



UNITED STATES GOVERNMENT

NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

Washington, D.C. 20570

August 18, 2017

Mark J. Langer, Esquire
Clerk, United States Court of
Appeals for the District of Columbia Circuit
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, NW, Room 5423
Washington, D.C. 20001-2866

Re: *NLRB. v. CNN America, Inc.*, D.C. Cir.
Nos. 15-1112, 15-1209

Dear Mr. Langer:

On August 4, 2017, the Court handed down its opinion granting in part the application for enforcement of the National Labor Relations Board and granting in part the cross-petition of CNN America, Inc. Pursuant to Rule 19 of the Federal Rules of Appellate Procedure, I hereby submit the Board's Proposed Judgment in the above entitled manner. A certificate of service is enclosed.

Very truly yours,

/s/ Linda Dreeben

Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570
(202) 273-2960

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

NATIONAL LABOR RELATIONS BOARD)	
)	
Petitioner/Cross-Respondent)	
)	
NATIONAL ASSOCIATION OF BROADCAST EMPLOYEES)	
AND TECHNICIANS, COMMUNICATIONS WORKERS OF)	
AMERICA, AFL–CIO, LOCAL 31)	Nos. 15-1112,
)	15-1209
Intervenors)	
)	
v.)	
)	
CNN AMERICA, INC.)	
)	
Respondent/Cross-Petitioner)	

JUDGMENT

Before: GARLAND, *Chief Judge*, and KAVANAUGH and PILLARD, *Circuit Judges*

THIS CAUSE came to be heard upon the application for enforcement of the National Labor Relations Board and cross-petition for review by CNN America, Inc. the Board’s order dated September 15, 2014, in Case Nos. 05-CA-031828 and 05-CA-033125. The Court heard argument of all parties and has considered the briefs and agency record filed in this cause. On August 4, 2017, the Court, being fully advised in the premises, handed down its opinion granting in part the application for enforcement of the National Labor Relations Board and granting in part the cross-petition of CNN America, Inc. In conformity therewith, it is hereby

ORDERED AND ADJUDGED by the Court that CNN America, Inc., its officers, agents, including Turner Broadcasting Systems, its officers, agents, and

their successors and assigns, shall abide by said order (See Attached Order and Appendix).

Judge, United States Court of Appeals
for the District of Columbia Circuit

Judge, United States Court of Appeals
for the District of Columbia Circuit

Judge, United States Court of Appeals
for the District of Columbia Circuit

ENTERED:

NATIONAL LABOR RELATIONS BOARD

v.

CNN AMERICA, INC.

CNN America, Inc., its officers, agents, including Turner Broadcasting Systems, its officers, agents, and their successors and assigns, shall

1. Cease and desist from

- (a) Failing to hire bargaining unit employees of Team Video Services (TVS) its predecessor employer at the Washington, DC (DC) and New York, New York (NYC) bureaus because of their union-represented status in TVS' operation; or because of their union activities and membership; or otherwise discriminating against these employees to avoid having to recognize and bargain with NABET Local 11 and NABET Local 31 (the Union).
- (b) Refusing to comply with the collective-bargaining agreements between TVS and the Union at both the DC and the NYC bureaus.
- (c) Refusing to recognize and bargain in good faith with the Union as the exclusive collective-bargaining representatives of its employees in the bargaining units recognized by TVS at both the DC and the NYC bureaus.
- (d) Unilaterally limiting the number of TVS bargaining unit employees it hired, and changing the wages, hours, and other terms and conditions of employment of those it hired and the work that they previously performed or functionally equivalent work, without giving the Union notice and an opportunity to bargain.
- (e) Informing bargaining unit employees at both the DC and NYC bureaus that the Respondent intended to operate a nonunion workplace, and that the employees' employment in the TVS bargaining units or their union activity, affiliation, or membership disqualified them from employment with the Respondent.
- (f) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act.

