



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, D.C. 20570

November 3, 2014

SHAWNTANE WILLIAMS, ESQ.  
MICHIGAN COUNCIL 25, AMERICAN  
FEDERATION OF STATE, COUNTY  
AND MUNICIPAL EMPLOYEES  
(AFSCME), AFL-CIO  
600 W LAFAYETTE BLVD STE 500  
DETROIT, MI 48226-3190

R.

Dear Ms. Williams:

This office has carefully considered the appeal from the Regional Director's refusal to issue complaint. We agree with the Regional Director's decision and deny the appeal substantially for the reasons in the Regional Director's letter of August 29, 2014. With respect to the contentions on appeal concerning the termination of Victor Browning, the investigation established that by facsimile letter dated June 16, 2014, the Employer provided and the Union received timely and adequate notice concerning the Employer's intentions to impose disciplinary action against Victor Browning. In light of the Employer's need for expedited action, the evidence fails to support a finding that the Employer failed to provide the Union with notice or an adequate opportunity to respond to the intended discipline or meet with the Employer to discuss the proposed discipline by the Employer. Under all of the circumstances presented, the evidence fails to support a conclusion and finding that the Employer violated Section 8(a)(3) or (5) of the National Labor Relations Act relating to the disciplinary actions taken against Mr. Browning or the other alleged discriminatees. Accordingly, further proceedings herein are not warranted.

Sincerely,

Richard F. Griffin, Jr.  
General Counsel

By:

A handwritten signature in dark ink that reads "Deborah M.P. Yaffe". The signature is written in a cursive style.

---

Deborah M.P. Yaffe, Director  
Office of Appeals