



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
OFFICE OF THE GENERAL COUNSEL  
Washington, D.C. 20570

June 6, 2011



Re: Lee Enterprises, Inc. d/b/a Arizona Daily  
Star  
Case 28-CA-023267

Dear 

Your appeal from the Regional Director's partial refusal to issue complaint has been carefully considered. The appeal is denied for the reasons set forth in the Regional Director's letter of April 28, 2011.

With regard to the Employer's action against you, the Regional investigation did not disclose sufficient evidence that it was based on an unlawfully broad rule or otherwise unlawfully motivated. Instead, it was based on comments you made on a social media site which resulted in a complaint being made against you. Your comments were not related to your working conditions or done in concert with other employees and therefore can not be considered protected concerted activity. As such, there is an insufficient basis to find that the Employer's action was a violation of National Labor Relations Act (Act).

As to the allegations on the rule regarding airing work related grievances on social media, the Regional investigation disclosed this occurred during a meeting in February 2010. Section 10(b) of the Act bars the issuance of a complaint based on conduct which occurred more than six-months prior to the filing of a charge. Considering the instant charge was filed more than six-months after the rule was promulgated a complaint can not issue on that allegation. Accordingly, further proceedings are unwarranted.

Sincerely,

Lafe E. Solomon  
Acting General Counsel

A handwritten signature in black ink that reads "Deborah M.P. Yaffe".

By

Deborah M.P. Yaffe, Acting Director  
Office of Appeals