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NLRB Region 3

Outreach



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Niagara Center Building (716) 551-4931
Suite 630, 130 S. Elmwood Avenue
Buffalo, NY 14202-2465

Albany Resident Office (518) 431-4155
Leo W. O'Brien Federal Bldg, Rm. 342
Clinton Avenue and N. Pearl Street
Albany, NY 12207

Email: Region3@nlrb.gov

In This Issue:

- Important New Initiatives Involving Organizing Campaigns
- First Contract Bargaining Initiatives
- New Settlement Agreements-Default Language
- What's New in Deferrals and Grievance Settlements
- Regional Director's Corner
- Save the Date
May 12, 2011
Practices and Procedures Meeting
- Litigation News
- New NLRB Website
- Compound Interest on Back Pay Awards
- What's New in Notice Postings

IMPORTANT NEW INITIATIVES INVOLVING ORGANIZING CAMPAIGNS

The Acting General Counsel has recently issued two significant memoranda relating to organizing campaigns which are summarized below. The full text of the memoranda is available at www.nlr.gov, under the publications, General Counsel memos tab.

Expedited Investigation and Prosecution of Cases Involving Discharges of Union Organizers During Organizing Campaigns

Recently issued **GC Memorandum 10-07**, establishes new priorities and timelines for investigating and seeking 10(j) injunctive relief in cases involving discharges in organizing campaigns. Both charging and charged parties, and their legal counsel, should be aware of these new timelines and their potential impact throughout the entire case-handling process.

The Acting General Counsel considers discriminatory discharges as among the most serious violations of the Act. An unremedied discharge sends to other employees the message that they too risk retaliation by exercising their Section 7 rights. The continued absence from the workplace of unlawfully discharged union leaders means not only that the negative message from the unfair labor practices persists but also that the remaining employees are deprived of leadership of active and vocal union supporters. Therefore, interim reinstatement through 10(j) injunctive relief is critical to prevent an ultimate Board order from being ineffective in protecting rights

• **How to File a Charge:**

Anyone may file an unfair labor practice charge with the NLRB. To do so, they must submit a charge form to any Regional Office or, they may file electronically through the Board’s website at www.nlr.gov. The form must be completed to identify the parties to the charge as well as a brief statement of the basis for the charge. The charging party must also sign the charge.

• Forms are available for download from the NLRB website. They may also be obtained from an NLRB office. NLRB offices have information officers available to discuss charges in person or by phone, to assist filling out charge forms, and to mail forms.

• You must file the charge and serve it on the charged party within 6 months of the unfair labor practice.

• **When a Charge is Filed:**

The NLRB Regional Office will investigate. The charging party is responsible for promptly presenting evidence in support of the charge. Usually evidence will consist of a sworn statement and documentation of key events.

• Please promptly present your evidence in support of any charge you file.

• The Region will ask the charged party to present a response to the charge, and will further investigate the charge to establish all facts.

• After a full investigation, the Region will determine whether or not the charge has merit.

(New Organizing Campaign Initiatives Continued)

guaranteed by the Act. Consequently, the goal is to give all unlawful discharges in organizing cases priority action and a speedy remedy.

Board agents are instructed to expeditiously (within 7 calendar days), take the lead affidavit from the charging party and attempt to obtain all the charging party’s evidence in support of the charge within fourteen (14) days of filing. “Just and proper” evidence regarding the appropriateness of injunctive relief will be taken at the same time in the investigative process.

If the charging party’s evidence points to a prima facie case on the merits and suggests the need for injunctive relief, the Region will notify the charged party in writing within 21 days of filing that the Region is seriously considering the need for Section 10(j) relief and will request that a position statement on that issue be submitted to the Regional Office within seven calendar days after the written notification.

**OPTIMAL TIMELINE FOR PROCESSING
CASES INVOLVING A
DISCHARGE IN AN ORGANIZING CAMPAIGN**

- **7 days: Lead Affidavit**
- **14 days: Gather all Charging Party Evidence**
- **21 days: Notification to Charged Party that Section 10(j) relief is being seriously considered and requiring a position statement on the Section 10(j) question and all evidence on the merits within 7 days**

The Regional Director will normally make a determination on the merits of the case and whether 10(j) relief is warranted within 49 days from the filing of a charge and will “quickly issue complaints” in these nip-in-the-bud discharge cases once a merit determination is made and set prompt administrative hearings.