- (a) Notify the Union in writing that it recognizes the Union as the exclusive representative of the employees in the bargaining units recognized by TVS and that it will bargain with the Union concerning the terms and conditions of employment for the bargaining unit employees and other employees performing work that was previously performed by the unit employees, or functionally equivalent work.
- (b) At the request of the Union, rescind any change(s) in the terms and conditions of employment of its bargaining unit employees that were unilaterally implemented after December 6, 2003, at the DC bureau, and January 17, 2004, at the NYC bureau, and retroactively restore the preexisting terms and conditions of employment, including hours, wage rates, and benefit plans, until the Respondent negotiates in good faith with the Union to agreement or to impasse.
- (c) Nothing in this order shall authorize or require the withdrawal or elimination of any wage increase or other improved benefits or terms and conditions of employment that the Respondent may have established at its DC or NYC bureau since the termination of its contracts with TVS.
- (d) Within 14 days from the date of the Board's Order, offer employment to the former TVS employees listed below to their former positions or, if those jobs no longer exist, to substantially equivalent positions, without prejudice to their seniority or any other rights or privileges previously enjoyed.

DC Bureau (TVS unit employees not hired by CNN)

Jeffrey Adkinson	Michael Kauffman
Emmanuel Agomuoh	Nicholas Kiraly
Charles Anderson	Adilson Kiyasu
Rodney Atkinson	Donna Lacey
Tim Bintrim	Larry Langley
James Cook	Myron Leake
Keith Crennan	Mark Marchione
Timothy Durham	Ralph Marcus
Bill Evans	Joseph Mosley
Danny Farkas	Luis Munoz
Dennis Faulkner	Jeffrey Noble
Christopher Hamilton	Dennis Norman
Vernon Herald	James Norris
David Jenkins	Sarah Pacheco
Martin Jimenez	John Quinnette

Tyrone Riggs
Oscar Romay
Fred Schall
Paul Skaife
James Stubbs
James Suddeth

James Suissa
John Urman
Joseph Wade
Aaron Webster
Darrin White

NYC Bureau (TVS-unit employees not hired by CNN)

Marc Abramson
Melanie Baker
Marcus Bassett
Paul Bernius
Doriann Bertino
Richard Birch
Steve Burnett
Joseph Cantali
Jeffrey Carlough
Timothy Cassese
Christopher Collins
Duff Conner
Robert Cummings
Christopher Cunningham
Viktor David
Jennifer DeStefano
John Diaconu
Michael Diana
Jeffrey Edelman
Jay Eric
Vince Everett
Donald Fenster
Felix Fermaintt
Todd Ferrand
Jon C. Ford
John Gallagher
Mitchell Gomila
Fernando Gracia
Daniel Hacker
Phil Hadrovic
Kristi Harper

Peter Hedeman
Juan Hortua
Patrick Howley
Jeffrey Jaramillo
Asprey Jones
Kenneth S. Kaplan
Brian Kiederling
Robert Knolle
Glen Kreigsman
Beth Lasch
Steven Lima
Connie Long
Perry MacLean
Tommy Maney
Sarael Martinez
Robert Matteo
Roy McClain
Kathleen McLaughlin
Edward McShea
Barbara Morrissey
Rod Nino
Ramon Olivo
Tracy Organ
James Peithman
Mark Peters
Todd Pivawer
Charles Rainone Jr.
John Rappa
Daniel Rodriguez
Christian Roebing
Hamid "David" Rokshar

Daniel Scalley
Shari Schlager
William Seiden
Charles Serra
Michael Sollenberger
Mickael Squier

Danielle St. John
Robert Sullivan
Mary Theodore
Richard Uhoda
Pedro Valentin
Brian Wood

