FORM NLRB-501
(2-18)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 28-CA-272734	Date Filed February 11, 2021

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
RPE Productions, LLC (Amazon)
Outer Range Season 1

b. Tel. No.
604.904.5615

c. Cell No.
(b) (6), (b) (7)(C)

f. Fax. No.

d. Address *(Street, city, state, and ZIP code)*
301 – 1720 Grant Street,
Vancouver, BC, V5L 2Y7

e. Employer Representative
(b) (6), (b) (7)(C)

g. e-mail
(b) (6), (b) (7)(C) @reunionpacific.com

h. Number of workers employed
300

i. Type of Establishment *(factory, mine, wholesaler, etc.)*
Production Company

j. Identify principal product or service
Television Production

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) (5) 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)*
A request for information was sent to (b) (6), (b) (7)(C) on 2/2/2021 for a list of Teamsters that are currently/previously employed on " Outer Range" S1, which is currently being filmed in NM, along with a request for all equipment rented including the state in which the equipment is registered. Per the Memorandum of Agreement between Teamsters Local 492 and RPE, a list of ALL drivers is supposed to be sent to Local 492 everyday. Up until 1/11/2021, this list was being sent. However, on 1/14/2021 the production company halted sending complete lists. A formal RFI was sent on 2/2/2021 requesting the information and the company was given 10 days to comply, which they have not. Local 492's postition is that we are entitiled to know who is working in our jurisidiction (NM) at all times, as to ensure they are Teamsters.

3. Full name of party filing charge *(if labor organization, give full name, including local name and number)*
Teamsters Local 492

4a. Address *(Street and number, city, state, and ZIP code)*
4269 Balloon Park Rd NE
Albuquerque, NM 87109

4b. Tel. No.
505-344-1925 ext14

4c. Cell No.

4d. Fax No.

4e. e-mail
mmalcom@teamsters492.org

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)*
International Brotherhood of Teamsters

6. DECLARATION
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

Melissa A. Malcom
(signature of representative or person making charge)

Melissa A Malcom
(Print/type name and title or office, if any)

Address 4269 Balloon Park Rd NE, ABQ, NM 87109

Date 2/11/21

Tel. No.
505-344-1925 ext 14

Office, if any, Cell No.

Fax No.

e-mail
mmalcom@teamsters492.org

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.

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 28
2600 North Central Avenue
Suite 1400
Phoenix, AZ 85004-3099

Agency Website: www.nlrb.gov
Telephone: (602)640-2160
Fax: (602)640-2178

Download
NLRB
Mobile App

February 16, 2021

International Brotherhood of Teamsters Local 492
4269 Balloon Park Road NE
Albuquerque, NM 87109-5827

Re: RPE Productions, LLC/Amazon (Outer Range)
Case 28-CA-272734

Ladies and Gentlemen:

The charge that you filed in this case on February 11, 2021 has been docketed as case number 28-CA-272734. 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 Examiner Olga L. Bell whose telephone number is (602)416-4758. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7217.

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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In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

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,

Cornele A. Overstreet
Regional Director

Copy of charge only sent to:

Bradley T. Raymond, General Counsel
International Brotherhood of Teamsters
25 Louisiana Avenue NW
Washington, DC 20001-2198

CAO:OLB:mhz

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 28
2600 North Central Avenue
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February 16, 2021

RPE Productions, LLC
(Amazon) Outer Range Season 1
301 - 1720 Grant Street
Vancouver, BC V5L 2Y7

Re: RPE Productions, LLC/Amazon (Outer Range)
Case 28-CA-272734

Ladies and Gentlemen:

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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 requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting 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.

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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,

Cornele A. Overstreet
Regional Director

Enclosures:
1. Copy of Charge
2. Commerce Questionnaire

CAO:OLB:mhz

FORM NLRB-4701
(9-03)

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

International Brotherhood of Teamsters Local 492

and

RPE Productions, LLC

CASE 28-CA-272734

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF

RPE Productions, LLC

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Mark A. Wasserman

MAILING ADDRESS: Mitchell Silberberg & Knupp LLP, 2049 Century Park East, 18th Floor, Los Angeles, CA 90067

E-MAIL ADDRESS: maw@msk.com

OFFICE TELEPHONE NUMBER: (310) 312-3174

CELL PHONE NUMBER: (310) 251-1636 *FAX:* (310) 231-8374

SIGNATURE:
(Please sign in ink.)

