

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 15**

\* \* \* \* \*  
GENPAK, LLC  
and  
RETAIL, WHOLESALE AND DEPARTMENT  
STORE UNION, MID-SOUTH COUNCIL  
\* \* \* \* \*

Case 15-CA-237525

**GENERAL COUNSEL’S MOTION FOR CONTINUANCE OF HEARING**

Pursuant to §102.35 and §102.43 of the Rules and Regulations of the National Labor Relations Board (Board), Counsel for the General Counsel (General Counsel) submits this Motion for Continuance (Motion) of the hearing currently scheduled to commence on January 7, 2020. General Counsel offers the following in support of the Motion.

1. By Order dated October 30, 2020, Administrative Law Judge Robert A. Ringler set the above matter for hearing by videoconference on the Zoom Government platform, commencing on January 7, 2021 at 10:00 AM, CST (Hearing).
2. General Counsel moves for this postponement because a material and essential witness to the General Counsel’s case has been in prolonged direct contact with a COVID-19 positive family member. The witness is now presumptively COVID-19 positive.
3. The Charging Party joins this motion.
4. Genpak, LLC (Respondent), through counsel, does not join or oppose this motion but instead takes no position.

For just cause, specifically the need to safeguard this witness' health during this pandemic, the uncertainties associated with the witness' ability to testify given coronavirus exposure, and the risk to the health of other witnesses, parties and counsel engaged in in-person activities necessary to prepare for and attend the hearing even by Zoom, General Counsel respectfully requests the Motion be granted, and the Division of Judges issue an order continuing the Hearing and directing the Regional Director to reschedule when the hearing can proceed in a safe and appropriate manner.

Dated this 30<sup>th</sup> day of December 2020.

*/s/ Amiel J. Provosty*

Amiel J. Provosty  
Counsel for the General Counsel  
National Labor Relations Board  
Region 15  
600 South Maestri Place – 7<sup>th</sup> Floor  
New Orleans, Louisiana 70130-3413  
Telephone: (202) 689-7438  
Telephone: (504) 321-9470  
Facsimile: (504) 589-4069  
[Amiel.Provosty@nlrb.gov](mailto:Amiel.Provosty@nlrb.gov)

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of GENERAL COUNSEL'S MOTION FOR CONTINUANCE to be served on the following parties by filing with the NLRB E-File system and by e-mail on this 30<sup>th</sup> day of December, 2020:

Michael D. Billok  
Attorney for Respondent  
Email: [mbillok@bsk.com](mailto:mbillok@bsk.com)  
[mbillok@bsk.com](mailto:mbillok@bsk.com)

Allen Gregory  
Business Representative, Retail Wholesale  
and Department Store Union, Mid-South  
Council  
[agregory@rwdsumidsouth.org](mailto:agregory@rwdsumidsouth.org)

Beth Murphree  
Staff Assistant, Retail Wholesale and  
Department Store Union, Mid-South Council  
[bmurphree@rwdsumidsouth.org](mailto:bmurphree@rwdsumidsouth.org)

Curtis Gray  
Representative, Retail Wholesale and  
Department Store Union, Mid-South Council  
[cgray@rwdsumidsouth.org](mailto:cgray@rwdsumidsouth.org)

*/s/ Amiel J. Provosty* \_\_\_\_\_

Amiel J. Provosty  
Counsel for the General Counsel  
National Labor Relations Board  
Region 15  
600 South Maestri Place – 7<sup>th</sup> Floor  
New Orleans, Louisiana 70130-3413  
Telephone: (202) 689-7438  
Telephone: (504) 321-9470  
Facsimile: (504) 589-4069  
[Amiel.Provosty@nlrb.gov](mailto:Amiel.Provosty@nlrb.gov)