New Initiative to Achieve Effective Remedies in Organizing Campaigns

Recently issued **GC Memorandum 11-01** reaffirms that the protection of employee free choice regarding unionization is a keystone of the Agency’s mission. The remedial goal is to recreate an atmosphere free from the effects of an employer’s unfair labor practices. The Acting General Counsel has made it a priority to achieve effective remedies for employers’ unlawful conduct. In addition to seeking 10(j) relief for discriminatory discharges during organizing campaigns, it is just as necessary to remove

After the Region Makes a Determination

If the Region determines that a charge has no merit—that the charged party has not violated the Act—it will dismiss the charge unless the charging party withdraws the charge. The charging party has the right to appeal a dismissal.

If the Region determines that a charge has merit—that the charged party has violated the Act—it will attempt to settle the case. Unless there is a settlement, the Region will proceed to trial before an administrative law judge to obtain a finding of a violation and an order directing the charged party to undertake remedial actions. The charged party has appeal rights, with a final decision subject to appeal to a federal court.

Remedies for Violations

When there has been a violation, the Act does not impose fines or other direct penalties. Rather, it requires a make whole remedy to correct the violation and its effects.

NLRB remedies require those who have violated the Act to cease the violation, to inform employees that they will respect their rights, to reinstate employees who have been unlawfully fired, and to pay compensation for lost earnings.

(New Initiative to Achieve Continued)

the impact caused by other unfair labor practices which can also be highly coercive. Conduct such as threats, solicitation of grievances, promises or grants of benefits, interrogations, and surveillance also inhibit employees from engaging in union activity and dry up channels of communication between employees.

In organizing cases, the Agency may seek enhanced remedies. These remedies may include:

- Where an employer has committed serious violations such as threats of discharge and plant closure that have an adverse impact on employee free choice, Regions may seek a notice reading remedy, requiring a responsible management official to read the notice to assembled employees or have a Board agent read the notice in the presence of a responsible management official. A notice reading remedy will ensure that all employees hear that their organizational rights will be respected in the future and help dispel a coercive atmosphere in the workplace.
- Where an employer's unfair labor practices interfere with communications between employees, or between employees and a union, Regions may seek access remedies, such as requiring the employer to give the union a list of employees' names and addresses for a longer period of time than that required under standard Board rules, and granting the union access to bulletin boards. These remedies may be appropriate in cases where there is an adverse impact on employee/union communications.

More New Initiatives

First-Contract Bargaining Case Initiatives

After an initial organizing campaign and while negotiations are ongoing for a first contract, the Acting General Counsel has determined that it is of great importance that unfair labor practices that occur during this time be properly remedied. Accordingly, the Agency has established remedial initiatives in first-contract bargaining cases intended to ensure that employees have freedom of choice on the issue of union representation, free of coercion by any party, and that their decision regarding representation is protected by the Agency. **GC Memorandum 11-06** recently issued authorizing Regions to seek a notice-reading remedy, certification-year extension and bargaining-schedule remedies in first-contract bargaining cases where the employer exhibits conduct including but not limited to rejecting all bargaining dates, refusing to provide information, making unilateral changes and engaging in bad faith bargaining. Regional Offices are now authorized to seek a notice-reading remedy in first-contract bargaining cases involving the above conduct where the employer's conduct

How to File a Representation Petition

Filing NLRB representation petitions can be simple and convenient. An NLRB Information Officer can assist you in completing a petition form. Our contact information is on page one of this newsletter. If you complete the petition yourself, keep in mind these helpful tips:

- Know which Regional office will handle your petition. Region 3 covers all of New York except New York City, Long Island, Orange, Putnam, Rockland and Westchester Counties. Persons may also obtain service at Region 3's Resident Office located in Albany, New York.
- Prepare your petition on our website at: www.nlr.gov (filing instructions detailed).
- Know the job titles used by the Employer and the employee shift schedules.
- Provide the Region with authorization/membership cards (or other proof of interest) signed and dated by at least 30 percent of the employees in the petitioned-for unit.
- Although 91% of elections are conducted pursuant to election agreements, be prepared for a hearing by knowing: (1) the employer's operations; (2) the community of interests of various employee job categories; and (3) who the "supervisors" are. Hearings are typically held 10-14 days from date the petition was filed.
- Be prepared for the election to be conducted within 42 days from the date the petition was filed.
- Always call the assigned Board agent with questions or concerns.

