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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Cornele A Overstreet,
Petitioner,
v.
Lucid USA Incorporated,
Respondent.

No. CV-24-01356-PHX-DJH
ORDER

Based on the Order, filed simultaneously herewith, granting the Petition for Preliminary Injunction,

IT IS HEREBY ORDERED:

Respondent, its officers, agents and all persons acting in concert with it or them are enjoined and restrained from:

- 1. Discharging its employees for engaging in union organizational activity and/or other concerted activity protected under Section 7 of the National Labor Relations Act;
- 2. Surveilling employees’ actual or suspected union activities, or creating the impression among employees that their union activities are under surveillance;
- 3. Threatening employees with unspecified reprisals if they engage in union activity and/or other concerted activity protected under Section 7 of the National Labor Relations Act;
- 4. Prohibiting employees, either directly or indirectly, from engaging in union

1 activity and/or other concerted activity protected under Section 7 of the National Labor
2 Relations Act;

3 5. Removing or confiscating actual or suspected union materials distributed in
4 non-work areas of Respondent's premises;

5 6. Promising or granting employees benefits, including promotional
6 opportunities or transfers to higher paying positions, to interfere with employees'
7 organizing activities, except that nothing herein shall be construed as requiring Respondent
8 to revoke any change in position or wage increase or other benefits it has previously
9 granted;

10 7. Soliciting grievances from employees and impliedly or expressly promising
11 to remedy those grievances to discourage union activity and/or other concerted activity
12 protected under Section 7 of the National Labor Relations Act; and

13 8. In any other manner interfering with, restraining, or coercing employees in
14 the exercise of the rights guaranteed them under Section 7 of the Act, including to self-
15 organization, to form labor organizations, to join or assist the Union or any other labor
16 organization, to bargain collectively through representatives of their own choosing and to
17 engage in other concerted activities for the purposes of collective bargaining or other
18 mutual aid or protected, or to refrain from any and all such activities.

19 **IT IS FURTHER ORDERED** that Respondent, its officers, agents and all persons
20 acting in concert with it or them, pending the final disposition of the matters involved
21 herein pending before the Board, shall take the following affirmative actions:

22 1. Within five (5) days of the Court's issuance of the Injunction Order, offer, in
23 writing, interim reinstatement to Amie Hansen (Begay) and Chad Brewer to their former
24 positions of employment, including their former schedules, or if those positions no longer
25 exist, to substantially equivalent positions without prejudice to their seniority or any other
26 rights or privileges they previously enjoyed, displacing, if necessary, any employees who
27 may have been hired or reassigned to replace them;

28 2. Within five (5) days of the Court's issuance of the Injunction Order, post

1 physical copies of the Injunction Order setting forth the relief granted at Respondent's Casa
2 Grande, Arizona facility where notices to employees are customarily posted, including but
3 not limited to employees' break room(s), as well as translations in other languages as
4 necessary to ensure effective communication to Respondent's employees as determined by
5 the Board's Regional Director of Region 28, said translations to be provided by Respondent
6 at its expense and approved by the Regional Director; said postings shall be maintained
7 during the pendency of the Board's administrative proceedings free from all obstructions
8 and defacements; all employees shall have free and unrestricted access to said postings,
9 and Respondent shall grant to agents of the Board reasonable access to each worksite to
10 monitor compliance with this posting requirement;

11 3. Within five (5) days of the Court's issuance of the Injunction Order,
12 distribute electronic copies of the Order specifying the relief granted to all employees
13 employed by the Respondent at its Casa Grande, Arizona facility, via email and all intranet
14 or internet sites or other electronic platforms or applications that Respondent customarily
15 uses to communicate with employees;


16 4. Within ten (10) days of the Court's issuance of the Injunction Order, convene
17 one or more mandatory meetings, on working time and at times when Respondent
18 customarily holds employee meetings and scheduled to ensure the widest possible
19 attendance, at Respondent's Casa Grande, Arizona facility, during which the Injunction
20 Order specifying the relief granted will be read to the employees by a responsible official
21 of Respondent in the presence of a Board agent, or at Respondent's option, by a Board
22 agent in the presence of a responsible official of Respondent. Respondent shall also afford
23 the Union, through the Regional Director, reasonable notice and opportunity to have a
24 representative present when the Injunction Order is read to employees. Interpreters shall
25 be made available for any individual whose language of fluency is other than English at
26 Respondent's expense. Respondent shall announce the meeting(s) for the Injunction Order
27 reading in the same manner it would customarily announce a meeting to employees; the
28 meeting(s) shall be for the above-stated purpose only. Individuals unable to attend the

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meeting to which they have been assigned will be able to attend a subsequent meeting during which the same reading shall take place under the same conditions. Respondent shall allow all employees to attend these meetings without penalty or adverse employment consequences, either financial or otherwise; and,

5. Within twenty (20) days of the issuance of the Injunction Order, file with the District Court and submit a copy to the Regional Director of Region 28 of the Board, a sworn affidavit from a responsible official of Respondent setting forth, with specificity, the manner in which Respondent has complied with the terms of the Injunction Order, including the manner in which it has posted the documents required by the Court’s decree, including how and where the documents have been posted, and the date(s), time(s), and location(s) that the Injunction Order specifying the relief granted was read to employees and by whom, as required by the Court.

Dated this 13th day of September, 2024.


Honorable Diane J. Humetewa
United States District Judge