised of the issuance of the mandate by copy of this letter. The certified judgment or order is also enclosed showing costs taxed, if any.

Very truly yours,
Patricia S. Dodszeit, Clerk

By: s/Laurie
Case Manager
267-299-4936

cc: David Habenstreit
Michael T. Scaraggi

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No. 20-2652
v.	:	
	:	
SILVER SERVICES GROUP CORP. AND PRECISE	:	Board Case No.:
SERVICES CORP., ALTER EGO AND SUCCESSOR	:	22-CA-230596
	:	
Respondent	:	

JUDGMENT ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD

Before: AMBRO, GREENAWAY JR., BIBAS, Circuit Judges

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Respondent, Silver Services Group Corp. and Precise Services Corp., alter ego and successor, its officers, agents, successors, and assigns, enforcing its order dated June 22, 2020, in Case No. 22-CA-230596, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent Silver Services Group Corp. and Precise Services Corp., alter ego and successor, its officers, agents, successors, and assigns, shall abide by said order (See Attached Order and Appendix).

Mandate shall issue forthwith.

BY THE COURT

s/ Stephanos Bibas

Circuit Judge

DATED: September 17, 2020
Lmr/cc: All Counsel of Record



Certified as a true copy and issued in lieu
of a formal mandate on September 17, 2020

Teste: *Patricia A. Dodeguzewicz*
Clerk, U.S. Court of Appeals for the Third Circuit

NATIONAL LABOR RELATIONS BOARD

v.

SILVER SERVICES GROUP CORP. AND
PRECISE SERVICES CORP., ALTER EGO AND SUCCESSOR

ORDER

Silver Services Group Corp. and Precise Services Corp., alter ego and successor, its officers, agents, successors, and assigns shall

1. Cease and desist from
 - (a) Refusing to bargain collectively in good faith with the Union, Laborers Local 79, Laborers International Union of North America.
 - (b) In any other 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 in good faith with Laborers Local 79, Laborers International Union of North America as the exclusive 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 laborers employed by Respondent at its New York and/or New Jersey jobsites, but excluding office clerical employees, temporary employees, professional employees, drivers, concrete workers, foremen, guards and supervisors as defined in the Act, and all other employees.
 - (b) Within 14 days after service by the Region, post at its Hackensack, New Jersey and any New York, New York facilities, copies of the attached notice marked "Appendix" in both English and Spanish. Copies of the

notice, on forms provided by the Regional Director for Region 22, 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, the 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, defaced, or covered by any other material. If the Respondent has gone out of business or closed either of the facilities 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 January 22, 2018.

- (c) Within 21 days after service by the Region, file with the Regional Director for Region 22 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 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 fail and refuse to recognize and bargain with Laborers Local 79, Laborers International Union of North America (the Union) as the exclusive collective-bargaining representative of our employees in the bargaining unit.

WE WILL NOT in any other manner interfere with, restrain or coerce employees in the exercise of the rights guaranteed them by Section 7 of the Act.

WE WILL, on request, bargain in good faith with the Union and put in writing and sign any agreement reached on terms and conditions of employment for our employees in the following bargaining unit:

All full-time and regular part-time laborers employed by us at our New York and New Jersey jobsites, but excluding office clerical employees, temporary employees, professional employees, drivers, concrete workers, foremen, guards and supervisors as defined in the Act, and all other employees.

SILVER SERVICES GROUP CORP.

(Employer)

Dated _____ By _____
(Representative) (Title)

PRECISE SERVICES CORP.

(Employer)

Dated _____ By _____
(Representative) (Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want union representation and it investigates and remedies unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board’s Regional Office set forth below. You may also obtain information from the Board’s website: www.nlr.gov.

20 Washington Place, 5th Floor, Newark, NJ 07102–3110
(973) 645–2100, Hours: 8:30 a.m. to 5 p.m.

The Administrative Law Judge’s decision can be found at www.nlr.gov/case/22-CA-230596 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.



THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE
THIS NOTICE MUST REMAIN POSTED FOR 60 CONSECUTIVE DAYS FROM THE DATE OF
POSTING AND MUST NOT BE ALTERED, DEFACED, OR COVERED BY ANY OTHER
MATERIAL. ANY QUESTIONS CONCERNING THIS NOTICE OR COMPLIANCE WITH ITS
PROVISIONS MAY BE DIRECTED TO THE ABOVE REGIONAL OFFICE’S COMPLIANCE
OFFICER: (862) 229–7055