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5 Attorneys for Charging Party/Union, IUPAT District Council 15,
6 Local 159

7 UNITED STATES OF AMERICA
8 NATIONAL LABOR RELATIONS BOARD
9 REGION 28

10 INTERNATIONAL UNION OF PAINTERS
11 AND ALLIED TRADES DISTRICT
COUNCIL 15, LOCAL 159, affiliated with
12 INTERNATIONAL UNION OF PAINTERS
AND ALLIED TRADES, AFL-CIO,

13 Charging Party/Union

14 And

15 WALLDESIGN, Inc.

16 Employer.
17
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No. 28-CA-071847; 28-CA-078200

JOINDER IN MOTION TO TRANSFER
AND CONTINUE MATTERS BEFORE
THE BOARD AND FOR SUMMARY
JUDGMENT

19 Charging Party hereby joins in the Motion to Transfer and for Summary Judgment.

20 Charging Party requests as an additional remedy that the employer be required to post the
21 appropriate Board notices for the time period between the issuance of complaint and when the
22 notice is actually posted. The mere posting for 60 days will be meaningless. Employers
23 deliberately delay these proceedings in order to render a notice far less effective. That should be
24 remedied by an amended Board remedy by which notices are posted for the length of time
25 between when complaint issues and when the notice is actually first posted,

26 Additionally this is a construction company. The notices should be mailed to the last
27 known addresses of all employees who were employed by the employer from six months from
28

1 when the charge was filed until the notices are mailed. Only by such a mailing in the construction
2 industry can all employees be notified appropriately of the employer's misconduct.

3 The notice should be at the employer's expenses including not only the Board notice but
4 the findings of the Board in its decision. The notice is inadequate to advise the employees of the
5 employer's misconduct. The notice should be sent by U.P.S.

6 For these reasons the motion for summary judgment should be granted along with these
7 additional remedies suggested herein.

8 Dated: November 15, 2012

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

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10 By: /S/ DAVID A. ROSENFELD
11 DAVID A. ROSENFELD
12 Attorneys for Charging Party/Union,
13 IUPAT District Council 15, Local 159

14 131017/692466
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1 **PROOF OF SERVICE**
2 **(CCP §1013)**

3 I am a citizen of the United States and resident of the State of California. I am employed
4 in the County of Alameda, State of California, in the office of a member of the bar of this Court,
5 at whose direction the service was made. I am over the age of eighteen years and not a party to
6 the within action.

7 On November 15, 2012, I served the following documents in the manner described below:

8 **JOINDER IN MOTION TO TRANSFER AND CONTINUE MATTERS BEFORE THE**
9 **BOARD AND FOR SUMMARY JUDGMENT**

- 10 (BY FACSIMILE) I am personally and readily familiar with the business practice of
11 Weinberg, Roger & Rosenfeld for collection and processing of document(s) to be
12 transmitted by facsimile and I caused such document(s) on this date to be transmitted by
13 facsimile to the offices of addressee(s) at the numbers listed below.
- 14 (BY ELECTRONIC SERVICE) By electronically mailing a true and correct copy
15 through Weinberg, Roger & Rosenfeld's electronic mail system from
16 kshaw@unioncounsel.net to the email addresses set forth below.

17 On the following part(ies) in this action:

18 Mr. Lester A. Heltzer
19 National Labor Relations Board
20 Office of the General Counsel
21 1099 14th Street, N.W.
22 Washington, D.C. 20570
23 (202) 273-4270 (fax)

Mr. Noel E. Eidsmore
Littler Mendelson, P.C.
3960 Howard Hughes Pkwy., Suite 300
Las Vegas, NV 89169
(702) 862-8811 (fax)
neidsmore@littler.com

Mr. Cornele Overstreet
NLRB, Region 28
600 Las Vegas Boulevard South, Suite 400
Las Vegas, NV 89101-6637
(702) 388-6248 (fax)

24 I declare under penalty of perjury under the laws of the United States of America that the
25 foregoing is true and correct. Executed on November 15, 2012, at Alameda, California.

26 /s/ Katrina Shaw
Katrina Shaw