(More New Initiatives Continued)

at or away from the table undermines union support among employees, without submitting the case to the Division of Advice. In addition, if the facts warrant it, Regions may now also seek certification year extensions, and specific bargaining schedules without going to Advice first. Regions will continue to submit to Advice all cases where it may be appropriate to seek reimbursement of bargaining or litigation expenses. Section 10(j) relief, with additional remedies, may also be appropriate in first-contract bargaining cases.

New Default Language in Informal Board Settlement Agreements and Compliance Agreements

The Acting General Counsel has decided to expand the use of default language in settlement agreements to save resources and avoid delays in the event of a breach of settlement agreements. The Agency's past experience establishes that default language is an effective and appropriate means to ensure that a charged party will comply with the affirmative provisions of a settlement agreement. Regions therefore will be routinely including default language in all informal settlement agreements and all compliance settlement agreements. In addition, Regions will consider using confessions of judgment in cases involving backpay installment plans. Regions will include language in the settlement agreement that details the remedial acts that the charged party is expected to undertake to comply. Regions will enforce these provisions in a summary proceeding, by filing a motion for default judgment, in the event of a breach. Through a summary proceeding, we will avoid the necessity of the government incurring the expense and delay of preparing again for an administrative hearing. If you would like to read a description of the language which will be used in settlement agreements, see **GC Memorandum 11-04**, available at www.nlr.gov. Section 10130.10 is a new section added to the Unfair Labor Practice Casehandling Manual concerning this issue.

New Guidelines Concerning Deferral to Arbitral Awards and Grievance Settlements

GC Memorandum 11-05 addresses changes in Regional Office investigation procedures for processing cases involving deferrals to arbitration and to grievance settlements. The GC memo, which also contains a comprehensive overview of the Board's deferral principles, provides that the Acting General Counsel will urge the Board to modify its approach in post-arbitral deferral cases to give greater weight to safeguarding employees' statutory rights in Section 8(a)(1) and (3) cases, and to apply a new framework in all such cases requiring post-arbitral review. In processing future cases, Regions will take affidavits from the

Section 7 of the National Labor Relations Act (NLRA) gives employees the rights to:

- Form, join, or assist a union
- Choose representatives to bargain with your employer on your behalf
- Act together with other employees for their benefit and protection
- Choose not to engage in any protected activities

Non-Union Protected Concerted Activity

Q: Does the NLRA protect activity with other employees for mutual aid or protection, even if you don't currently have a union?

A: Yes. For instance, employees not represented by a union, who walked off a job to protest working in the winter without a heater were held by the Supreme Court to have engaged in concerted activity that was protected by the NLRA and that they could not be lawfully discharged for such action.



(More New Initiatives Continued)

charging party and all witnesses within the control of the charging party before it makes a determination as to whether there is arguable merit to the charge. If there is arguable merit and all other deferral requirements are met, the Region will defer the charge. When the arbitrator's award issues, the Region must review the award to determine whether deferral to the arbitrator's award is appropriate. The burden will be on the party urging deferral to show that the contract had the statutory right incorporated in it or that the parties presented the statutory issue to the arbitrator who correctly applied the applicable statutory principles in deciding the case.

With respect to pre-arbitral grievance settlements, Regions will not defer to those settlements unless the parties themselves intended the settlement to also resolve the unfair labor practice issues.

