Public Meeting: R-Case Procedures

The Public Meeting will proceed as follows:

- In order to speed the transition from one speaker to the next, speakers will be seated together at a speakers table based on speaking order. For topics with more speakers than the table will accommodate, there will be multiple seatings, as set forth below;
- Each speaker will have an initial allotment of 5 minutes;
- Board members may address questions to any of the seated speakers at any time;
- Speakers shall not address each other, but may only address Board members;
- Due to time constraints, projection of Powerpoint and other visual materials will not be available, but speakers may bring copies of materials, make them available to the Board members for reference during their presentations, and submit them for the record.
- All of the times set forth in the schedule are subject to change at any time.

Thursday, April 10 9:30 a.m. – 9:55 a.m.

Topic A: Electronic Signatures

Whether electronic signatures should be permitted to satisfy the showing of interest.

Joseph J. Torres	Winston & Strawn
Alvin Velazquez/Katy Dunn	Service Employees International Union, SEIU

Thursday, April 10 10:00 a.m. – 10:40 a.m.

Topic B.1: Scheduling of Pre-election Hearing

Address the proposal to set the hearing to begin in seven days, absent special circumstances. (Assume for the purposes of discussion that no written statement of position is required.)

Maury Baskin	Littler Mendelson for Associated Builders & Contractors, ABC
Jonathan C. Fritts	Morgan, Lewis for Coalition for a Democratic Workplace
Caren P. Sencer	Weinberg, Roger & Rosenfeld

Thursday, April 10 10:45 a.m. – 12:15 p.m.

Topic B.2: Requirement for written statement of position

Address issues related to the proposed requirement for a written statement of position.

Seating 1:

Kuusela Hilo	United Nurses Association of California, Union of Health Care Professionals
F. Curt Kirschner	Jones Day for American Hospital Association, AHA
Elizabeth Bunn/ Maneesh Sharma	American Federation of Labor & Congress of Industrial Organizations, AFL-CIO
Ronald Meisburg	Proskauer Rose LLP for the Chamber of Commerce of the United States

Seating 2:

Melinda S. Hensel	International Union of Operating Engineers, IUOE, Local 150
Maury Baskin	Littler Mendelson for Associated Builders & Contractors, ABC
Robert Godinez	International Brotherhood of Boilermakers, IBB
Ronald Holland	Sheppard, Mullin, Richter & Hampton LLP

Seating 3:

Kara M. Maciel	Epstein, Becker, Green for National Grocers Association, NGA
Caren P. Sencer	Weinberg, Roger & Rosenfeld
Homer L. Deakins	Olgetree Deakins for Council on Labor Law Equality, COLLE

Thursday, April 10 1:45 p.m. – 3:45 p.m.

Topic B.3: Issues for litigation at the pre-election hearing

Address whether and how the rules should define the types of issues which should be litigated at the pre-election hearing.

Seating 1:

Brenda Crawford	RN, Universal Health Systems, Inc.
Homer L. Deakins	Olgetree Deakins for Council on Labor Law Equality, (COLLE)
Peter Ford/	United Food & Commercial Workers,

Martin Hernandez	UFCW/United Food & Commercial Union, Local 99
Elizabeth Milito	National Federation of Independent Business, NFIB
Jonathan C. Fritts	Morgan, Lewis for Coalition for a Democratic Workplace

Seating 2:

Gina Cooper	International Brotherhood of Electrical Workers, IBEW
Arnold Perl	Glankler Brown for Tennessee Chamber of Commerce
Jody L. Mauller	International Brotherhood of Boilermakers, IBB
Doreen S. Davis	Jones Day for Retail Industry Leaders Association, RILA

Seating 3:

Mark A. Spognardi	Pautsch, Spognardi & Biaocchi Legal Group LLP
Michael J. Lotito	Littler Mendelson for International Franchise Association
Gabrielle Semel	Communications Workers of America, CWA
G. Roger King	Jones Day for HR Policy Association and Society for Human Resources Management, SHRM
Elizabeth Bunn/ Maneesh Sharma	American Federation of Labor & Congress of Industrial Organizations, AFL-CIO

Thursday, April 10 3:50 p.m. – 4:20 p.m.

Topic B.6 & 7: Concluding statements, arguments and post-hearing briefs; Direction of Election with decision to follow

Address whether or how the rules should specify the standard, form, and timing for presenting concluding statements and arguments, and post-hearing briefs, regarding the pre-election hearing. Address whether the rules should permit the Direction of Election to be issued before a pre-election Decision is issues, with a Decision to follow.

F. Curt Kirschner	Jones Day for American Hospital Association, AHA
Caren P. Sencer	Weinberg, Roger & Rosenfeld

Homer L. Deakins	Olgetree Deakins for Council on Labor Law Equality, (COLLE)
G. Roger King	Jones Day for HR Policy Associations and Society for Human Resources Management, SHRM

Thursday, April 10 4:25 p.m. – 4:55 p.m.
Topic D & G: Board Review

Address whether or how to amend the process for Board review of the Decision and Direction of Election; address whether or how post-election Board review procedures should be amended.

Ronald Holland	Sheppard, Mullin, Richter & Hampton LLP
Brian Petruska	Laborers International Union of North America, LIUNA
F. Curt Kirschner	Jones Day for American Hospital Association, AHA

Thursday, April 10 5:00 p.m. – 5:30 p.m.
Topic E.4: Blocking Charges

Address whether or how the rules should address "blocking charge" policy and the procedures used for placing a representation case in abeyance pending the outcome of unfair labor practice charges.

