UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
THIRTIETH REGION

PIGGLY WIGGLY MIDWEST, LLC

and

Cases 30-CA-067117
30-CA-073311

UNITED FOOD & COMMERCIAL WORKERS UNION, LOCAL 1473

JOINT MOTION FOR CLERICAL CORRECTION

On May 21, 2012, Administrative Law Judge Eric M. Fine issued his Decision in the above-referenced matter. None of the parties filed exceptions. The Acting General Counsel, on behalf of all parties, now files this joint motion to correct a clerical omission in Judge Fine's Decision.

In his Conclusions of Law section, Judge Fine concluded that on "September 18, 2011, Respondent unilaterally reduced 19 full-time employees to part-time status, causing them to lose their full-time benefits, including the eventual loss of or access to health insurance, without notifying or bargaining with the Union in violation of Section 8(a)(1) and (5) ..." (ALJD page 51: lines 28-30). In his Remedy section, Judge Fine concluded "Respondent having unilaterally and discriminatorily reduced 19 employees from full-time to part-time status must offer them reinstatement to their pre September 18, 2011 reduction positions and make them whole for any loss of earnings and other benefits from September 18, 2011, the date their reductions were implemented to a proper offer of reinstatement to their prior positions, less any net interim earnings." (ALJD page 52: lines 41-46). In his proposed Order, Judge Fine lists by name 18 employees that Respondent is ordered to restore to their former full-time positions and benefits occupied prior to September 18, 2011, and make them whole for any loss of earnings and other benefits suffered as a result of their reduction to part-time status in the manner set forth in the

Remedy section of this Decision, including, but not limited to, reimbursing them for any medical expenses or costs they incurred as a result of their losing their health insurance. The next paragraph orders Respondent to "[w]ithin 14 days from the date of this Order, remove from its files any reference to the unlawful reduction to part-time status of the above 19 listed employees...." (ALJD page 54; lines 30-40). The list of named employees inadvertently omits Louis Rowden. There is no dispute that Rowden was one of the 19 employees reduced to part-time on or around September 18, 2011.

The Acting General Counsel, on behalf of all parties, now moves for the Board to correct Judge Fine's inadvertent omission and have Louis Rowden identified as one of the discrminatees entitled to the remedy set forth in Judge's Fine's Decision.

Submitted this 28th day of June 2012.

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Cases 30-CA-067117 and 30-CA-073311

Copies of Counsel for Acting General Counsel's Joint Motion for Clerical Correction have been filed electronically and sent via electronic mail on June 28, 2012, to the following parties of record:

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