

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION SIX

VERIZON BUSINESS SERVICES,
A UNIT OF VERIZON COMMUNICATIOS, INC.

and

Case 6-CA-35571 and
6-CA-35613

COMMUNICATIONS WORKERS OF
AMERICA, AFL-CIO, CLC

**ORDER CONSOLIDATING CASES,
CONSOLIDATED COMPLAINT AND NOTICE OF HEARING**

Communications Workers of America, herein called by its correct name Communications Workers of America, AFL-CIO, CLC and herein called the Union, has charged in Case 6-CA-35571, that Verizon Business Services herein called by its correct name, Verizon Business Services, a unit of Verizon Communications, Inc., herein called Respondent, and the Union has charged in Case 6-CA-35613, that the Respondent has been engaging in unfair labor practices as set forth in the National Labor Relations Act, 29 U.S.C. Section 151 et seq., herein called the Act. Based thereon, and in order to avoid unnecessary costs or delay, the General Counsel, by the undersigned, pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board, herein called the Board, ORDERS that these cases are consolidated.

These cases having been consolidated, the General Counsel, by the undersigned, pursuant to Section 10(b) of the Act and Section 102.15 of the Board's Rules and Regulations, issues this Order Consolidating Cases, Consolidated Complaint and Notice of Hearing and alleges as follows:

1. (a) The charge in Case 6-CA-35571 was filed by the Union on April 23, 2007, and a copy was served by mail on Respondent on April 23 2007.

(b) The first amended charge in Case 6-CA-6-CA-35571 was filed by the Union on May 29, 2007, and a copy was served by mail on Respondent on May 29, 2007.

(c) The charge in Case 6-CA-35613 was filed by the Union on May 29, 2007, and a copy was served by mail on Respondent on May 30, 2007.

2. At all material times respondent, a corporation with an office and place of business in Pittsburgh, Pennsylvania, herein also called Respondent's facility, has been engaged in providing telecommunications services at sites throughout the Commonwealth of Pennsylvania.

3. (a) During the 12-month period ending March 31, 2007, Respondent, in conducting its business operations described above in paragraph 2, derived gross revenues in excess of \$100,000.

(b) During the same 12-month period ending March 31, 2007, Respondent, in conducting its business operations described above in paragraph 2, purchased and received at its Pennsylvania facilities, goods valued in excess of \$5,000 directly from points outside the Commonwealth of Pennsylvania.

4. At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6) and (7) of the Act.

5. At all material times, the Union and its Local 13000 have been labor organizations within the meaning of Section 2(5) of the Act.

6. At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act:

Ken Montanari	-	Supervisor
Michelle Perella	-	Human Resources Business Partner

7. Respondent, by Ken Montanari:

(a) In or about mid-January 2007, the exact date being known to Respondent, at Respondent's facility, created the impression among employees that their union activities were under surveillance.

(b) On or about January 2007, the exact date being known to Respondent, at Respondent's facility, informed employees that they were not to discuss the union at work.

(c) On or about March 30, 2007, in a telephone call at Respondent's facility, solicited employees to inform Respondent if they requested return of union authorization cards they had signed.

(d) On or about March 30, 2007, in a telephone call to Respondent's facility, threatened employees with lay-off for supporting the union.

(e) On or about March 30, 2007, in a telephone call to Respondent's facility, informed employees that Verizon Wireless, a related employer, had laid off employees because of their union activity.

8. On or about March 1, 2007, Respondent issued a written disciplinary warning to employee Ralph Blakely for soliciting employees to sign union authorization cards during work hours.

9. Respondent engaged in the conduct described above in paragraph 8 because Blakely assisted the union and engaged in concerted activities and to discourage employees from engaging in these activities.

10. By the conduct described above in paragraph 7, Respondent has been interfering with, restraining and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

11. By the conduct described above in paragraphs 8 and 9, Respondent has been discriminating in regard to the hire or tenure or terms or conditions of employment of its employees, thereby discouraging membership in a labor organization, in violation of Section 8(a)(1) and(3) of the Act.

12. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations; it must file an answer to the consolidated complaint. The answer must be **received by this office on or before September 13, 2007, or postmarked on or before September 12, 2007.** Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties. The answer may not be filed by facsimile transmission.

