



United States Government  
**NATIONAL LABOR RELATIONS BOARD**  
Region 31  
11150 W. Olympic Blvd., Suite 700  
Los Angeles, CA 90064-1824

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February 4, 2009

Board Agent: Nikki Cheaney  
Board Agent E-Mail: [Nikki.Cheaney@nlrb.gov](mailto:Nikki.Cheaney@nlrb.gov)

Ted Rubin, Vice President of Labor Relations  
Warner Bros. Studio  
4000 Warner Blvd.  
Burbank, CA 91522

Re: *Warner Bros. Studios*  
Case 31-CA-29075

### **NOTICE AND ACKNOWLEDGEMENT OF FILING OF CHARGE**

This is to advise you that the enclosed charge alleging the commission of an unfair labor practice within the meaning of the National Labor Relations Act (and the Postal Reorganization Act where applicable) (the "Act") has been filed with this office. In addition to the charge, I have also enclosed a Notice to Parties (Form NLRB-4541), which describes our investigative and voluntary adjustment procedures. The investigation of this charge has been assigned to the Board Agent designated above. When corresponding with the Board Agent or anyone else in the Agency, please reference the case name and number.

#### ***Your Role in the Investigation***

Since a refusal to fully cooperate might cause a case to be litigated unnecessarily, I ask that you or your counsel fully cooperate during the investigation. Full cooperation means that, when asked, you or your counsel promptly present the Board Agent with all relevant evidence setting forth a full and complete written account of the facts and a statement of your position addressing all allegations in the charge. Full and complete cooperation also means timely providing the Board Agent with both (1) all documentary evidence requested; and (2) access to all material witnesses under your control so that their statements can be reduced to affidavit form. The submission of a position letter or memorandum, or the submission of declarations not taken by a Board Agent, by themselves, do not constitute full and complete cooperation.

#### **a) The Region's Use of Your Evidence and Position Statements**

The Region cannot honor any limitations, including claims of confidentiality, on the use of any evidence or position statements provided to the Agency. This means that anything you submit: (1) may be introduced as evidence at any hearing, including one held before an administrative law judge; (2) may have to be disclosed under the Freedom of Information Act ("FOIA") upon request; and (3) is required by the Federal Records Act to be kept for a few years after a case closes. The only exception is provided by Exemption 4 of the FOIA, 5 U.S.C. § 552(b)(4), which protects confidential financial information or personal privacy interests.

#### ***Getting the Investigation Going***

#### **a) The Commerce Questionnaire**

You or your counsel should complete the enclosed Questionnaire on Commerce Information (Form NLRB-5081) immediately and return it to the Board Agent. Please include with the form any additional information necessary to give a complete picture of your operations. You do not have to do this if you have already done so within the past year.

b) The Notice of Appearance and Designation of Representative

All parties have a right to be represented by counsel or another representative in any proceeding before the National Labor Relations Board and the Courts. If you want a representative to appear on your behalf, you must have your counsel/representative complete the enclosed Notice of Appearance (Form NLRB-4701) and send it immediately to the Board Agent.

If you want someone in addition to yourself, including counsel, served with the formal documents in this case, you should fill out the Notice of Designation of Representative as Agent for Service of Documents (Form NLRB-4813) and return it immediately to the Board Agent.

***Information about the Statute of Limitations and Service of the Charge***

Section 10(b) of the Act prohibits the Agency from issuing a complaint based upon any unfair labor practice occurring more than six months prior to the filing of the charge. It also requires that the charge be served before the expiration of that six-month period. Although the Region tries to serve a copy of each charge by certified mail, the Charging Party has the exclusive responsibility for perfecting service of the charge under § 102.14 of the Board's Rules and Regulations and § 101.2 of the Board's Statements of Procedure. As such, the Region does not and cannot guarantee that its efforts to mail a copy of the charge by certified mail will satisfy the requirements of § 10(b) of the Act.

***Contact by Outside Persons Because of the Charge***

All unfair labor practice charges and representation petitions are subject to prompt disclosure to members of the public upon request under the Freedom of Information Act. This means that you may receive a solicitation by organizations or persons who have obtained public information concerning this matter as well as those who seek to represent you before our Agency. Please be assured that their information about the case is only that which must be made available to the public and that no solicitor or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board.

**The NLRB provides language assistance to those individuals who are not fluent in the English language. Please notify the Regional Office as soon as possible if you require such assistance.**

Very truly yours,

*James J. McDermott*

James J. McDermott  
Regional Director

Enclosures

cc: Lupe Salazar-Valles, Organizer/Assist. Rep., Office & Professional Employees International Union, Local 174, 178 So. Victory Blvd., Suite 208, Burbank, CA 91502



INTERNET  
FORM NLRB-501  
(2-08)UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case


31-CA-29075

Date Filed

1-29-09

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

|  |   |
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| 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT   |   |
| a. Name of Employer<br><br>Warner Bros. Studios  | b. Tel. No. 818-954-5273<br>c. Cell No.<br>f. Fax No. 818-954-4310<br>g. e-Mail<br>ted.rubin@warnerbros.com<br>h. Number of workers employed<br>200 |
| d. Address (Street, city, state, and ZIP code)<br>4000 Warner Boulevard, Burbank CA 91502  | e. Employer Representative<br>Ted Rubin,<br>Vice President of Labor Relations   |
| i. Type of Establishment (factory, mine, wholesaler, etc.)<br>Entertainment  | j. Identify principal product or service<br>Service   |
| k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (1st subsections) 8(a) 5 and (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. |   |
| 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)<br>Within the past 6 months, the Employer has violated Section 8(a) 5 and (1) of the National Labor Act, as amended by, failing to provide information requested by the Union.   |   |
| 3. Full name of party filing charge (if labor organization, give full name, including local name and number)<br>Office and Professional Employees International Union Local 174  |   |
| 4a. Address (Street and number, city, state, and ZIP code)<br>178 S Victory Blvd, Suite 208<br>Burbank CA, 91502   | 4b. Tel. No. 818-842-5572<br>4c. Cell No. 818-383-3367<br>4d. Fax No. 818-563-5494<br>4e. e-Mail<br>lupeopeiu174@yahoo.com                          |
| 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)<br>Office and Professional Employees International Union   |   |
| 6. DECLARATION<br>I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.<br><br>(signature of representative of person making charge) Lupe Salazar-Valles, Organizer/Rep<br>(Printtype name and title or office, if any)  |   |
| Address 178 S Victory Blvd, Suite 208 Burbank, CA 91502<br>1/29/09<br>(date)   |   |

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

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.