



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, D.C. 20570

December 11, 2013

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Re: Illinois Plumbing and Heating Supply  
Company  
Case 25-CA-110029

Dear Mr. O'Hara:

Your appeal from the Regional Director's refusal to issue complaint has been carefully considered. The appeal is denied substantially for the reasons in the Regional Director's letter of September 30, 2013. The investigation did not disclose that the Employer bargained in bad faith with regard to the proposal to delete the successor clause or for a new collective bargaining agreement. Rather, the evidence disclosed that the Employer has demonstrated flexibility and a willingness to make concessions in an effort to secure a collective bargaining agreement. The Employer's proposal to delete the successor clause was an example of hard bargaining rather than a violation of the National Labor Relations Act. Consequently, the burden of establishing that the Employer violated the Act, as alleged, could not be sustained. Accordingly, further proceedings are unwarranted.

Sincerely,

Richard F. Griffin, Jr.  
General Counsel

By:

A handwritten signature in cursive script that reads "Deborah M.P. Yaffe".

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Deborah M.P. Yaffe, Director  
Office of Appeals

Illinois Plumbing and Heating Supply  
Company  
Case 25-CA-110029

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cc: RIK LINEBACK  
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