Regional Director's Corner



This is both an exciting and challenging time at the Board. As noted in the newsletter, there are many new initiatives and directives that the Region has been charged with implementing while there are budget clouds on the horizon which bring uncertainty and the probability of changes in the way we conduct our business. What has not and will not change, however, is our commitment to enforcing the Act in the most effective and efficient way possible and to continue our efforts in openly communicating with you and being accessible to the public we serve. In furtherance of this commitment, we have been publishing this outreach newsletter and conducting meetings with practitioners and members of the public called "Coffee With the Board." During these meetings we have discussed new initiatives and sought your input concerning how we can better serve your needs while meeting our mission objectives.

On May 12, 2011, we will have a practices and procedures meeting with members of the bar and the public to discuss the many initiatives that have been undertaken in the past year. We also will seek your comments, questions and input on how these initiatives have impacted you and your practice. We will entertain any questions you may have about how we are implementing the changes in Region 3 and what additional changes may lie ahead. Please join us to share in a discussion of processing cases with Region 3. I look forward to meeting with you.

Rhonda P. Ley,
Regional Director, Region 3

Don't Tell Me I Can't Talk About My Wages!

The National Labor Relations Act (NLRA) protects the rights of both unionized and non-unionized employees. The NLRA protects employee rights to join and support unions where they work, to participate in protected concerted activities with other employees, and to refrain from participating in such activities. Under the NLRA, two or more employees have the right to act together to raise workplace issues with their employer or to press for changes in wages or other working conditions. Such employee's actions are known as protected concerted activities.

Employer rules which have a tendency to chill employees in the exercise of these rights violate the NLRA. In this regard, the Board has held, among other things, which employers may not prohibit employees from discussing their own wages or attempting to determine what other employees are paid. The mere maintenance and announcing of these rules is a violation, even if these rules are not enforced. Juniper Medical Center Pavilion, 346 NLRB 650 (2006).

SAVE THE DATE!

Attend Our May 12, 2011 Practices and Procedures Meeting

Region 3 cordially invites you to meet with Regional Management on Thursday, May 12, 2011, at 130 South Elmwood Avenue, Suite 630, Buffalo, New York, from 3:00 p.m. until 5:00 p.m., for an informal meeting to discuss the following topics:

- ❖ New GC Memoranda on 10 (j) Relief and Effective Remedies
- ❖ New Settlement Agreement Provisions
- ❖ New Guideline Memorandum on Board's Deferral Policies
- ❖ First Contract Bargaining – Additional Remedies
- ❖ Other Topics to be Determined

Please join us for the discussion and bring your questions and ideas to share with us and your colleagues.

RSVP to Vallana Harris at (716)551-4933 by: May 6, 2011.

Litigation News

Region 3 has been actively litigating a number of unfair labor practice cases before administrative law judges (ALJs). Decisions are pending in the following cases. If you are interested, you can check www.nlr.gov and click on the "cases & decisions" tab to monitor when a decision issues.

Region 3 recently concluded the hearing in **Berkshire Farm Center and Services for Youth**, Cases 3-CA-27701 and 27790. The complaint alleges that Berkshire Farm violated Section 8(a)(1) and (5) of the Act by unilaterally changing its health insurance coverage for employees by eliminating certain health insurance plans and implementing substitute health insurance plans and health reimbursement accounts. Briefs will be filed this month addressing Berkshire Farm's legal arguments that it had the right to make the changes unilaterally because of its past practice of making unilateral changes in health insurance, and language in the parties' expired collective-bargaining agreement. Thereafter, the ALJ will issue his decision.

Region 3 also recently completed the litigation of **New York-Penn Blood Services Region, an Affiliate of the American National Red Cross**, Case 3-CA-27282, et al. The complaint alleges that the Red Cross violated Section 8(a)(1) and (5) by making a variety of significant unilateral changes to employees' terms and conditions of employment in bargaining units located at facilities in Syracuse and Buffalo, New York. The complaint alleges that the Employer unilaterally: changed the eligibility

REGION 3 STAFF

All staff can be contacted via email using the following format: firstname.lastname@nlrb.gov

