

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	No.
v.	:	
	:	Board Case No.:
STERETT CRANE & RIGGING, LLC	:	25-CA-237121
	:	
Respondent	:	

JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD

Before:

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Sterett Crane & Rigging, LLC, its officers, agents, successors, and assigns, enforcing its order dated March 3, 2020, in Case No. 25-CA-237121, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondent, Sterett Crane & Rigging, LLC, its officers, agents, successors, and assigns, shall abide by said order (See attached Order and Appendix).

ENTERED BY ORDER OF THE COURT

---

Clerk

NATIONAL LABOR RELATIONS BOARD

v.

STERETT CRANE & RIGGING, LLC

**ORDER**

Sterett Crane & Rigging, LLC, Owensboro, Kentucky its officers, agents, successors, and assigns, shall:

1. Cease and desist from:
  - (a) Refusing to bargain in good faith with International Union of Operating Engineers, Local 181, a/w International Union of Operating Engineers, AFL-CIO (Union) by failing and refusing to furnish in a timely manner information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of Respondent's unit employees.
  - (b) 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) Furnish to the Union in a timely manner the following information requested by the Union on February 28, 2019:
    - (i) As it relates to Sterett Equipment, the name and contact information of the contractor on the Hopkinsville job referred to by Respondent together with any and all correspondence, contracts, invoices, change orders, text messages, emails, phone records and other instructional or billing instructions to the same within the custody of Respondent.
    - (ii) As it relates to Trifecta Steel, the name and contact information of the contractor on the Hopkinsville job referred to by Respondent together with any and all correspondence, contracts, invoices, change orders, text messages, emails, phone records and other instructional or billing instructions to the same within the custody of Respondent.

- (iii) The ownership and names of the ownership and control groups for Sterett Crane & Rigging and Trifecta Steel.
  - (iv) A description of the work done by Respondent, full descriptions of the type and scope of work of Respondent, Sterett Equipment, and Trifecta Steel.
  - (v) The last two years, all instances wherein Sterett Equipment provided an operator for equipment for which it rented, the names of those referrals, whether or not those referrals were within the bargaining unit represented by the Union.
  - (vi) All evidence that Respondent had that the crane Jamon Spore disassembled on the Hopkinsville, Kentucky site was a crane owned by that contractor.
- (b) Within 14 days after service by the Region, post at its Elberfeld, Indiana, and Owensboro, Kentucky, facilities copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 25, 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, defaced, 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 February 28, 2019.
- (c) Within 21 days after service by the Region, file with the Regional Director for Region 25 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

#### FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose a representative 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 bargain collectively with the International Union of Operating Engineers, Local 181, a/w International Union of Operating Engineers, AFL-CIO (the Union) by failing and refusing to furnish in a timely manner 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 your rights under Section 7 of the Act.

**WE WILL** furnish to the Union in a timely manner the following information requested by the Union on February 28, 2019:

- (1) As it relates to Sterett Equipment, the name and contact information of the contractor on the Hopkinsville job referred to by us together with any and all correspondence, contracts, invoices, change orders, text messages, emails, phone records, and other instructional or billing instructions to the same within our custody.
- (2) As it relates to Trifecta Steel, the name and contact information of the contractor on the Hopkinsville job referred to by us together with any and all correspondence, contracts, invoices, change orders, text messages, emails, phone records, and other instructional or billing instructions to the same within our custody.
- (3) The ownership and names of the ownership and control groups for Sterett Crane & Rigging and Trifecta Steel.
- (4) A description of the work done by Sterett Crane & Rigging, full descriptions of the type and scope of work of Sterett Crane & Rigging, Sterett Equipment, and Trifecta Steel.
- (5) The last 2 years, all instances wherein Sterett Equipment provided an operator for equipment for which it rented, the names of those referrals,

whether or not those referrals were within the bargaining unit represented by the Union.

- (6) All evidence that Respondent had that the crane Jamon Spore disassembled on the Hopkinsville, Kentucky site was a crane owned by that contractor.

Sterett Crane & Rigging, LLC  
(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.nlrb.gov](http://www.nlrb.gov)

Minton-Capehart Federal Building  
575 N. Pennsylvania Avenue, Room 238, Indianapolis, IN 46204-1577  
(317) 226-7381, Hours: 8:30 a.m. to 5 p.m.

The Administrative Law Judge’s decision can be found at <https://www.nlrb.gov/case/25-CA-237121> 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 (317) 991-7644.