



National Labor Relations Board v. L.H.C. Inc.

82 L.R.R.M. 2844 (1973) | Cited 0 times | Eighth Circuit | January 5, 1973

Before MEHAFFY, BRIGHT and STEPHENSON, Circuit Judges.

Per Curiam: This case comes before us upon application of the National Labor Relations Board for enforcement of its order against L.H.C., Inc., an operator of retail furniture stores. The Board's decision and order is reported at 195 NLRB No. 181 (March 22, 1972). It found that L.H.C. had violated §§ 8(a) (1) and (3) of the National Labor Relations Act, 29 U.S.C. §§ 158(a) (1) and (3), by discharging certain employees because of union activity, by coercively interrogating an employee concerning union activities, and by promising and granting the coerced employee a substantial wage increase in an effort to influence his choice of a bargaining representative.

Upon these findings, the Board ordered that L.H.C. cease and desist from unfair labor practices. It further ordered that L.H.C. take affirmative steps to reinstate the discharges to their former jobs, without prejudice to their seniority, excepting one Michael W. Pardew who the Board rendered unfit for reinstatement. L.H.C. was also ordered to make the discharges whole for loss of earnings. Pardew was to be compensated for lost wages until August 9, 1972, the date of his discharge.

We are asked to decide whether substantial evidence on the record as a whole supports the Board's findings. L.H.C. contends that there is no evidence to impute knowledge of union activities to the company. More particularly, it urges that the record taken as a whole creates only a "suspicion of coincidence" between the union activities and the alleged violations.

We have examined this record and have determined that the findings of the Board are supported by substantial evidence. We therefore enforce the Board's order. See Rule 14, Rules of the United States Court of Appeals for the Eighth Circuit¹

* 14-CA-6336; 195 NLRB No. 181.

1. See , n. 24 of the Board's order, 195 NLRB No. 181 (March 22, 1972). The words in the appropriate notice ordered posted by the Board reading "Posted by order of the National Labor Relations Board" should be changed to read "Posted Pursuant to a Judgment of the United States Court of Appeals Enforcing an Order of the National Labor Relations Board."