Buffalo Office

- Edward Bantle, Field Examiner
- Jesse Feuerstein, Field Attorney
- Doren Goldstone, Field Attorney
- Renee Hutt, Field Examiner
- Michael Israel, Regional Attorney
- Barbara Keough, Office Manager
- Kevin Kitchen, Field Attorney
- Chari-Lynn Koppel, Field Attorney
- Sandra Larkin, Compliance Officer
- Linda Leslie, Field Attorney
- Rhonda Ley, Regional Director
- Mary Mattimore, Deputy Regional Attorney
- Paul Murphy, Assistant to the Regional Director
- Rachel Kurtzleben, Co-Op Field Examiner
- Kwan Byung Park, Student Intern
- Patricia Petock, Field Examiner
- Lillian Richter, Supervisory Field Attorney
- Nicole Roberts, Field Attorney
- Ron Scott, Field Attorney
- Aaron Sukert, Field Attorney
- John Sullivan, Field Examiner
- Patricia Wideman, Field Examiner

Albany Resident Office

- Barnett Horowitz, Resident Officer
- Brie Kluytenaar, Field Attorney
- Gregory Lehmann, Field Attorney
- Kelly Moore, Field Examiner
- Alfred Norek, Field Attorney
- David Turner, Field Examiner

(Litigation News Continued)

requirements for medical benefits afforded to future employees; suspended matching contributions to the 401(k) savings plan; implemented a substitute 401(k) savings plan; closed participation in the retirement system for new employees; froze the accrual of benefits for new employees; implemented numerous changes in the medical coverage program; and changed paid time off and paid holiday policies. The complaint also alleges that the Red Cross violated Section 8(a)(1) by disciplining an employee who had engaged in protected concerted activity by talking to coworkers about the status of collective-bargaining negotiations. The Region recently filed a lengthy brief with the ALJ addressing a variety of interesting legal issues involved in the case including, but not limited to, waiver of statutory bargaining rights by contractual language and/or past practice; impasse; fait accompli; exigent circumstances; and protected concerted activity. The parties are waiting for a decision from the ALJ.

In Newburg Eggs, Inc., Case 3-CA-27834, the Region issued a complaint alleging that Newburg Eggs committed multiple violations of Section 8(a)(1) in connection with the Union’s organizing campaign and rerun election at the Employer’s facility in Woodridge, NY. The Union began an organizing drive at the egg-processing facility in 2009 and held an election in July 2010. The Employer’s conduct preceding that election formed the basis for the alleged violations, which included solicitation of grievances, implied promise of benefits, and threats of futility. The hearing before the ALJ recently concluded and the parties will be filing briefs this month.

An ALJ has issued a decision in New York State Nurses Association (NYSNA), Case 3-CA-27723. The complaint alleged that NYSNA, as an Employer, violated Section 8(a)(1) of the Act by interfering with its employees’ union organizing activities when it changed terms and conditions of employment, including compensation, for employees during an organizing campaign, and violated Section 8(a)(1) and (5) of the Act by unilaterally implementing a “Blackberry policy” which impacted cell phone reimbursement and disciplinary practices for employees. The ALJ found that NYSNA unilaterally changed the “Blackberry policy,” which was a material and substantial change in employees’ terms and conditions of employment. In finding the violation, the ALJ rejected NYSNA’s argument that “economic exigencies” compelled its actions. The Region will file exceptions this month to the ALJ’s finding that NYSNA did not violate Section 8(a)(1) of the Act by changing employees’ terms and conditions of employment during an organizing campaign.

Learn More: Visit Us Online!

The NLRB's website was recently recognized by the National Security Archive as one of the five best in the federal government. Most case-related documents may now be filed through the website with the field offices, as well as the Division of Judges, General Counsel's Office of Appeals, and the Board's Executive Secretary's Office. The redesigned website also provides several options for conducting legal research.

The NLRB website, www.nlr.gov, contains a great deal of additional information about the protections of the Act, Board policies and procedures, and how to contact the nearest Regional Office.



New NLRB Website Launches With More Information and Greater Ease of Navigation

The National Labor Relations Board launched a new agency website that is more flexible, timely, easy to navigate, and useful to a variety of audiences, from practitioners to first-time visitors.

The redesigned and re-imagined site, at www.nlr.gov, builds on an overarching effort toward greater transparency and efficiency at the NLRB, which enforces federal labor laws covering most private sector employment.