- (e) Compensate the affected employees for the adverse tax consequences, if any, of receiving a lump-sum backpay awards, and file a report with the Social Security Administration allocating the backpay awards to the appropriate calendar quarters for each employee.
- (f) Provide to the employees named in the preceding paragraph 2(e) whatever training the Respondent has provided since its termination of the contracts with TVS, if such training is necessary to allow these employees to perform their former jobs or substantially equivalent positions.
- (g) Within 14 days from the date of this Order, remove from its files any reference to the unlawful refusal to hire the employees named in the preceding paragraph 2(e), and within 3 days thereafter, notify them in writing that this has been done and that the refusal to hire them will not be used against them in any way.
- (h) Make whole, in the manner set forth in the remedy section of the judge's decision, as modified in this decision, and consistent with the United States Court of Appeal's opinion, the employees named below, in addition to those named in paragraph 2(e) above, for any loss of earnings and other benefits suffered as a result of the Respondent's unlawful failure to hire them, or unilateral changes in the terms and conditions of their employment that existed prior to the Respondent's failure to hire them.
- (i) Make whole, in the manner set forth in the remedy section of the judge's decision, as modified in this decision, and consistent with the United States Court of Appeal's opinion, the employees named below, in addition to those named in paragraph 2(e) above, for any loss of earnings and other benefits suffered as a result of the Respondent's unlawful failure to hire them or its unilateral changes in the terms and conditions of their employment that existed prior to the Respondent's termination of its contracts with TVS.

DC Bureau

Bill Alberter	Christopher Leonard
David Bacheler	Tau Liu
Reza Baktar	Howard Lutt
Mike Bannigan	Michael Maciejewski
Cameron Bartlett	Kevin McCall
Stephen Bartlett	Kevin McClam
Jay Berk	Barbara Stieritz McCloskey
Dave Berman	Douglas McKinley
John Bodnar	Samuel Jay McMichael
Burke Buckhorn	Paul Miller
David Catrett	Peter Mohen
Bobby Clemons	William Moore
Everett Cottom	James Moran
Michael David	Peter Morris
John Davis	Rick Morse
Ronald Davis	John (Nick) Mueller
Ken Distance	Thomas Murphy
Martin Dougherty	Ernest Nocciolo
Brenda Elkins	John Otth
Thomas Everly	Robert Parker
Cesar Flores	Ines Perez-Thompson
Michael Galindo	William Pettus
Tim Garraty	James Riggs
Maurice George	Greg Robertson
Augusto Gomez	David Scherer
Thomas Michael Greene	Barry Schlegel
Eddie Gross	Reggie Selma
Conrad Hirzel	Raeshawn Smith
Paul Hollenback	Tawana Smith-Brown
David Hugel	Carolyn Stone
Lesa Jansen	Daniel Taylor
Lori Jennings	Arthur Thomas
Warren Kinlaw	Jerry Thompson
Dave Kopecky	Lisa Timchalk
Martin Kos	William Tipper
Douglas Koztoski	John Tripp
Ronald Kuczynski	Ken Touhey
Marianna Lafollette	Kim Uhl

Anthony Umrani
Joe Walker
Mark Walz
Kenneth White

Alvester Williams
John Williams
Brian Yaklyvich
Elizabeth Zosso

NYC Bureau

John Allen
Andrew Gideon Arnold
Shimon Baum
Gordon D. Benedict
Shep Berkon
Frank Bivona
Robert Borland
Karl Braunwarth
Robert Brennan
Chris Brown
Gregory Bryne
Jeffrey Burns
Joe Capolarello
Douglas Carroll
Mark Casey
Carmine Cassella
Timothy Cassese
Sergio Centa
James Clarke
Christopher Collins
Dwight Collins
John R. Conroy
Stephen Coombs
Paul Cutting
Louis Delli-Paoli
Gary D'Orio
Michael Dottin
Stefan P. Dreyfuss
Ori M. Dubow
Bruce Dunkins
Larry Edgeworth
John Fanning
Nicholas J. Fayo

