UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 10, SUBREGION 11

GREDE II, LLC

and

UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO, CLC

Cases 11-CA-022980
11-CA-022984
11-CA-022997
11-CA-066972
11-RC-006748

To the Honorable, the Members of the
National Labor Relations Board
Franklin Court Building
1099 14th Street, NW
Washington, DC 20570-0001

COUNSEL FOR ACTING GENERAL COUNSEL'S MOTION TO REMAND TO THE REGIONAL DIRECTOR TO EFFECTUATE AN INFORMAL SETTLEMENT AGREEMENT AND MOTION TO CONDITIONALLY WITHDRAW EXCEPTIONS

Pursuant to Sections 102.46 and 102.47 of the Board's Rules and Regulations, Series 8, as amended, Counsel for Acting General Counsel respectfully moves that the Board remand the above-captioned cases to the Regional Director to effectuate an informal settlement agreement and also moves that the Board approve Counsel for Acting General Counsel's request to conditionally withdraw exceptions.

In support of this motion, Counsel for Acting General Counsel avers as follows:

1. On April 19, 2012, Administrative Law Judge George Carson II issued his decision in Cases 11-CA-022980, 11-CA-022984, 11-CA-022997, 11-CA-066972 and 11-RC-006748 finding that Grede II, LLC (herein Respondent) engaged in numerous violations of Section 8(a)(1) and (3) of the Act.

2. On June 14, 2012, Counsel for Acting General Counsel timely filed with the Board exceptions to the Judge's decision. Specifically, exceptions were taken to the Judge's:

(a) decision to dismiss allegations that Respondent threatened employees with unspecified reprisals and discipline;

(b) failure to find that Respondent violated Section 8(a)(3) of the Act when it remedied unlawfully solicited employees grievances;

(c) failure to issue a bargaining order remedy and other special remedies, including a broad cease-and-desist order and a notice reading remedy; and

(d) failure to fully remedy the unlawful discipline and termination of employee Walter Morrison III.

3. On June 21, 2012, the Respondent and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, CLC (herein Union) executed a settlement agreement resolving the above-matters. In this regard, the settlement agreement provides that the Respondent will:

(a) post a notice, in English and Spanish, to employees;

(b) comply with the Judge's cease and desist order;

(c) comply with the Judge's affirmative order to rescind certain unlawful policies;

(d) comply with the Judge's affirmative order, in relevant part, regarding the payment of backpay and interest to employees stemming from Respondent's February 10, 2011, unlawful recission of a promised raise, bonus and boot allowance;

(e) comply with the Judge's affirmative order that Respondent make Morrison whole, offer him reinstatement to his former position, remove any references in its files to his unlawful

discipline and subsequent termination, and notify Morrison that such references have been removed;

(f) allow a Board agent to make an announcement to employees, in both English and Spanish, that Respondent will not close the plant if the Union wins an election and also mail a similar written announcement to employees' homes; and

(g) provide the Union with an updated *Excelsior* list.

4. In consideration for the above, the Union has agreed to waive its right to a second election in Case 11-RC-006748 as well as its right to any organizational expenses.

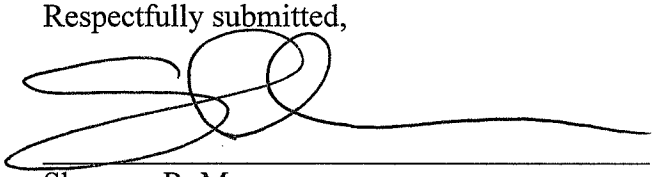
5. It is respectfully submitted that the settlement agreement, as described above in paragraphs 3 and 4, is an adequate and appropriate resolution of all outstanding matters given the overall complexities and nature of the case, and that resolving the case in this manner will conserve both judicial resources and those of the parties.

6. Counsel for Acting General Counsel herein requests to withdraw the exceptions described above in paragraph 2, upon the condition that the parties fully comply with the terms of the settlement agreement.

WHEREFORE, it is respectfully requested, pursuant to Sections 102.46 and 102.47 of the Board's Rules and Regulations, that these cases be remanded back to the Regional Director for approval of the informal settlement agreement and that the request to conditionally withdraw exceptions be hereby approved.

Dated at Winston-Salem, North Carolina, on the 27th day of June 2012.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Counsel for Acting General Counsel's Motion to Remand to the Regional Director to Effectuate an Informal Settlement Agreement and Motion to Conditionally Withdraw Exceptions was served by electronic mail on June 27, 2012, on the following:

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Dated at Winston-Salem, North Carolina, this 27th day of June 2012.

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