This matter comes before the National Labor Relations Board upon the joint motion of Respondent 10 Roads Express, LLC, Charging Party International Brotherhood of Teamsters, Local 727, and the General Counsel. They move to waive a hearing and decision by an administrative law judge and to transfer this proceeding to the Board for a decision based on a stipulated record.

On February 4, 2022, the General Counsel, through the then-Acting Regional Director for Region 13, issued an order consolidating cases, consolidated complaint, and notice of hearing alleging, as relevant to this case, that the Respondent failed to give the bargaining unit employees at the Respondent’s Chicago and Romeoville, Illinois facilities an emergency wage increase on about August 30, 2021. The complaint alleges that the Respondent engaged in this conduct because the employees supported the Charging Party and engaged in union activities and to discourage employees from engaging in such activities in violation of Section 8(a)(3) and (1) of the National Labor Relations Act. The complaint also alleges that the Respondent engaged in this conduct without first affording the Charging Party an opportunity to bargain with the Respondent in violation of Section 8(a)(5) and (1) of the Act.
On May 11, 2022, the parties filed a joint motion and stipulation of facts with the Board. Pursuant to Section 102.35(a)(9) of the Board’s Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for findings of fact, conclusions of law, and a decision and order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C. for the purposes of issuing findings of fact, conclusions of law, and a decision and order.

IT IS FURTHER ORDERED that the stipulated record, which includes the joint motion and stipulation of facts, exhibits 1 through 20, including the parties’ position statements, and a statement of the issue presented, is approved and made part of the record.

The parties may file briefs with the Board in Washington, D.C. on or before July 27, 2022 and answering briefs 14 days thereafter in accordance with Section 102.35(a)(9) of the Board’s Rules and Regulations.


By direction of the Board:

Roxanne L. Rothschild
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Executive Secretary