Bradley Fehl
John Ferry
Dennis Finnegan
Stewart Forman
John M. French
Arielle Gamza
Nicolae Ganea
Desmond Garrison
Christopher Geiger
Michael Gittelman
Michael J. Glazier
Ricardo Gomez
Glen R. Gorham
Larry Greenberg
William Greene
Jason Greenspan
Jeffrey D. Greenstein
Eric Grima
John J. Heneghan
Mark A. Herman
Thomas P. Hollyday
Larry Holmes
Mark Hubbard
Walter Imperato
Anthony K. Ioannou
Thomas Jurek
William Kane
Nicholas P. Karas
Gerard Kaufold
Sergei Khramtsov
Paul T. Kim
Keith H. Koslov
Edward Langan

P. Jeffrey Latonero	Lauren Price
Brenda Laux	Andrew Rabel
Jason Lazar	John Reilly
Brahms Lee	Jonathan D. Reiss
Laurent LeGal	Scott Riley
Stacy Leitner	Frank Romano
Allan Leibman	Pietro A. Rotundo
Todd Lindenfeld	Joseph Santos
Kevin M. Lishawa	Samuel Sawyer III
Felice Loccisano	Frederick Schang
Steven Machalek	Edward Scholl
Christopher Madden	David B. Schumacher
Douglas Maines	Richard Shine
Michael Manzo	Charlene Singleton
Alexander Marshall	Jonathan Smith
Gilbert Martinez	Michael Sollenberger
David McCarrie	William M. Sparks
Sean P. McGinn	Michael Stein
Dan Meara	Robert Strano
Jennifer T. Messina	Roger Thomas
Thomas Miuccio	Ronald L. Thompson
John Montalbano	Shane Touhey
Donald Mulvaney	Mike Trier
Jonathan C. O'Beirne	Ioannis Tsesmelis
Juan Ortiz	Lawrence Van Patten
Dina V. Pace	Donald Walden
Diane Parker	Christopher Ward
Philip Pernice	David Weber
Glenn W. Perreira	Robert Wenk
Timothy A. Persinko	Jamie Wiener
James Pertz	Glenn W. Zachar
Saylor Phair	

- (j) Compensate bargaining unit employees listed in 2(e) and (h) above for the adverse tax consequences, if any, of receiving a lump-sum backpay award, and file a report with the Social Security Administration allocating the backpay award to the appropriate calendar quarters.
- (k) Restore any bargaining unit work, which has been contracted out without notice to and bargaining with the Union.

- (l) Preserve and, within 14 days of a request, or such additional time as the Regional Director may allow for good cause shown, provide at a reasonable place designated by the Board or its agents for examination and copying, all payroll records, social security payment records, timecards, personnel records and reports, and all other records, including an electronic copy of such records if stored in electronic form, necessary to analyze the amount of backpay due under the terms of this Order.
- (m) Remit to the Union with interest, any dues that the Respondent was required to withhold and transmit under the DC bureau's collective-bargaining agreement since December 6, 2003, and the NYC bureau's collective-bargaining agreement since January 17, 2004.
- (n) Preserve and, within 14 days of a request, or such additional time as the Regional Director may allow for good cause show, provide at a reasonable place designated by the Board or its agents, all payroll records.
- (o) Within 14 days after service by the Region, post at its DC and NYC bureaus copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Directors for Regions 2 and 5, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places including all places where notices to employees are customarily posted. In addition to physically posting of paper notices, notices shall be distributed electronically, such as by email, posting on an internet or intranet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the bureaus involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice that has been signed by the Respondent's authorized representative to all current employees and former employees employed by the Respondent at any time after December 6, 2003 at its DC, and any time after January 17, 2004 at its NYC, bureaus.
- (p) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX

NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS ENFORCING AN ORDER OF
THE NATIONAL LABOR RELATIONS BOARD

An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT refuse to hire you because of your prior employment with Team Video Services (TVS) or your union activities and membership, or otherwise discriminate against you to avoid having to recognize and bargain with NABET Local 11 and NABET Local 31 (the Union).

WE WILL NOT refuse to comply with the collective-bargaining agreements between TVS and the Union at both the DC and the NYC bureaus, or change your terms and conditions of employment without first notifying the Union and giving it an opportunity to bargain.

