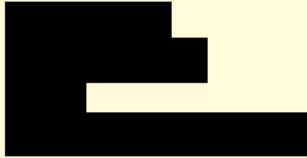




UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 14
1222 SPRUCE ST
RM 8.302
SAINT LOUIS, MO 63103-2829

Agency Website: www.nlrb.gov
Telephone: (314)539-7770
Fax: (314)539-7794

October 21, 2021



Re: Apple Inc.
Case 14-CA-283567

Dear [REDACTED]:

We have carefully investigated and considered your charge that Apple Inc. (Employer) has violated the National Labor Relations Act (Act).

Decision to Dismiss: In view of your lack of cooperation in investigating this case, I have determined that further proceedings are not warranted at this time and I am dismissing your charge.

The above-captioned charge was filed on [REDACTED], 2021. You initially claimed you were represented by an attorney in this matter. The Board agent assigned to the case initiated contact with the named attorney, however, on [REDACTED] 2021, the attorney advised the Region that they do not represent you in this matter. On [REDACTED] 2021, the Board agent informed you of the same, and reminded you of your obligation to provide evidence on your charge. You indicated that you were in the process of retaining counsel to represent you on the charge. On the same day, the Board agent sent you a letter giving you until close of business, [REDACTED], 2021, to have your attorney contact the Board agent, or to provide the Board agent with your attorney's contact information, or the Board agent would recommend your charge be dismissed for lack of cooperation. You failed to respond or to provide the Board agent with your attorney's contact information. In addition, no attorney contacted the Region asserting that they represent you in this matter.

On [REDACTED] 2021, the Board agent sent you an email clarifying that you are not required to have an attorney represent you in this matter. The Board agent granted you a written extension of time until [REDACTED] 2021, to either provide your affidavit should you chose not to have an attorney represent you, to have your attorney call the Board agent in order to make arrangements to provide your affidavit, or to provide your attorney's contact information to the Board agent. The Board agent informed you that absent the foregoing, the Board agent would recommend your charge be dismissed for lack of cooperation. You failed to provide your affidavit or your attorney's contact information to the Board agent, or otherwise to contact the Board agent, and no attorney has contacted the Board agent on your behalf. Based on the foregoing, I am dismissing your charge for a lack of cooperation.

If you wish to refile this charge later when you can cooperate in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible. Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlr.gov. See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at www.nlr.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **November 4, 2021**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than November 3, 2021. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before November 4, 2021**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after November 4, 2021, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the

processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

A handwritten signature in black ink, appearing to read 'W.B. Cowen', with a long horizontal stroke extending to the right.

WILLIAM B. COWEN
Acting Regional Director

WBC:da

Enclosure

cc: Lisa Groff, Senior Area Manager
Apple Inc.
12545 Riata Vista Circle
Austin, TX 78727

Ronald J. Holland, ESQ.
McDermott Will & Emery LLP
415 Mission Street
Suite 5600
San Francisco, CA 94105

Syed Mannan, ESQ.
McDermott Will & Emery LLP
415 Mission Street
Suite 5600
San Francisco, CA 94105

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel
Attn: Office of Appeals
National Labor Relations Board
1015 Half Street SE
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Acting Regional Director in refusing to issue a complaint on the charge in

Case Name(s).

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

(Signature)

E-FILING TO APPEALS

1. **Extension of Time:** This document is used when the Charging Party is asking for more time to efile an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
2. **File an Appeal:** If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only **one (1) Appeal** can be e-filed to **each** determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
3. **Notice of Appearance:** Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
4. **Correspondence:** Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
5. **Position Statement:** The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
6. **Withdrawal Request:** If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
 - This document should be e-Filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.



7. The selections of **Evidence** or **Other** should no longer be used.