

UNITED STATES COURT OF APPEALS  
FOR THE SEVENTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	Docket No.
v.	:	
	:	
ZEIGLER LINCOLNWOOD, LLC D/B/A ZEIGLER BUICK	:	Board Nos.:
GMC OF LINCOLNWOOD & CADILLAC OF	:	13-CA-255786
LINCOLNWOOD AND ZEIGLER NORTH RIVERSIDE, LLC	:	13-CA-255789
D/B/A ZEIGLER FORD OF NORTH RIVERSIDE	:	13-CA-255791
	:	
Respondents	:	

JUDGMENT

THIS CAUSE was submitted upon the application of the National Labor Relations Board for the enforcement of a certain order on consent issued by it against Respondents, Zeigler Lincolnwood, LLC d/b/a Zeigler Buick GMC of Lincolnwood & Cadillac of Lincolnwood and Zeigler North Riverside, LLC d/b/a Zeigler Ford of North Riverside, their officers, agents, successors, and assigns, on September 18, 2020, in Board Case Nos. 13-CA-255786, 13-CA-255789 and 13-CA-255791; and upon the record in that proceeding, certified and filed in this Court enforcing the order.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by the United States Court of Appeals for the Seventh Circuit that the order of the National Labor Relations Board be, and the same is hereby enforced; and the Zeigler Lincolnwood, LLC d/b/a Zeigler Buick GMC of Lincolnwood & Cadillac of Lincolnwood and Zeigler North Riverside, LLC d/b/a Zeigler Ford of North Riverside, their officers, agents, successors, and assigns shall abide by and perform the directions of the Board set forth in its order. (See Attached Order and Notice)

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Judge, United States Court of  
Appeals for the Seventh Circuit

## NATIONAL LABOR RELATIONS BOARD

v.

ZEIGLER LINCOLNWOOD, LLC D/B/A ZEIGLER BUICK GMC OF  
LINCOLNWOOD & CADILLAC OF LINCOLNWOOD AND ZEIGLER  
NORTH RIVERSIDE, LLC D/B/A ZEIGLER FORD OF NORTH RIVERSIDE

**ORDER**

Zeigler Lincolnwood, LLC d/b/a Zeigler Buick GMC of Lincolnwood & Cadillac of Lincolnwood, Lincolnwood, Illinois, and Zeigler North Riverside, LLC d/b/a Zeigler Ford of North Riverside, North Riverside, Illinois, their officers, agents, successors, and assigns shall

1. Cease and desist from
  - (a) Telling employees that the Respondents are nonunion or that employees are paying the union for nothing, or making statements that suggest that employees' union activities are futile.
  - (b) Soliciting employees to revoke their authorizations for the checkoff of union dues from their wages.
  - (c) Failing to furnish the Union with the relevant requested information, or in any like or related manner refusing to bargain collectively and in good faith with the Union as the exclusive collective-bargaining representative of the units at Respondents' Lincolnwood and North Riverside, Illinois facilities.
  - (d) In any like or related manner interfering with employees' rights under Section 7 of the Act.
2. Take the following affirmative actions necessary to effectuate the policies of the Act.
  - (a) Provide the Union with the information it requested on December 19, 2019, including:
    1. State the reason for the May 2018 layoff and provide all documents the Company considered in making the layoff decision.

2. List each employee who was laid off in May 2018. For each employee on the list, provide their seniority date, their monthly salary, their department and their classification.
3. List the part-time employees who worked at the Company at the time of the layoff. For each employee state their seniority date, their department and their classification.
4. State whether the Company has had any vacancies in the 731-bargaining unit since May 2018. For each vacancy, state the department and classification.
5. List all employees hired by the Company in the Local 731-bargaining unit since May 2018. For [ ] individual hired, state their department and classification.
6. State whether Zeigler ever contacted the employees laid off in May 2018 and recalled them to work. If so, state the date of the contact and the response of the employee.
7. Provide any Company documents which contain the notice given to Local 731 of the layoff.
8. A list of all current employees that Zeigler believes are in the bargaining unit at both dealerships.
9. The salary history of Joseph Petrov and Ken Richards from the beginning of their employment at Lincolnwood.
10. Any individual employment agreements between either dealership and their employees, including the employment agreements that Zeigler has with the parts department employees at North Riverside. This request also includes any employment agreements with Charlene Kelly, Ken Richards or Joe Petrov at Lincolnwood and the individual employment agreements with Roger Clabough and Anthony Kees prior to the end of their employment at Lincolnwood. The contents of these agreements will assist the Union in identifying fruitful areas of bargaining over the issues of wages, bonuses and insurance.
11. The job title and wage and salary history of each employee at the two dealerships since August 30, 2019.
12. Any documents which set forth the terms and conditions of the Company's "Final Offer" and any other documents which

describe or set forth the current wages, hours and terms and conditions of Zeigler employees in the two bargaining units.