WE WILL NOT refuse to recognize and bargain in good faith with the Union as your exclusive collective-bargaining representative by refusing its requests for bargaining over our decision to terminate the contracts with TVS and implement the Bureau Staffing Project and the effects of that decision on you.

WE WILL NOT unilaterally limit the number of former TVS bargaining unit employees that we hire, or change your wages, hours and other terms and conditions of employment, or the work that you previously performed, or any functionally equivalent work, without first bargaining with the Union.

WE WILL NOT withdraw or eliminate any wage increase or other improved benefits or terms and conditions of employment established at the DC and NYC bureaus since the termination of the TVS contracts.

WE WILL NOT contract out your work without giving the Union notice and an opportunity to bargain over these changes.

WE WILL NOT inform you that we intend to operate a nonunion workplace, or that your employment in the TVS bargaining units or your union activity, affiliation, or membership disqualifies you from employment with CNN.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights guaranteed you by Federal labor law.

WE WILL notify the Union in writing that we recognize it as your exclusive representative and that we will bargain with it concerning the terms and conditions of your employment.

WE WILL recognize and, on request, bargain with the Union as your exclusive representative concerning the terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement.

WE WILL rescind any change(s) in your terms and conditions of employment that we unilaterally implemented after December 6, 2003, at the DC bureau, and January 17, 2004, at the NYC bureau, and retroactively restore the preexisting terms and conditions of employment, including hours, wage rates and benefit plans, until the Respondent negotiates in good faith with the Union to agreement or to impasse.

WE WILL, before implementing any changes in wages, hours, or other terms and conditions of your employment, notify, and on request, bargain with the Union as your exclusive collective-bargaining representative.

WE WILL make whole, consistent with the United States Court of Appeal's opinion, those TVS unit employees that we unlawfully failed to hire for losses caused by our failure to apply the terms and conditions of employment that existed immediately prior to our takeover of the TVS operations at the DC and NYC bureaus.

WE WILL, within 14 days from the date of the Board's Order, offer employment to the following named former employees of TVS in their former positions or, if those jobs no longer exist, in substantially equivalent positions, without prejudice to their seniority or any other rights or privileges previously enjoyed, discharging if necessary any employees hired in their places:

DC Bureau

Jeffrey Adkinson
Emmanuel Agomuoh
Charles Anderson
Rodney Atkinson
Tim Bintrim

James Cook
Keith Crennan
Timothy Durham
Bill Evans
Danny Farkas

Dennis Faulkner
Christopher Hamilton
Vernon Herald
David Jenkins
Martin Jimenez
Michael Kauffman
Nicholas Kiraly
Adilson Kiyasu
Donna Lacey
Larry Langley
Myron Leake
Mark Marchione
Ralph Marcus
Joseph Mosley
Luis Munoz
Jeffrey Noble

NYC Bureau

Marc Abramson
Melanie Baker
Marcus Bassett
Paul Bernius
Doriann Bertino
Richard Birch
Steve Burnett
Joseph Cantali
Jeffrey Carlough
Timothy Cassese
Christopher Collins
Duff Conner
Robert Cummings
Christopher Cunningham
Viktor David
Jennifer DeStefano
John Diaconu
Michael Diana
Jeffrey Edelman
Jay Eric
Vince Everett
Donald Fenster
Felix Fermaintt

Dennis Norman
James Norris
Sarah Pacheco
John Quinnette
Tyrone Riggs
Oscar Romay
Fred Schall
Paul Skaife
James Stubbs
James Suddeth
James Suissa
John Urman
Joseph Wade
Aaron Webster
Darrin White

