

## ATTACHMENT 5C4

### MODEL FORM LETTER DENYING APPEAL

Charging Party Rep.  
(Name and Address)

Re: Charged Party  
City, State  
Case No. XX-CX-XXXXX

Dear Mr./Ms. (Name):

Your appeal of the dismissal of the unfair labor practice charge in this case by the \_\_\_\_\_ Regional Director has been carefully considered.

Your appeal has been denied because the appeal has failed to establish that: (1) the Regional Director's decision did not consider a material fact that would have resulted in issuance of complaint; (2) the Regional Director's decision is based on a finding of a material fact that is clearly erroneous; (3) the Regional Director's decision is based on an incorrect statement of the applicable rule of law; (4) there is no Authority precedent on the legal issue in the case; or (5) the manner in which the Region conducted the investigation has resulted in prejudicial error.

The appeal has established no ground for reversing the Regional Director's decision or remanding the case for further investigation in accordance with section 2423.11(e) of the General Counsel's regulations. The dismissal letter issued by the Regional Director constitutes the written statement of the reasons for not issuing a complaint as required by section 7118(a)(1) of the Statute. The Regional Director's reasons for not issuing a complaint are hereby affirmed. Your appeal is denied and the case is closed.

For the General Counsel.

Sincerely,

Deputy General Counsel