

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

AMENDED

Case

3-CA-21197

Date Filed

INSTRUCTIONS: File an original and 4 copies of this charge 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 New Era Cap Co., Inc.		b. Number of workers employed 600
c. Address (street, city, state, ZIP code) 8061 Erie Road, Derby, NY 14047	d. Employer Representative Mary Farallo, Manager Human Resources/	e. Telephone No. 716/549-0445
f. Type of Establishment (factory, mine, wholesaler, etc.) Manufacturer		g. Identify principal product or service Manufacture of baseball caps

n. 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) (3) and (5) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.

## 2. Basis of the Charge (be specific as to facts, names, addresses, plants involved, dates, places, etc.)

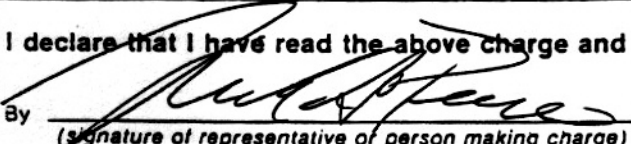
See attached

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) Communications Workers of America, AFL-CIO, CLC, Local No. 14177 Attn: Charline Valentine	
4a. Address (street and number, city, state, and ZIP code) 3693 Eckhardt Road, Hamburg, NY 14075	4b. Telephone No. 716/648-4515
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.

By  (signature of representative of person making charge)	Mark G. Pearce Attorney	
Address Lipsitz, Green, Fahringer, et al.; 42 Delaware Suite 300, Buffalo, NY 14202	716-849-1333 (Telephone No.)	(date)

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

Since on or about March 19, 1998, it, through its officers, agents, and representatives, has interfered with, restrained, and coerced, and is interfering with, restraining, and coercing employees of New Era Cap Co., Inc., in the exercise of their rights to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, or to refrain from any or all such activities, which rights are guaranteed in Section 7 of the said Act, by ordering the Union to remove its newsletter from the Union bulletin board and removing the newsletter upon the Union's refusal to take the newsletter down.

On or about March 19, 1998, it, by its officers, agents, and representatives, terminated the employment of Tammara Botticello, a complete taper, because of her membership and activities in behalf of Communications Workers of America, AFL-CIO, CLC, Local 14177, a labor organization, and at all time since such date, it has refused and does now refuse to re-employ the above-named employee.

On or about March 3, 1998, it, by its officers, agents, and representatives, discriminated against and issued written warnings to Charlene Valentine, Barudan operator, because of her membership and activities in behalf of Communications Workers of America, AFL-CIO, CLC, Local 14177, a labor organization, and at all time since such date, it has refused and does now refuse to rescind said written warnings.

Since on or about September 20, 1998, and at all times thereafter, it, by its officers, agents, and representatives, has refused to bargain collectively with Communications Workers of America, AFL-CIO, CLC, Local No. 14177, a labor organization chosen by a majority of its employees in an appropriate unit, for the purpose of collective bargaining in respect to rates of pay, wages, hours or employment, and other terms and conditions of employment, by routinely denying all grievances filed and failing to engage in good faith discussions to resolve grievances as provided for in the parties' collective-bargaining agreement, by unilaterally changing the practice of allowing union officials to use the company copy machine for copying union business, and failing and refusing to furnish the union with requested information relevant to grievances and collective bargaining.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

3-CA-21177-2

Date Filed

4/8/98

AMENDED

INSTRUCTIONS: File an original and 4 copies of this charge 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

New Era Cap Company, Inc.

b. Number of workers employed

About 600

c. Address (street, city, state, ZIP code)

8061 Erie Road, Derby, NY 14047

d. Employer Representative

Mary Farallo, Mgr. H.R.

e. Telephone No.

716/549-0445

f. Type of Establishment (factory, mine, wholesaler, etc.)

Factory

g. Identify principal product or service

Caps

n. 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) and (3) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.

2. Basis of the Charge (be specific as to facts, names, addresses, plants involved, dates, places, etc.)

See attached

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)

CWA, Local 14177 Attn: Robert Rozlee and Charlene Valentine

4a. Address (street and number, city, state, and ZIP code)

P.O. Box 248, Angola, NY 14006

4b. Telephone No.

716/549-4605

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.

By Mark G. Pearce Mark G. Pearce

Attorney

(title if any)

Address Lipsitz, Green, Fahringer, et al., 42 Delaware Ave.  
Suite 300, Buffalo, NY 14202

716-849-1333

(Telephone No.)

(date)

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

Since on or about March 20, 1998, it, through its officers, agents, and representatives, has interfered with, restrained, and coerced, and is interfering with, restraining, and coercing employees of New Era Cap Company, Inc., in the exercise of their rights to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, or to refrain from any or all such activities, which rights are guaranteed in Section 7 of the said Act.

On or about March 20, 1998, it, by its officers, agents, and representatives, suspending, then terminating Christine Wattie, a Sewer and Joyce Galfo, Barudan Machine Operator, because of their membership and activities in behalf of CWA, Local 14177, a labor organization, and at all time since such date, it has refused and does now refuse to employ the above-named employees and the Union requests 10(j) injunctive relief.