Todd Ferrand
Jon C. Ford
John Gallagher
Mitchell Gomila
Fernando Gracia
Daniel Hacker
Phil Hadrovic
Kristi Harper
Peter Hedeman
Juan Hortua
Patrick Howley
Jeffrey Jaramillo
Asprey Jones
Kenneth S. Kaplan
Brian Kiederling
Robert Knolle
Glen Kreigsman
Beth Lasch
Steven Lima
Connie Long
Perry MacLean
Tommy Maney
Sarael Martinez

Robert Matteo
 Roy McClain
 Kathleen McLaughlin
 Edward McShea
 Barbara Morrisey
 Rod Nino
 Ramon Olivo
 Tracy Organ
 James Peithman
 Mark Peters
 Todd Pivawer
 Charles Rainone Jr.
 John Rappa
 Daniel Rodriguez

Christian Roebing
 Hamid "David" Rokshar
 Daniel Scalley
 Shari Schlager
 William Seiden
 Charles Serra
 Michael Sollenberger
 Mickael Squier
 Danielle St. John
 Robert Sullivan
 Mary Theodore
 Richard Uhoda
 Pedro Valentin
 Brian Wood

WE WILL provide to the above-named employees whatever training we have provided since the failure to hire them, if such training is necessary to allow them to perform their former jobs or substantially equivalent positions.

WE WILL, within 14 days from the date of the Board's Order, remove from our files any reference to our unlawful discharge of or refusal to hire the above-named employees, and WE WILL, within 3 days thereafter, notify them in writing that this has been done and that our unlawful discharge of or refusal to hire them will not be used against them in any way.

WE WILL make whole, consistent with the United States Court of Appeal's opinion, the following individuals, in addition to those listed above, for any loss of earnings and other benefits suffered as a result of our failure to hire them or our unilateral changes in their pre-existing terms and conditions of their employment:

DC Bureau

Bill Alberter
 David Bacheler
 Reza Baktar
 Mike Bannigan
 Cameron Bartlett
 Stephen Bartlett
 Jay Berk
 Dave Berman
 John Bodnar
 Burke Buckhorn
 David Catrett

Bobby Clemons
 Everett Cottom
 Michael David
 John Davis
 Ronald Davis
 Ken Distance
 Martin Dougherty
 Brenda Elkins
 Thomas Everly
 Cesar Flores
 Michael Galindo

Tim Garraty
Maurice George
Augusto Gomez
Thomas Michael Greene
Eddie Gross
Conrad Hirzel
Paul Hollenback
David Hugel
Lesa Jansen
Lori Jennings
Warren Kinlaw
Dave Kopecky
Martin Kos
Douglas Koztoski
Ronald Kuczynski
Marianna Lafollette
Christopher Leonard
Tau Liu
Howard Lutt
Michael Maciejewski
Kevin McCall
Kevin McClam
Barbara Stieritz McCloskey
Douglas McKinley
Samuel Jay McMichael
Paul Miller
Peter Mohen
William Moore
James Moran
Peter Morris
Rick Morse

NYC Bureau

John Allen
Andrew Gideon Arnold
Shimon Baum
Gordon D. Benedict
Shep Berkon
Frank Bivona
Robert Borland

John (Nick) Mueller
Thomas Murphy
Ernest Nocciolo
John Otth
Robert Parker
Ines Perez-Thompson
William Pettus
James Riggs
Greg Robertson
David Scherer
Barry Schlegel
Reggie Selma
Raeshawn Smith
Tawana Smith-Brown
Carolyn Stone
Daniel Taylor
Arthur Thomas
Jerry Thompson
Lisa Timchalk
William Tipper
John Tripp
Ken Touhey
Kim Uhl
Anthony Umrani
Joe Walker
Mark Walz
Kenneth White
Alvester Williams
John Williams
Brian Yaklyvich
Elizabeth Zoss

Karl Braunwarth
Robert Brennan
Chris Brown
Gregory Bryne
Jeffrey Burns
Joe Capolarello
Douglas Carroll