DATE:

[1] IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

Form NLRB-501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
28-CA-275249	April 7, 2021

INSTRUCTIONS:

File an original with this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer RPE Productions LLC		b. Tel. No. (604) 904-5615 c. Cell No. (b) (6), (b) (7)(C)
d. Address (street, city, state, ZIP code) 9201 Pan American Fwy NE Albuquerque, NM 87113	e. Employer Representative (b) (6), (b) (7)(C)	f. Fax No. (b) (6), (b) (7) g. E-Mail creunionpacific.com h. Location where services allegedly performed (City and State) Albuquerque, NM
i. Type of Establishment (factory, mining, hospital, hotel) Film Production Company	j. Principal Product or Service Television Production	k. Number of workers at dispute location 300

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

During the past six months, the above-named employer has discriminated in regard to hire or tenure of employment or terms or conditions of employment to encourage or discourage membership in a labor organization, by its actors, including, but not limited to, 1) threatening its employees with discharge, including, but not limited to, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) for not participating in union activities; 2) discharging its employees, including, but not limited to, (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) because they engaged in concerted activities, and to discourage employees from engaging in these activities; 3) discharging its employees, including, but not limited to (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) pursuant to a union's request that it do so because the employees were not members of the union, and for reasons other than the failure to tender uniformly required initiation fees and periodic dues; and, 4) entering into and since then maintaining an unlawful hiring hall agreement with a union. By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)
(b) (6), (b) (7)(C) an individual

4a. Address (street, city, state, and ZIP code)
(b) (6), (b) (7)(C)

4b. Tel. No.
4c. Cell No.
(b) (6), (b) (7)(C)
4d. Fax No.
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)

6. DECLARATION
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.
(b) (6), (b) (7)(C)

Tel. No.

By: (b) (6), (b) (7)(C) (signature of representative or person making charge) (b) (6), (b) (7)(C) an Individual
Print Name and Title
(b) (6), (b) (7)(C)

Office, if any, Cell No.

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

Date: 4-6-2021

Fax No.

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

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 28
2600 North Central Avenue
Suite 1400
Phoenix, AZ 85004-3099

Agency Website: www.nlrb.gov
Telephone: (602)640-2160
Fax: (602)640-2178

Download
NLRB
Mobile App

April 7, 2021

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

Re: RPE Productions, LLC
Case 28-CA-275249

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

The charge that you filed in this case on April 07, 2021 has been docketed as case number 28-CA-275249. 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 Examiner Olga L. Bell whose telephone number is (602)416-4758. If this Board agent is not available, you may contact Deputy Regional Attorney David T. Garza whose telephone number is (505)313-7217.

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.

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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.

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Very truly yours,

Cornele A. Overstreet
Regional Director

CAO:OLB:mhz

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NATIONAL LABOR RELATIONS BOARD

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Phoenix, AZ 85004-3099

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April 7, 2021

RPE Productions LLC
9201 Pan American Fwy NE
Albuquerque, NM 87113

Re: RPE Productions, LLC
Case 28-CA-275249

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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. If you cannot e-file your documents, you must provide a statement explaining why you do not

have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

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,

Cornele A. Overstreet
Regional Director

Enclosures:
1. Copy of Charge
2. Commerce Questionnaire

CAO:OLB:mhz

FORM NLRB-4701
(9-03)

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

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

and

RPE Productions, LLC

CASE 28-CA-275249

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF

RPE Productions, LLC

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Mark A. Wasserman

MAILING ADDRESS: Mitchell Silberberg & Knupp LLP, 2049 Century Park East, 18th Floor, Los Angeles, CA 90067

E-MAIL ADDRESS: maw@msk.com

OFFICE TELEPHONE NUMBER: (310) 312-3174

CELL PHONE NUMBER: (310) 251-1636 *FAX:* (310) 231-8374

SIGNATURE:
(Please sign in ink.)

DATE:

[1] IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.