



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
OFFICE OF THE GENERAL COUNSEL
Washington, DC 20570

August 12, 2016

[REDACTED]
UNITED GOVERNMENT SECURITY
OFFICERS OF AMERICA
INTERNATIONAL UNION
8670 WOLFF CT STE 210
WESTMINSTER, CO 80031

Re: Patronus Systems Inc
Case 09-CA-165689

Dear [REDACTED]:

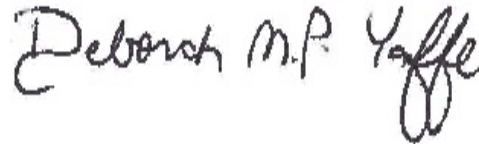
Your appeal from the Regional Director's refusal to issue complaint has been carefully considered. We agree with the Regional Director's decision and deny the appeal for the following reasons:

The charge alleged, in pertinent part, that Patronus Systems Inc. (the "Employer") is a "perfectly clear" successor and violated Section 8(a)(5) of the National Labor Relations Act by unilaterally reducing pay rates for unit employees. However, under current Board law, the Employer was not a "perfectly clear" successor because it made clear that it intended to change terms and conditions of employment when it offered jobs to the unit employees. The Employer fully complied with current Board law in fixing initial terms by clearly announcing to employees specific changes in existing terms before or as they were offered employment. Moreover, the Employer thereafter met its obligations as a *Burns* successor to recognize and bargain with the Union, and the parties have been bargaining and have resolved all of the alleged unilateral changes aside from the allegation still on appeal.

For these reasons, further proceedings are unwarranted.

Sincerely,


Richard F. Griffin, Jr.
General Counsel




By: _____

Deborah M.P. Yaffe, Director
Office of Appeals

cc: GAREY EDWARD LINDSAY
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
550 MAIN ST RM 3003
CINCINNATI, OH 45202-3271



UNITED GOVERNMENT SECURITY
OFFICERS OF AMERICA AND ITS
LOCAL 92A
8670 WOLFF CT STE 210
WESTMINSTER, CO 80031-3692



RHOADS & SIMON, LLP
1 S. MARKET SQ 12TH FL
P.O. BOX 1148
HARRISBURG, PA 17101-2141

PATRONUS SYSTEMS INC
4100 N WICKHAM RD
MELBOURNE, FL 32935

kf