Mark Casey
Carmine Cassella
Timothy Cassese
Sergio Centa
James Clarke
Christopher Collins
Dwight Collins
John R. Conroy
Stephen Coombs
Paul Cutting
Louis Delli-Paoli
Gary D'Orio
Michael Dottin
Stefan P. Dreyfuss
Ori M. Dubow
Bruce Dunkins
Larry Edgeworth
John Fanning
Nicholas J. Fayó
Bradley Fehl
John Ferry
Dennis Finnegan
Stewart Forman
John M. French
Arielle Gamza
Nicolae Ganea
Desmond Garrison
Christopher Geiger
Michael Gittelman
Michael J. Glazier
Ricardo Gomez
Glen R. Gorham
Larry Greenberg
William Greene
Jason Greenspan
Jeffrey D. Greenstein
Eric Grima
John J. Heneghan
Mark A. Herman
Thomas P. Hollyday

Larry Holmes
Mark Hubbard
Walter Imperato
Anthony K. Ioannou
Thomas Jurek
William Kane
Nicholas P. Karas
Gerard Kaufold
Sergei Khramtsov
Paul T. Kim
Keith H. Koslov
Edward Langan
P. Jeffrey Latonero
Brenda Laux
Jason Lazar
Brahms Lee
Laurent LeGal
Stacy Leitner
Allan Leibman
Todd Lindenfeld
Kevin M. Lishawa
Felice Loccisano
Steven Machalek
Christopher Madden
Douglas Maines
Michael Manzo
Alexander Marshall
Gilbert Martinez
David McCarrie
Sean P. McGinn
Dan Meara
Jennifer T. Messina
Thomas Miuccio
John Montalbano
Donald Mulvaney
Jonathan C. O'Beirne
Juan Ortiz
Dina V. Pace
Diane Parker
Philip Pernice

Glenn W. Perreira
Timothy A. Persinko
James Pertz
Saylor Phair
Lauren Price
Andrew Rabel
John Reilly
Jonathan D. Reiss
Scott Riley
Frank Romano
Pietro A. Rotundo
Joseph Santos
Samuel Sawyer III
Frederick Schang
Edward Scholl
David B. Schumacher
Richard Shine
Charlene Singleton

Jonathan Smith
Michael Sollenberger
William M. Sparks
Michael Stein
Robert Strano
Roger Thomas
Ronald L. Thompson
Shane Touhey
Mike Trier
Ioannis Tsesmelis
Lawrence Van Patten
Donald Walden
Christopher Ward
David Weber
Robert Wenk
Jamie Wiener
Glenn W. Zachar

WE WILL compensate bargaining unit employees for the adverse tax consequences, if any, of receiving a lump-sum backpay award, and WE WILL file a report with the Social Security Administration allocating the backpay award to the appropriate calendar quarters.

WE WILL restore any bargaining unit work that has been contracted out since our termination of the contracts with TVS.

WE WILL remit to the Union, with interest, any dues that we were required to withhold and transmit under the DC bureau's collective-bargaining agreement since December 6, 2003, and the NYC bureau's collective-bargaining agreement since January 17, 2004.

CNN AMERICA, INC.

The Board's decision can be found at www.nlr.gov/case/05-CA-031828 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.



**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

NATIONAL LABOR RELATIONS BOARD)	
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Petitioner/Cross-Respondent)	
)	
NATIONAL ASSOCIATION OF BROADCAST EMPLOYEES)	
AND TECHNICIANS, COMMUNICATIONS WORKERS OF)	
AMERICA, AFL-CIO, LOCAL 31)	Nos. 15-1112,
)	15-1209
Intervenors)	
)	
v.)	
)	
CNN AMERICA, INC.)	
)	
Respondent/Cross-Petitioner)	

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2017, I electronically filed the foregoing document with the Court for the United States Court of Appeals for the District of Columbia Circuit using the appellate CM/ECF system. I further certify that the foregoing document was served on all parties or their counsel of record through the appellate CM/ECF system.

s/Linda Dreeben
Linda Dreeben
Deputy Associate General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

Dated at Washington, D.C.
this 18th day of August, 2017