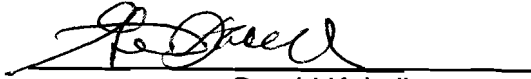
If no answer is filed, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the consolidated complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE that on October, 31, 2007, at 10 a.m. at Two Chatham Center, Suite 510, 112 Washington Place, Pittsburgh, Pennsylvania, and on consecutive days thereafter until concluded, a hearing will be conducted before an Administrative Law Judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right appear and present testimony regarding the allegations in this consolidated complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668.

The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated at Pittsburgh, Pennsylvania, this 30th day of August 2007.



Gerald Kobell
Regional Director, Region Six

NATIONAL LABOR RELATIONS BOARD
Two Chatham Center, Suite 510
112 Washington Place
Pittsburgh, Pennsylvania 15219-3458

Attachments

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD Amended CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case 6-CA-35571

Date Filed 5-29-07

INSTRUCTIONS:

File an original together with four copies and a copy for each additional charged party named in item 1 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

Form with fields: a. Name of Employer (Verizon Business Services), b. Number of workers employed (20), c. Address (One Verizon Way, Room VC61S201, Basking Ridge, NJ 07920), d. Employer Representative (Jeannie Diefenderfer, VP Global Network), e. Telephone No. (908)559-1575, Fax No. (908)630-0704, f. Type of Establishment (communications company), g. Identify principal product or service (telephone and internet).

h. 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) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) In about January 2007, and at all times thereafter, the above-named employer, by its Manager, Ken Montanari, has, by giving employees the impression that their union activities are under surveillance, informing employees that they are not to discuss the union at work, and other acts and conduct, interfered with, restrained and coerced its employees in the exercise of the rights guaranteed in Section 7 of the Act.

On or about March 30, 2007, and at all times thereafter, the above-named employer, by its Manager, Ken Montanari, has, by soliciting employees to inform Mr. Montanari that they had requested the return of signed union authorization cards, threatening employees that they would be laid off because of their union activities, informing employees that the employer had, in the past, laid off employees because of their union activities, and other acts and conduct, interfered with, restrained and coerced its employees in the exercise of the rights guaranteed in Section 7 of the Act.

By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the rights guaranteed in Section 7 of the Act.

3. Full name of party filing charge (if labor organization, give full name, including local name and number) Communication Workers of America

Form with fields: 4a. Address (11 Parkway Center, Suite 230, Pittsburgh, PA 15220), 4b. Telephone No. (412)922-7773, Fax No. (412)928-9733.

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) Communication Workers of America, District 13, AFL-CIO

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.

Signature block for Marjorie A. Krueger, Administrative Director, with address (11 Parkway Center, Suite 230, Pittsburgh, PA 15220), telephone numbers ((412)922-7773, (412)928-9733), and date (5/29/2007).

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001) 06-2007-1359

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

NOTICE

Case: 6-CA-35571 and 6-CA-35613

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end. An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing.

However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponement **will not be granted** unless good and sufficient grounds are shown **and** the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b);
- (2) Grounds must be set forth in **detail**;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; **and**
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

Willis J. Goldsmith, Esquire
Jones Day
51 Louisiana Avenue, NW
Washington, DC 20001-2113

Verizon Business Services, a
Unit of Verizon Communications, Inc.
Jeannie Diefenderfer, VP Global Network
One Verizon Way
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Basking Ridge, NJ 07920

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Communications Workers of America,
AFL-CIO, CLC
121 South Broad Street
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Communications Workers of America,
AFL-CIO, CLC
Marjorie A. Krueger, Administrative
Director
11 Parkway Center, Suite 230
Pittsburgh, PA 15220

**SUMMARY OF STANDARD PROCEDURES IN FORMAL HEARINGS HELD
BEFORE THE NATIONAL LABOR RELATIONS BOARD
IN UNFAIR LABOR PRACTICE PROCEEDINGS PURSUANT TO
SECTION 10 OF THE NATIONAL LABOR RELATIONS ACT**

The hearing will be conducted by an administrative law judge of the National Labor Relations Board who will preside at the hearing as an independent, impartial finder of the facts and applicable law whose decision in due time will be served on the parties. The offices of the administrative law judges are located in Washington, DC; San Francisco, California; New York, N.Y.; and Atlanta, Georgia.