13. Please state whether Zeigler is currently withholding union dues for the bargaining unit employees at each location.
- (b) Within 14 days after service by the Region, post copies of the attached notice marked as Appendix A at the Respondents' facilities in Lincolnwood and North Riverside, Illinois. Copies of the notice, on forms provided by Region 13, after being signed by the Respondents' authorized representatives, shall be posted by the Respondents and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. The Respondents will take reasonable steps to ensure that the notices are not altered, defaced, or covered by any other material.
- (c) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondents have taken to comply.

## **APPENDIX A**

### **NOTICE TO EMPLOYEES**

POSTED BY ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government

PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER  
AND A CONSENT JUDGMENT OF ANY APPROPRIATE  
UNITED STATES COURT OF APPEALS

#### **THE NATIONAL LABOR RELATIONS ACT 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** interfere with, restrain, or coerce you in the exercise of the above rights.

**WE WILL NOT** fail and refuse, or unreasonably delay in providing Teamsters Local 731, International Brotherhood of Teamsters, AFL-CIO with the requested information that is relevant and necessary to its role as the exclusive collective bargaining representative of the employees in the unit specified below.

All full-time and regular part-time Service Department employees including full-time parts counter employees, stock room employees, stock room attendant, drivers, utility, and garage attendant employees.

**WE WILL NOT** tell you that we are not union or that you are paying the Union for nothing, or make statements that suggest your union activities are futile.

**WE WILL NOT** solicit our employees to revoke their authorizations for the checkoff of union dues from their wages.

**WE WILL NOT** in any like or related manner interfere with your rights under Section 7 of the National Labor Relations Act.

**WE WILL** provide the Union with the information it requested December 19, 2019 including:

1. State the reason for the May 2018 layoff and provide all documents the Company considered in making the layoff decision.
2. List each employee who was laid off in May 2018. For each employee on the list, provide their seniority date, their monthly salary, their department and their classification.
3. List the part-time employees who worked at the Company at the time of the layoff. For each employee state their seniority date, their department and their classification.
4. State whether the Company has had any vacancies in the 731-bargaining unit since May 2018. For each vacancy, state the department and classification.
5. List all employees hired by the Company in the Local 731-bargaining unit since May 2018. For [ ] individual hired, state their department and classification.
6. State whether Zeigler ever contacted the employees laid off in May 2018 and recalled them to work. If so, state the date of the contact and the response of the employee.
7. Provide any Company documents which contain the notice given to Local 731 of the layoff.
8. A list of all current employees that Zeigler believes are in the bargaining unit at both dealerships.
9. The salary history of Joseph Petrov and Ken Richards from the beginning of their employment at Lincolnwood.
10. Any individual employment agreements between either dealership and their employees, including the employment agreements that Zeigler has with the parts department employees at North Riverside. This request also includes any employment agreements with Charlene Kelly, Ken Richards or Joe Petrov at Lincolnwood and the individual employment agreements with Roger Clabough and

Anthony Kees prior to the end of their employment at Lincolnwood. The contents of these agreements will assist the Union in identifying fruitful areas of bargaining over the issues of wages, bonuses and insurance.

11. The job title and wage and salary history of each employee at the two dealerships since August 30, 2019.

12. Any documents which set forth the terms and conditions of the Company's "Final Offer" and any other documents which describe or set forth the current wages, hours and terms and conditions of Zeigler employees in the two bargaining units.

13. Please state whether Zeigler is currently withholding union dues for the bargaining unit employees at each location.

**ZEIGLER NORTH RIVERSIDE, LLC D/B/A  
ZEIGLER FORD OF NORTH RIVERSIDE**

**and**

**ZEIGLER LINCOLNWOOD, LLC D/B/A  
ZEIGLER BUICK GMC OF LINCOLNWOOD  
& CADILLAC OF LINCOLNWOOD**

The Board's decision can be found at [www.nlr.gov/case/13-CA-255786](http://www.nlr.gov/case/13-CA-255786) 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 St., S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

