February 1, 2022

Via E-File

NATIONAL LABOR RELATIONS BOARD
Office of the Executive Secretary
1015 Half Street, SE
Washington, DC 20570

RE: International Brotherhood of Electrical Workers, Local Union 43 v. NLRB,
9 F. 4th 63 (2nd Cir. Aug. 12, 2021), vacating and remanding 369 NLRB No.
31 (Aug. 27, 2020), Board Case Nos. 03-CA-184936 and 03-CA-192545

To Whom It May Concern:

In response to correspondence from the Board’s Office of the Executive Secretary inviting
the parties in the above referenced cases to file statements of position regarding the issues raised
by the remand from the Court of Appeals, ADT LLC submits the following.

Case Nos. 03-CA-184936 and 03-CA-192545 should be dismissed as moot. The operative
language in the relevant collective bargaining agreements (i.e., the Albany Agreement, effective
from June 11, 2015 through June 10, 2018, and the Syracuse Agreement, effective from June 11,
2016 through June 10, 2019), was revised in the successor agreements negotiated by the parties
and has been in effect without incident for at least two years. Accordingly, with the operative
contract language no longer in effect and all due overtime paid, there is no open dispute and the
matter should be dismissed as moot.

Very truly yours,

Norma Manjarrez

NM:baw

cc: Bryan T. Arnault, Esq., via email: btarnault@bklawyers.com
Linda Leslie, Acting Regional Director, via email: linda.leslie@nlrb.gov
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