



October 02<sup>nd</sup>, 2020

NLRB – Executive Secretary of the Board  
Washington, DC.

Re: Shred Works, Inc.  
Case 32-RD-262012

To Whom It May Concern:

We (Shred Works, Inc.) are hereby formally requesting that Case Number 32-RD262012 be officially reviewed by an impartial process. We understand that the NLRB and Union have a relationship that we will never achieve however, that should not preclude our company and especially our employees from having their rights taken away. Local 70 is leveraging its knowledge of loopholes in the law (in the form of specific charges to file) to use the NLRB for their stall tactics to delay the process and disenfranchise the employees of Shred Works, Inc. We bargained in good faith the duration of their bargaining window and know full well these claims were brought solely because Local 70 lost its support and they are desperate to stay in even though they have not had majority support for nearly 4 months.

The employees filed a Decertification Petition to remove the recognition of Local 70 on June 22<sup>nd</sup>, 2020. As expected immediately after the Union had been served, they then filed an Unfair Labor Claim (Case Number 32-CA-262360) that lacked any merit and was solely used as a tactic to delay the legal rights of the Shred Works employees. There was no evidence ever given and eventually after several months the case was withdrawn as there was zero evidence to support the claims of the Union. After the withdrawal of that case, the union then filed yet another Unfair Labor Claim (Case Number 32-CA-265362) and used the term “Within the last 6 Months” as a loophole for the charge to be pushed through for their agenda. The union has also in writing



admitted that they falsified parts of the original charge which we know they are doing here as well. However, as was expected the NLRB was forced to choose to follow the orders of the Union at the expense of all other parties involved and their respective rights protected.

We were informed by NLRB Regional Director Valerie Hardy-Mahoney on Monday 09/28/2020 that there was a new rule/law passed on 07/21/2020 by the NLRB, which would protect our employees and us as a company from this type of harassment from the Union and give our employees the right to a fair vote. We understand that this new rule/law can be applied to cases in which the charge was filed before the 07/21/2020 ruling, however it is to the discretion of the NLRB; So therefore we urge you to review and see the facts that this charge is nothing but blatant harassment with absolutely no merit and should be dismissed immediately. For these reasons we ask that our case not be grandfathered into the old rule/law which allows the Union to continuously make false claims and file unlimited charges against our company as a stall tactic and means to “hold on” since clearly all this does is creates an unfair and indefinite block against the employees.

A majority of Shred Works' employees petitioned to decertify the Union months before any of these current falsified charges were brought to light. Also, not one time did the Union ever bring up any of these issues even though throughout the last few months we bargained many hours with the union, and they had many opportunities to inform us of their displeasure or that we were doing something illegal. All the claims and charges were brought simply as a strategy to delay and block the employee's rights to concerted activities and to choose their own representation. These accusations in no way had any impact on the employee's decertification efforts as there was a majority in favor of Decertification over 3 months ago well before any of these alleged



allegations. The fact is the Union had over 1-year to bargain an agreement and during that period we actively bargained with the intent to reach an agreement and there were never any Unfair Labor Charges brought forward until the Union was served with the Decertification Petition. The Union from what we were told never engaged or kept the employees informed during that period, and the actions of Local 70 caused the employees of Shred Works to want to vote out the Union representation.

We implore that these baseless accusations be dropped and let the employees have a say on their representation. The only just and fair thing to do would allow for a blind election to determine exactly where the support lies for each party involved. Right now, only the Union and the NLRB are going along with whatever the Union alleges have any say on how employees are represented. They deserve this and have waited long enough and there needs to be a vote to bring clarity to all parties as this has created a gray area for us as a Company. How are we supposed to act? How are we supposed to show our employees respect when we can't even talk with them about this, and are forced to appear that we don't care about what they want? We are all on standby during this unfair process.

Sincerely,

A handwritten signature in black ink that reads "Serena Stark". The signature is written in a cursive, flowing style with a long horizontal line extending from the end of the name.

Serena Stark  
Office Manager

## Serena Stark

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**From:** Serena Stark  
**Sent:** Monday, October 5, 2020 10:35 AM  
**To:** 'sgarea@beesontayer.com'  
**Subject:** Shred Works, Inc., 32-RD-262012, Request for Review  
**Attachments:** SW Request For Review - NLRB Case 32-RD-262012.pdf

Hello,

Please see the attached letter for Request for Review, being served by this email.

**Serena Stark**  
**Office Manager**  
(P) 510-729-7110  
(F) 510-535-9379  
[www.shredworks.com](http://www.shredworks.com)  
455 High St.  
Oakland, CA 94601



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**From:** Serena Stark  
**Sent:** Friday, October 2, 2020 1:09 PM  
**To:** bautista.32311@gmail.com; Rich Fierro <rfierro@teamsterslocal70.org>; hokulani.valencia@nlrb.gov  
**Subject:** Shred Works, Inc., 32-RD-262012, Request for Review

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