MILLER PLASTIC PRODUCTS, INC.

and

RONALD VINCER, AN INDIVIDUAL

GENERAL COUNSEL'S CROSS-EXCEPTIONS TO
ADMINISTRATIVE LAW JUDGE'S DECISION

The General Counsel takes the following cross-exceptions to the Decision of Administrative Law Judge Michael A. Rosas (the ALJ), JD-32-22 dated May 27, 2022, in the above-captioned cases, pursuant to Section 102.46 of the Rules and Regulations of the National Labor Relations Board (the Board):

1. The General Counsel excepts to the ALJ’s failure to address the General Counsel’s arguments seeking clarification of the Board’s standard for concerted activity and requesting that it overrule Alstate Maintenance. ALJD 13:25-19:3.

2. The General Counsel excepts to the ALJ’s failure to address the General Counsel’s arguments respectfully requesting that the Board overturn Electrolux Home Products. ALJD 13:25-19:3.

3. The General Counsel excepts to the ALJ’s failure to address the General Counsel’s arguments respectfully requesting that the Board overturn Tschiggfrie Properties. ALJD 13:25-19:3.

4. The General Counsel excepts to the ALJ’s failure to address the General Counsel’s request for consequential economic damages. ALJD 18:15-ALJD 18:25.

5. The General Counsel excepts to the ALJ’s failure to address the General Counsel’s request for management training conducted by a Board Agent during paid working time. ALJD 18:15-ALJD 18:25.

6. The General Counsel excepts to the ALJ’s failure to address the General Counsel’s request for employee training conducted by a Board Agent during paid working time. ALJD 18:15-ALJD 18:25.

7. The General Counsel excepts to the ALJ’s typographic error at line 8 on page 9 of the ALJD, omitting the word “not” from the following sentence: “Vincer did contest the accuracy of that information or otherwise express any concerns at that time.” ALDJ 9:8
8. The General Counsel excepts to the ALJ’s typographic error at line 32 on page 9 of the ALJD, omitting the word “asked” from the following sentence: “Vincer also Zeliesko if he thought the company should be open and operating.” ALJD 9:32

9. The General Counsel excepts to the ALJ’s typographic error on page 10 of the ALJD, omitting the word “not” from the following sentence: “Boustead did reference the Respondent’s status as a life-sustaining business or needing to close its facility for employee safety during this conversation.” ALJD 10:6

10. The General Counsel excepts to the ALJ’s typographic errors on pages 18, 19, and 20 of the ALJD, which refer to the Regional Director for Region 21 instead of the Regional Director for Region 5. ALJD 18:28, 19:29, 20:9

Dated at Washington, District of Columbia, this 8th day of July, 2022.

Respectfully submitted,

/s/ Katherine E. Leung
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing General Counsel’s Cross Exceptions to the Administrative Law Judge’s Decision in Miller Plastic Products, Inc., Case 06-CA-266234, was e-filed and served by e-mail as indicated below on this 8th day of July, 2022:

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