

NLRB Advice Law Memo 7/10/2015  
By LawMemo - First in Employment Law.

---

**NLRB - Office of General Counsel Advice Memo:**

Au Bon Pain at Philadelphia Airport  
Case 04-CA-141681 - 4/22/2015  
<http://case.lawmemo.com/advicememos/141681.pdf>

This case was submitted for advice as to whether the Region should issue a complaint alleging that the Employer violated Section 8(a)(1) of the Act by making statements to employees regarding the effect that unionization would have upon the lines of communication between management and employees. The Office of General Counsel concluded that the Employer's statements are lawful under the Board's Tri-Cast doctrine, and that they would be lawful even under the Board's case law prior to Tri-Cast. Accordingly, the Region should dismiss the instant allegation, absent withdrawal.

\*\*\*

---

Employment Law Editor: Jennifer Jill Esmay, JD.  
Copyright 2015 by LawMemo, Inc., PO Box 1656, Grants Pass, OR 97528. Phone 877-399-8028. Need an arbitrator? Go to the [National Arbitration Center](#) .