

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

ONCOR ELECTRIC DELIVERY COMPANY, LLC

Petitioner/Cross-Respondent

v.

NATIONAL LABOR RELATIONS BOARD

Respondent/Cross-Petitioner

and

INTERNATIONAL BROTHERHOOD OF ELECTRICAL
WORKERS, LOCAL UNION NO. 69

Intervenor

ORIGINAL

: Nos. 16-1278,
: 16-1341

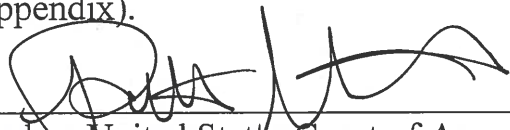
JUDGMENT

Before: MILLETT and PILLARD, Circuit Judges, and WILLIAMS,
Senior Circuit Judge

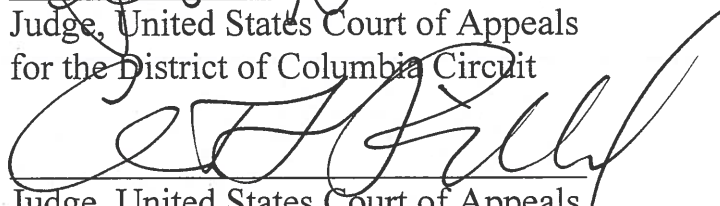
THIS CAUSE came to be heard upon a petition filed by the Oncor Electric Delivery Company, LLC to review an Order of the National Labor Relations Board dated July 29, 2016, in Case Nos. 16-CA-103387 and 16-CA-112404, reported at 364 NLRB No. 58, and upon a cross-application for enforcement filed by the National Labor Relations Board to enforce said Order. The Court heard argument of the parties and has considered the briefs and agency record filed in this cause. On April 13, 2018, the Court, being fully advised in the premises, handed down its opinion granting in part the petition of Oncor Electric Delivery Company, LLC and granting in part the Board's cross-petition for enforcement. In conformity therewith, it is hereby

ORDERED AND ADJUDGED by the Court that Oncor Electric Delivery

Company, LLC, its officers, agents, successors, and assigns, shall abide by said order (See Attached Order and Appendix).



Judge, United States Court of Appeals
for the District of Columbia Circuit



Judge, United States Court of Appeals
for the District of Columbia Circuit



Judge, United States Court of Appeals
for the District of Columbia Circuit

ENTERED: June 6, 2018

ONCOR ELECTRIC DELIVERY COMPANY, LLC

v.

NATIONAL LABOR RELATIONS BOARD

ORDER

The National Labor Relations Board orders that the Respondent, Oncor Electric Delivery Company, LLC, Dallas, Texas, its officers, agents, successors, and assigns, shall

1. Cease and desist from
 - (a) Refusing to bargain collectively with the Union by failing and refusing to furnish it with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of the Respondent's unit employees.
 - (b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
 - (a) Furnish to the Union in a timely manner the information requested by the Union on December 18, 2012, March 25, 2013, and July 24, 2013, respectively.
 - (b) Within 14 days after service by the Region, post at its Dallas, Texas facility copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 16, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. If the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own

expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since December 18, 2012.

- (c) Within 21 days after service by the Region, file with the Regional Director for Region 16 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX

NOTICE TO EMPLOYEES
POSTED PURSUANT TO A JUDGMENT OF THE
UNITED STATES COURT OF APPEALS
ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT refuse to bargain collectively with the Union by failing and refusing to furnish it with requested information that is relevant and necessary to the Union's performance of its functions as the collective-bargaining representative of our unit employees.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL furnish to the Union in a timely manner the information requested by the Union on December 18, 2012, March 25, 2013, and July 24, 2013, respectively.

ONCOR ELECTRIC DELIVERY COMPANY, LLC

The Board's decision can be found at www.nlr.gov/case/16-CA-103387 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

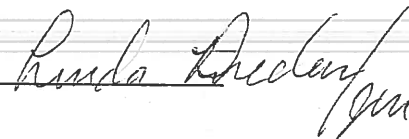


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 : WORKERS, LOCAL UNION NO. 69 :
 :
 : Intervenor :
 :

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2018, I electronically filed the foregoing document with the Court for the United States Court of Appeals for the District of Columbia Circuit using the appellate CM/ECF system. I further certify that the foregoing document was served on all parties or their counsel of record through the appellate CM/ECF system.

s/Linda Dreeben 
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

Dated at Washington, D.C.
this 17th day of April, 2018