



United States Government
NATIONAL LABOR RELATIONS BOARD
Region 33
300 Hamilton Boulevard - Suite 200
Peoria, IL 61602-1246
Telephone (309) 671-7080
Facsimile (309) 671-7095

August 21, 2008

Re: International Union of Operating
Engineers, Local 150, AFL-CIO
(Minnesota Limited, Inc.)
Case 33-CB-4215

Lauren S. Shapiro, Atty.
Local 150, Operating Engineers
Legal Department
6140 Joliet Road
Countryside, IL 60525

Dear Ms. Shapiro:

It is my understanding that the Union has now decided to comply with the Board Decision and Order dated April 30, 2008 in the above case.

Enclosed herewith is a supply of Notices for posting and two copies of the Certification of Posting, with the request that the Notices be immediately posted as ordered by no later than **September 4, 2008**. The Notices must be signed and dated by an authorized representative of the Union and then posted for 60 consecutive days in conspicuous places, including all places where notices to employers and members are customarily posted. As set forth in the Board Order, notices are to be posted at the Union's office in Utica. In addition, seven (7) signed and dated Notices (not photocopies) should be returned to this office, along with a completed Certification of Posting, no later than **September 4, 2008**. Some of the signed and dated Notices will be forwarded to the Employer involved herein for posting, if it so desires.

During the term of the posting period, the Union may be visited by a member of the Regional Office staff for the purpose of inspecting the Notices (and check on other requirements of the Board Order). This person should be requested to produce their credentials to assure you they are an agent of the Board.

The Board Order requires, among other things, that the Union make whole for any loss of earnings and other benefits the person who should have been referred out to Minnesota Limited, Inc. at the Pontiac, Illinois tank farm on or about February 5, 2007. Based upon information provided at the hearing, it has been determined that James Cavallini is the person who should have been sent out. I have computed such backpay and benefits, with interest, through July 18, 2008, totaling \$38,121.55.

A backpay check drawn to the order of James Cavallini and in the net backpay amount of \$30,062.30, less normal state and federal tax deductions, is to be forwarded to me for transmittal. The specific amounts being withheld must be identified in some manner and forwarded to me with the check. No deductions are to be made from the interest payment of \$2,536.13. Therefore, the Union may need to issue a separate check for the interest payment. Checks drawn to the order of the Midwest Operating Engineers Welfare Fund in the amount of \$3,198.16, Midwest Operating Engineers Pension Fund in the amount of \$1,548.12 and the Local 150 I.U.O.E. Trusteed Vacation Savings Plan in the amount of \$740.84, all on behalf of James Cavallini, are to be forwarded to me for transmittal along with the correct mailing addresses for those funds. The backpay and fringe benefits checks are to be received in this office by **September 4, 2008.**

Also enclosed please find a Certification of Compliance which must be completed, notarized and returned to this office no later than **September 11, 2008.**

If there are any questions or problems, please feel free to contact me. Your cooperation will be appreciated.

Very truly yours,



Gregory A. Ramsay
Compliance Officer

Enclosures

cc:

Mr. Dan Reagan
Local 150, Operating Engineers
6200 Joliet Road
Countryside, IL 60525

Mr. Richard Chiado
201 South Division
Granville, IL 61326

Mr. Ted Crowe
Director of Operations
Minnesota Limited, Inc.
14485 Northdale Blvd.
Rogers, MN 55374