Among highlights of the new site:

- More case information is available more quickly than ever before. All Board decisions are now posted to the site at the time they are issued, rather than after a **one-day** holding period. The Board is also for the first time posting unpublished decisions, which do not appear in the official bound volumes of Board decisions. Additional documents from Washington and the regional offices not previously available will be posted to the site over time.
- The website showcases a new case-management system that has been coming online at the agency for more than a year, and will be deployed to all regional offices by the end of this fiscal year. The new single system replaces 13 separate case tracking systems, and will allow for seamless searches that cover the entire life of a case at the agency. Each case is assigned its own page, where information and documents are posted. More information and documents will be added over time as the rollout of the new system is completed.
- For the first time, the Agency's 32 regional offices – where all cases and elections begin – are prominently highlighted in the new site. An interactive map shows regional boundaries and allows visitors to quickly locate their own regional office. One click away is a page for each region that lists top officials and features newsletters, news releases and local cases and decisions.
- A data section tracks NLRB activities over the years by the numbers. The section launches with eight charts and tables covering a variety of indicators, from charges filed to back pay collected. More charts and tables, with greater interactivity, will be added through the year.
- Improved navigation will make it far easier for visitors to find their way and new pages explain the NLRB processes and functions in accessible language. At the same time, all the case-handling manuals, memos and forms found on the old website will be available on the new one.

Contact the Region:

There is always an information officer available at an NLRB Regional Office to answer general inquiries or to discuss a specific workplace problem or question. The information officer can offer information about the Act and advice as to whether it appears to be appropriate to file an unfair labor practice charge. If filing a charge does appear to be appropriate, the information officer can assist in completing the charge form.

The information officer at Region 3 may be reached by telephone at:

1-866-667-6572
(Toll free)

or

716-551-4931 (Buffalo)
518-431-4155 (Albany)

Para información en Español llame al:

1-866-667-6572
(Toll free)

TOLL FREE NUMBER:

The Agency also has a toll free telephone number that offers a general description of the Agency's mission, referrals to other related agencies and access to an Information Officer based upon the caller's telephone number. A Spanish language option is also available. Toll free access is available by dialing:

(TTY) 1-866-315-NLRB (1-866-315-6572) for hearing impaired.

Board Orders Compound Interest for Back Pay

In Kentucky River Medical Center, 356 NLRB No. 8 (October 22, 2010), the Board adopted a policy in which interest on back pay awards will be compounded on a daily basis, rather than the previous practice of using simple interest.

It is anticipated that daily compounding will lead to more fully compensatory interest awards and thus come closest to achieving the make-whole Board remedies ordered to correct violations of the Act. Further, daily compounding conforms to commercial practice and is used under both the Internal Revenue Code and the Back Pay Act. The Board, in Rome Electrical Systems, Inc., 356 NLRB No.38, fn.2 (November 24, 2010), held that daily compounding would not apply to cases that were already in the compliance stage on the date Kentucky River issued (October 22).

Electronic ULP Notice Posting

In Picini Flooring, 356 NLRB No. 9 (October 22, 2010), the Board amended its current posting language in remedial notices to encompass and require electronic distribution by email, intranet, internet, or by any other electronic communication if the respondent customarily communicates with its employees or members by any of those means.

This decision improves the administration of the Act to ensure notices are communicated to employees or members in a manner customarily used by the respondent.

As an administrative agency, the Board has discretion to establish rules and remedies to protect and advance employee rights within the limitations imposed by the Act. The Board's standard remedial posting provision requires a respondent to post a notice for 60 days "in conspicuous places including all places where notices to employees [members] are customarily posted." Id. The modified provision directly follows the standard provision and states in pertinent part, "In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, or other electronic means, if the Respondent customarily communicates with its employees [members] by such means." Id. The Board amended the standard provision in remedial notices as a result of the increased reliance on electronic communication within the workplace to reflect the contemporary transition of communication technology. This policy applies to all respondents, whether the respondent is an employer or union, and will be applied retroactively in all pending cases in whatever stage, absent any "manifest injustice." Id.