Melinda S. Hensel	International Union of Operating Engineers, IUOE, Local 150
Arnold Perl	Glankler Brown for Tennessee Chamber of Commerce

Friday, April 11 9:30 a.m. – 12:30 p.m.
Topic E.1 & E.3: Election date

Please describe the standard to be applied for scheduling an election. The proposed rules state that the regional director should select an election date which is "as soon as practicable." If you disagree with this standard, please describe the standard you would apply. Specify whether you think the rules should include a minimum or maximum time between the filing of the petition and the election, and, if so, how long this time should be. Also address whether the proposed rules adequately protect free speech interests; if you believe they do not, please state specifically how the proposal can be adapted to adequately address the matter.

Seating 1:

Joseph J. Torres	Winston & Strawn
Brian Petruska	Laborers International Union of North America, LIUNA
Elizabeth Milito	National Federation of Independent Business
Edgardo Villanueva	EMSI Consulting
Glenn Rothner	Rothner, Segall & Greenstone

Seating 2:

Ole Hermanson/ Donna Miller	American Federation of Teachers, AFT Home Health Aide, Visiting Nurse Association of Southeastern Connecticut
J. Aloysius Hogan	Competitive Enterprise Institute
Arnold Perl	Glankler Brown LLP for Tennessee Chamber of Commerce
Darrin S. Murray/ Joseph J. Farago-Spencer	Service Employees International Union, SEIU
Steve Maritas	RESPECT for Security Officers RFSO

Seating 3:

Ronald Meisburg	Proskauer Rose LLP for Chamber of Commerce of the United States
Gabrielle Semel	Communications Workers of America, CWA
Peter Kirsanow	Benesch, Friedlander, Coplan & Aronoff LLP for National Association of Manufacturers, NAM
Alvin Velazquez/Katy Dunn	Service Employees International Union, SEIU
Kara M. Maciel	Epstein, Becker, Green for National Grocers Association, NGA

Seating 4:

Terence Noonan	Noonan & Noonan

Homer L. Deakins	Olgetree Deakins for Council on Labor Law Equality, (COLLE)
Dr. Kate L. Bronfenbrenner	Cornell School of Industrial & Labor Relations
Melinda S. Hensel	International Union of Operating Engineers, IUOE, Local 150

Seating 5:

Peter Ford/ Martin Hernandez	United Food & Commercial Workers, UFCW/United Food & Commercial Union, Local 99
William L. Messenger	National Right to Work Legal Defense Foundation
Elizabeth Bunn/ Maneesh Sharma	American Federation of Labor & Congress of Industrial Organizations, AFL-CIO
Ross H. Friedman	Morgan, Lewis for Coalition for a Democratic Workplace
Thomas W. Meiklejohn	Livingston, Adler, Pulda, Meiklejohn & Kelly

Friday, April 11 2:00 p.m. – 4:30 p.m.

Topic C: Voter lists

Address whether or how the rules should address voter lists.

Seating 1:

Alvin Velazquez/Katy Dunn	Service Employees International Union, SEIU
Joseph J. Torres	Winston & Strawn
Thomas W. Meiklejohn	Livingston, Adler, Pulda, Meiklejohn & Kelly
Doreen S. Davis	Jones Day for Retail Industry Leaders Association, RILA
Jess Kutch	Coworker.org

Seating 2:

Kara M. Maciel	Epstein, Becker, Green for National Grocers Association, NGA
Melinda S. Hensel	International Union of Operating Engineers, IUOE, Local 150

Peter Kirsanow	Benesch, Friedlander, Coplan & Aronoff LLP for National Association of Manufacturers, NAM
Kuusela Hilo	United Nurses Association of California, Union of Health Care Professionals
Ronald Holland	Sheppard, Mullin, Richter & Hampton LLP

Seating 3:

Fred Wszolek	Workforce Fairness Institute
J. Aloysius Hogan	Competitive Enterprise Institute
Caren P. Sencer	Weinberg, Roger & Rosenfeld
William L. Messenger	National Right to Work Legal Defense Foundation
Darrin S. Murray/ Joseph J. Farago-Spencer	Service Employees International Union, SEIU

Seating 4:

Elizabeth Bunn/ Maneesh Sharma	American Federation of Labor & Congress of Industrial Organizations, AFL-CIO
Maury Baskin	Littler Mendelson for Associated Builders & Contractors
Terence Noonan	Noonan & Noonan
Elizabeth Milito	National Federation of Independent Business, NIFB
Brenda Crawford	RN, Universal Health Systems, Inc.

Topic H: Specific Questions

Whether or how the NLRB could provide assistance to unrepresented local unions in complying with election procedures

Gina Cooper	International Brotherhood of Electrical Workers, IBEW

Whether or how the NLRB could provide assistance to unrepresented small businesses in complying with election procedures.

Elizabeth Milito	National Federation of Independent Business, NIFB

Whether the procedure used by the Board in this rulemaking demonstrates that the Board values the comments of the public.

F. Curt Kirschner	Jones Day for American Hospital Association, AHA

Whether the petition bar to elections should be changed from 6 months to 12 months if the petition is withdrawn shortly before the election.

Joseph J. Torres	Winston & Strawn

Whether non-parties should be served with Board filings.

J. Aloysius Hogan	Competitive Enterprise Institute