FORM NLRB-501
(2-18)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 19-CA-243188	Date Filed 6/7/2019

INSTRUCTIONS:
File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer ELTEC Systems, LLC		b. Tel. No. 206.405.3371
		c. Cell No. 206.947.6102
		f. Fax. No. N/A
d. Address *(Street, city, state, and ZIP code)* 2025 1st AVE Suite 790 Seattle WA 98121	e. Employer Representative Eric Schuman Modernization Operations Manager	g. e-mail eschuman@eltec.cc
		h. Number of workers employed 100+
i. Type of Establishment *(factory, mine, wholesaler, etc.)* Elevator installation, repair and service	j. Identify principal product or service Elevator	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) of the National Labor Relations Act, and thest unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge *(set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)*

Unfair labor practice regarding equal employment opportunity 8(a)(3) by discrimination in regards to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization. (b) (6), (b) (7)(C) has descriminated based upon my non union member status stating in front of ELTEC Modernization (b) (6), (b) (7)(C) that if (b) (6) had known of my expelled member status (b) (6) would not have hired me and using the excuse that my most recent email communication was " disrespectful and unhelpful" to the extent that any future interaction would be unproductive due to (b) (6) unwillingness to accept my union status and apology regarding (b) (6) percieved disrespect (email content string attached).

3. Full name of party filing charge *(if labor organization, give full name, including local name and number)*
(b) (6), (b) (7)(C) / International Union of Elevator Constructors Local 19

4a. Address *(Street and number, city, state, and ZIP code)* (b) (6), (b) (7)(C)	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No. (b) (6), (b) (7)(C)
	4d. Fax No. N/A
	4e. e-mail (b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit *(to be filled in when charge is filed by a labor organization)*

(b) (6), (b) (7)(C) hat the statements nd belief. (b) (6), (b) (7)(C) *t/type name and title or office, if any)*	Tel. No. (b) (6), (b) (7)(C)
	Office, if any, Cell No. (b) (6), (b) (7)(C)
	Fax No. N/A
Address (b) (6), (b) (7)(C) Date 04/11/2019	e-mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

From: (b) (6), (b) (7)(C) @eltec.cc>
To: (b) (6), (b) (7)(C)
Subject: Fwd: KCHA Southridge
Date: Tue, Apr 9, 2019 12:11 pm

But wait there is more...

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: (b) (6), (b) (7)(C) @eltec.cc>
Date: 4/9/19 11:35 AM (GMT-08:00)
To: (b) (6), (b) (7)(C) @eltec.cc>
Cc: (b) (6), (b) (7)(C) @eltec.cc>, (b) (6), (b) (7)(C) @eltec.cc>
Subject: Re: KCHA Southridge

Sorry have plans tonight

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: (b) (6), (b) (7)(C) @eltec.cc>
Date: 4/9/19 8:38 AM (GMT-08:00)
To: (b) (6), (b) (7)(C) @eltec.cc>
Cc: (b) (6), (b) (7)(C) @eltec.cc>, (b) (6), (b) (7)(C) @eltec.cc>
Subject: RE: KCHA Southridge

(b) (6), (b) (7)(C)

This response is disrespectful and unhelpful. Can you please come into the office after you are done at your job today?

(b) (6), (b) (7)(C)

ELTEC Systems, LLC
2025 1st Avenue, Suite 790, Seattle, WA 98121
C (b) (6), (b) (7)(C) | T (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) @eltec.cc | www.eltec.cc

From: (b) (6), (b) (7)(C)
Sent: Tuesday, April 09, 2019 6:03 AM
To: (b) (6), (b) (7)(C) @eltec.cc>
Cc: (b) (6), (b) (7)(C) @eltec.cc>; (b) (6), (b) (7)(C) @eltec.cc>

Subject: Re: KCHA Southridge

Lol

Time to come out from behind the laptop [redacted]

Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: [redacted] @eltec.cc>
Date: 4/8/19 8:21 AM (GMT-08:00)
To: [redacted] @eltec.cc>
Cc [redacted] @eltec.cc>, [redacted] @eltec.cc>
Subject: KCHA Southridge

[redacted]

According to my schedule you should be done with the jack and machine room work. You should be wrapping up hoistway work by the end of this week. That gives you a week to do your adjusting and pretesting for an inspection on the 23rd. It would be good to schedule with the inspector early this week. Let me know how you are progressing.

Thank you

[redacted]
ELTEC Systems, LLC
2025 1st Avenue, Suite 790, Seattle, WA 98121
C [redacted] | T [redacted]
[redacted] @eltec.cc | www.eltec.cc

ELTEC
SERVICE DEFINED

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 19
915 2nd Ave Ste 2948
Seattle, WA 98174-1006

Agency Website: www.nlrb.gov
Telephone: (206)220-6300
Fax: (206)220-6305

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June 12, 2019

Eric Schuman, Modernization
Operations Manager
ELTEC Systems, LLC
2025 1st Ave Ste 790
Seattle, WA 98121-2100

Re: ELTEC Systems, LLC
Case 19-CA-243188

Dear Mr. Schuman:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney RICHARD C. FIOL whose telephone number is (206) 220-6335. If this Board agent is not available, you may contact Deputy Regional Attorney MARTIN ESKENAZI whose telephone number is (206) 220-6289.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlrb.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

RONALD K. HOOKS
Regional Director

Enclosures:
1. Copy of Charge
2. Commerce Questionnaire

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UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

ELTEC SYSTEMS, LLC Charged Party and (b) (6), (b) (7)(C) Charging Party	**Case 19-CA-243188**

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on June 12, 2019**,** I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Eric Schuman, Modernization Operations
Manager
ELTEC Systems, LLC
2025 1st Ave Ste 790
Seattle, WA 98121-2100

June 12, 2019
Date

Dennis Snook, Designated Agent of NLRB
Name

/s/*Leila Uomoto*
Signature

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 19
915 2nd Ave Ste 2948
Seattle, WA 98174-1006

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Telephone: (206)220-6300
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Download
NLRB
Mobile App

June 12, 2019

(b) (6), (b) (7)(C)
[redacted]

Re: ELTEC Systems, LLC
Case 19-CA-243188

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on June 07, 2019 has been docketed as case number 19-CA-243188. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney RICHARD C. FIOL whose telephone number is (206) 220-6335. If this Board agent is not available, you may contact Deputy Regional Attorney MARTIN ESKENAZI whose telephone number is (206) 220-6289.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to

take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

RONALD K. HOOKS
Regional Director

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 19
915 2nd Ave Ste 2948
Seattle, WA 98174-1006
Agency Website: www.nlrb.gov
Telephone: (206)220-6300
Fax: (206)220-6305

July 18, 2019

ERIC SCHUMAN
MODERNIZATION OPERATIONS MANAGER
ELTEC SYSTEMS, LLC
2025 1ST AVE STE 790
SEATTLE, WA 98121-2100

Re: **ELTEC Systems, LLC**
Case 19-CA-243188

Dear Mr. Schuman:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

Ronald K Hooks

RONALD K. HOOKS
Regional Director

cc: (b) (6), (b) (7)(C)

klm