The Board determined that questions as to whether an electronic notice is appropriate or unduly burdensome on the respondent, or any other issues regarding electronic notices, will be resolved in the compliance stage of the proceeding. Furthermore, the burden of establishing whether electronic posting should be required is on the respondent because it has

NLRB Releases Videos on Website

In its continuing effort to enhance the public's ability to transact business with the Agency, the NLRB now features the following videos on our site at www.nlr.gov:

“Introduction to the NLRB Public Website, which provides viewers with a guided tour of the Agency’s website; **How to use CiteNet**, which explains how to use the Agency’s electronic legal research database of Board and court decisions dating from 1002; and the “**Representation Case**” video, which is designed to inform the public about the role of the Agency in conducting elections.

(Electronic ULP Notice Posting Continued)

knowledge, access and possession of relevant information and corroborating evidence regarding communication within its business.

Board Proposes Rule To Require Posting Of NLRA Rights

Notices would be similar to those detailing rights under safety, wage and anti-discrimination laws

The National Labor Relations Board submitted to the *Federal Register* a Notice of Proposed Rulemaking, with a 60-day comment period that expired on February 22, 2011. The rule would require employers to notify employees of their rights under the National Labor Relations Act. As the Notice states, the Board “believes that many employees protected by the NLRA are unaware of their rights under the statute. The intended effects of this action are to increase knowledge of the NLRA among employees, to better enable the exercise of rights under the statute, and to promote statutory compliance by employers and unions.”

Private-sector employers (including labor organizations) whose workplaces fall under the NLRA would be required to post the employee rights notice where other workplace notices are typically posted. If an employer communicates with employees primarily by email or other electronic means, the notice would be posted electronically as well. The notice would be available from the Agency’s regional offices and could also be downloaded from the NLRB website.

The proposed notice is similar to one recently finalized by the U.S. Department of Labor for federal contractors. It states that employees have the right to act together to improve wages and working conditions, to form, join and assist a union, to bargain collectively with their employer, and to choose not to do any of these activities. It provides examples of unlawful employer and union conduct and instructs employees how to contact the NLRB with questions or complaints.

Welcome Aboard!

Region 3 Extends a Warm Welcome to the Following New Staff Members

Byung Kwan Park is a junior majoring in Industrial and Labor Relations at Cornell University, where he has taken courses in labor and employment law. He is working for Region 3 in the Buffalo, NY office as an intern this spring semester.



Our Service Standards

- We will attempt to answer your questions about the case, consistent with the confidentiality rights of the other persons and the Privacy Act.
- If necessary we will provide bilingual services if we are given sufficient notice of that need.
- We will provide the same treatment to all persons regardless of race, sex, religion, national origin, age, political affiliation, sexual orientation or disability.
- Our facilities are accessible to persons with disabilities. Please let us know if you will need an accommodation.

If you wish, you may be represented by an attorney or other representative of your choice.

(Welcome Aboard Continued)



Rachel Kurtzleben will be a student co-op with the Region 3 office in Buffalo, NY through the end of July 2011. Rachel is a Master's of Industrial and Labor Relations student at Cornell University where she will graduate in December 2011. She graduated with a B.A. degree from Luther College in Decorah, Iowa in 2009.

New Office Manager

Barbara Keough was recently named Region 3's new office manager. Before joining the Agency, Barbara worked for 17 years in the private sector, most recently as Vice President of Operations for Flynn & Friends, Inc., an advertising agency in Buffalo, NY.



Marjorie J. Murray Retires after 33 Years

After a distinguished, 33-year career with Region 3, Marjorie J. Murray has retired from the Agency. "Marge" held the position of Field Examiner for most of her career, and was a well-respected examiner and mentor to others. In 2007, she was named Office Manager, a position she held until her retirement last November. Region 3 recognizes Marge's outstanding service, thanks her for her dedication, and wishes her well in retirement.

Rhonda P. Ley, Regional Director
National Labor Relations Board, Region 3

To receive this newsletter electronically send an email including:

- ❖ Name
- ❖ Agency
- ❖ Email address(es)

to: Katy.Domagala@nlrb.gov.