At the date, hour, and place for which the hearing is set, the administrative law judge, upon the joint request of the parties, will conduct a "prehearing" conference, prior to or shortly after the opening of the hearing, to ensure that the issues are sharp and clearcut; or the administrative law judge may independently conduct such a conference. The administrative law judge will preside at such conference, but may, if the occasion arises, permit the parties to engage in private discussions. The conference will not necessarily be recorded, but it may well be that the labors of the conference will be evinced in the ultimate record, for example, in the form of statements of position, stipulations, and concessions. Except under unusual circumstances, the administrative law judge conducting the prehearing conference will be the one who will conduct the hearing; and it is expected that the formal hearing will commence or be resumed immediately upon completion of the prehearing conference. No prejudice will result to any party unwilling to participate in or make stipulations or concessions during any prehearing conference.

(This is not to be construed as preventing the parties from meeting earlier for similar purposes. To the contrary, the parties are encouraged to meet prior to the time set for hearing in an effort to narrow the issues.)

Parties may be represented by an attorney or other representative and present evidence relevant to the issues. All parties appearing before this hearing who have or whose witnesses have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603, and who in order to participate in this hearing need appropriate auxiliary aids, as defined in 29 C.F.R. 100.603, should notify the Regional Director as soon as possible and request the necessary assistance.

An official reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the administrative law judge for approval.

All matter that is spoken in the hearing room while the hearing is in session will be recorded by the official reporter unless the administrative law judge specifically directs off-the-record discussion. In the event that any party wishes to make off-the-record statements, a request to go off the record should be directed to the administrative law judge and not to the official reporter.

Statements of reasons in support of motions and objections should be specific and concise. The administrative law judge will allow an automatic exception to all adverse rulings and, upon appropriate order, an objection and exception will be permitted to stand to an entire line of questioning.

All exhibits offered in evidence shall be in duplicate. Copies of exhibits should be supplied to the administrative law judge and other parties at the time the exhibits are offered in evidence. If a copy of any exhibit is not available at the time the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the administrative law judge before the close of hearing. In the event such copy is not submitted, and the filing has not been waived by the administrative law judge, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

Any party shall be entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. In the absence of a request, the administrative law judge may ask for oral argument if, at the close of the hearing, it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.

(OVER)

In the discretion of the administrative law judge, any party may, on request made before the close of the hearing, file a brief or proposed findings and conclusions, or both, with the administrative law judge who will fix the time for such filing. Any such filing submitted shall be double-spaced on 8½ by 11 inch paper.

Attention of the parties is called to the following requirements laid down in Section 102.42 of the Board's Rules and Regulations, with respect to the procedure to be followed before the proceeding is transferred to the Board:

No request for an extension of time within which to submit briefs or proposed findings to the administrative law judge will be considered unless received by the Chief Administrative Law Judge in Washington, DC (or, in cases under the branch offices in San Francisco, California; New York, New York; and Atlanta, Georgia, the Associate Chief Administrative Law Judge) at least 3 days prior to the expiration of time fixed for the submission of such documents. Notice of request for such extension of time must be served simultaneously on all other parties, and proof of such service furnished to the Chief Administrative Law Judge or the Associate Chief Administrative Law Judge, as the case may be. A quicker response is assured if the moving party secures the positions of the other parties and includes such in the request. All briefs or proposed findings filed with the administrative law judge must be submitted in triplicate, and may be printed or otherwise legibly duplicated with service on the other parties.

In due course the administrative law judge will prepare and file with the Board a decision in this proceeding, and will cause a copy thereof to be served on each of the parties. Upon filing of this decision, the Board will enter an order transferring this case to itself, and will serve copies of that order, setting forth the date of such transfer, on all parties. At that point, the administrative law judge's official connection with the case will cease.

The procedure to be followed before the Board from that point forward, with respect to the filing of exceptions to the administrative law judge's decision, the submission of supporting briefs, requests for oral argument before the Board, and related matters, is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be served on the parties together with the order transferring the case to the Board.

Adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations. If adjustment appears possible, the administrative law judge may suggest discussions between the parties or, on request, will afford reasonable opportunity during the hearing for such discussions.