

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

SABO, INC., d/b/a HOODVIEW VENDING CO.

and

Case 36-CA-10615

ASSOCIATION OF WESTERN PULP AND PAPER
WORKERS UNION affiliated with UNITED
BROTHERHOOD OF CARPENTERS AND JOINERS
OF AMERICA

EXCEPTIONS TO THE DECISION OF THE ADMINISTRATIVE LAW JUDGE

Submitted by;

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Pursuant to Section 102.46(a) of the Board's Rules and Regulations, Counsel for the Acting General Counsel hereby excepts to the findings and conclusions of the Administrative Law Judge's Decision, for the reasons set forth in Acting General Counsel's Brief in Support of Exceptions, filed herewith and made a part hereof, in the following specific ways:

1) Judge Lana H. Parke ("ALJ") erred in finding that employees LaDonna George and Steve Boros were not engaged in protected concerted activity when they discussed Respondent's job posting. (pg. 9, lines 42-44; pg. 10, lines 10-13).

2) The ALJ erred in concluding that the cases cited by Counsel for the Acting General Counsel supporting a finding that LaDonna George and Steve Boros were engaged in protected concerted activity are distinguishable. (pg. 9, lines 46-48)

3) The ALJ erred in her reliance on the Board's decision in Daly Park Nursing Home, 287 NLRB 710-11 (1987). (pg. 9, lines 30-44)

4) The ALJ erred in concluding that LaDonna George and Steve Boros failed to plan future action about Respondent's job posting. (pg. 9, lines 38-40)

5) The ALJ erred in failing to find that Respondent violated § 8(a)(1) of the Act by discharging LaDonna George.

6) The ALJ erred by omitting and disregarding facts supporting a finding that Respondent violated § 8(a)(3) of the Act by discharging LaDonna George.

7) The ALJ erred by concluding that there was no evidence of employer animus toward LaDonna George's Union activities. (pg. 7, lines 14-15).

8) The ALJ erred by misciting the record and finding that LaDonna George was issued a memorandum on January 15, 2010. (pg. 5, lines 9-13)

9) The ALJ erred in concluding that Counsel for the Acting General Counsel had not shown that LaDonna George's January 18 conversation had anything to do with Union activity, that Respondent's antiunion animus motivated Respondent's reaction to LaDonna George's conversation with Steve Boros, or that Respondent seized upon the incident to retaliate against LaDonna George for her Union adherence. (pg. 8, lines 15-18).

10) The ALJ erred in failing to find that Respondent violated § 8(a)(3) of the Act by discharging LaDonna George in retaliation for her Union activities.

11) The ALJ erred in finding that Respondent met its burden of proving that it would have discharged LaDonna George for leaving work on January 15, 2010, absent her Union activity. (pg. 8, lines 5-10)

12) The ALJ erred in failing to make a finding that Respondent asked LaDonna George why she was stirring things up. (pg. 5, lines 51-52).

13) The ALJ erred in Ordering that the Complaint be dismissed. (pg. 10, line 26).

14) The ALJ erred in failing to recommend an Order that Respondent has engaged in, and is engaging in, unfair labor practices within the meaning of §§ 8(a)(1) and (3) of the Act, affecting commerce within the meaning of §§ 2(6) and (7) of the Act.

DATED at Portland, Oregon, this 18th day of January, 2011.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the Counsel for the Acting General Counsel's Exceptions to the Decision of the Administrative Law Judge was served by e-file, e-mail, and the United States post-paid regular mail on the 18th day of January 2011, on the following parties:

E-FILING AND U.S. MAIL

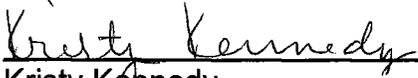
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