



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

October 8, 2020

████████████████████
SCHRODER, JOSEPH & ASSOCIATES, LLP
392 PEARL ST STE 301
BUFFALO, NY 14202

Re: Hornell Gardens, LLC
Cases 03-CA-258740
03-CA-258966

Dear ██████████:

Your appeal from the Regional Director's refusal to issue complaint has been carefully considered. The appeal is denied substantially for the reasons in the Regional Director's letter of August 4, 2020.

The evidence was insufficient to establish that the Employer's actions in response to the discriminatees' refusal to work violated the National Labor Relations Act nor does the evidence support that the Employer engaged in unlawful threats. Contrary to the contention on appeal, the evidence indicates that the Employer discharged the employee raised specifically on appeal for ██████ individual refusal to work and the probative evidence failed to establish that other employees concertedly supported her in her work stoppage.

Accordingly, the appeal is denied.

Sincerely,

Peter Barr Robb
General Counsel

A handwritten signature in black ink that reads "Mark E. Arbesfeld".

By: _____
Mark E. Arbesfeld, Director
Office of Appeals

cc: PAUL J. MURPHY
REGIONAL DIRECTOR
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