

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

NOTICE: PARTIES INVOLVED IN A REPRESENTATION PETITION SHOULD BE AWARE OF THE FOLLOWING PROCEDURES:

Right to be Represented -- Any party has the right to be represented by an attorney or other representative in any proceeding before the National Labor Relations Board. If you wish to have a representative appear on your behalf, please have your attorney or other representative complete Form NLRB-4701, Notice of Appearance, and forward it to the respective Regional Office as soon as a representative is chosen.

Attorneys and Service of Documents -- If your representative is an attorney, such attorney will receive exclusive service of all documents, except that you and your attorney will both receive those documents described in Sec. 11842.3(b) of the Casehandling Manual. However, your attorney may consent to have additional documents or correspondence served on you by making the appropriate designation on Form NLRB-4701, Notice of Appearance.

Non-Attorney Representatives and Service of Documents -- If your representative is not an attorney, you and your representative may receive copies of all documents and correspondence.

Investigation of Petition -- Immediately upon receipt of the petition, the Regional Office conducts an impartial investigation to determine if the Board has jurisdiction, whether the petition is timely and properly filed, whether the showing of interest is adequate, and if there are any other interested parties to the proceeding or other circumstances bearing on the question concerning representation.

Withdrawal or Dismissal -- If it is determined that the Board does not have jurisdiction or that other criteria for proceeding to an election are not met, the petitioner is offered an opportunity to withdraw the petition. Should the petitioner refuse to withdraw, the Regional Director will dismiss the petition and advise the petitioner of the reason for the dismissal and of the right to appeal to the Board.

Election Agreement -- If the Board's criteria for conducting a secret ballot election to resolve the question concerning representation are met, the parties are afforded the opportunity to enter into an election agreement. There are two forms: (1) Form NLRB-651, Consent Election Agreement, provides that the parties accept the final determination of the Regional Director on postelection matters. (2) Form NLRB-652, Stipulated Election Agreement, provides for the right of appeal to the Board on postelection matters. The secret ballot election will be conducted by an agent of the NLRB pursuant to the election agreement and the parties shall have the right to observers at the election.

Hearing -- The Regional Director may issue a notice of hearing on the petition. At the hearing, all parties will be afforded the opportunity to state their positions and present evidence on the issues. Scheduling of a hearing does not preclude the possibility of an election agreement. Approval of such agreement will serve as withdrawal of the notice of hearing.

Names and Addresses of Eligible Voters -- Please be advised if an election is to be held, the Employer must provide an eligibility list to the Regional Director within seven days after approval of the election agreement, or after the Regional Director or the Board has directed an election. The eligibility list must contain the full names and addresses of eligible voters. The Regional Director will make the list available to all other parties. (*This list is in addition to the list of employees in the proposed unit and their job classifications already requested to verify the showing of interest by a union.*)