



Region 10 PERSPECTIVE

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CHIP'S CORNER — “Managing Under Sequestration”

On March 26, 2013, President Obama signed into law H.R. 933, the Consolidated and Further Continuing Appropriations Act, 2013, which provides our Agency with full-year appropriations through September 30, 2013. That legislation and the Budget Control Act of 2011, commonly referred to as sequestration, require the Agency to absorb a budget reduction of approximately \$14.5 million. These cuts are likely to impact our operations and the efficiency of our services to the public detrimentally.

To ensure we continue to provide our services to the greatest extent possible, the Agency has implemented a wide-ranging set of cost-saving initiatives to get through the remainder of the fiscal year. These include an immediate hiring freeze and the curtailing of all performance awards, training, transfers, conferences, exchange programs, case-handling details, administrative and non-reimbursable travel, computer replacements, and software upgrades. The Agency is also delaying office renovations, office relocations, and related furniture and equipment purchases, as well as severely restricting supply purchases.

In addition, we have implemented, among other things, a number of case-related cost saving measures. These include designating a coordinator in each office who must review and group cases for investigation and approve all travel. Also, I have taken on the role of settlement coordinator for all of the offices within Region 10 to ensure that all

avenues of settlement have been explored well before cases are allowed to go to trial. Although face-to-face affidavits remain the cornerstone of our high impact investigations, in light of the travel restrictions imposed, we have no choice but to use questionnaires or take telephone affidavits in some of our lower priority cases in lieu of face-to-face affidavits. Moreover, absent very good cause, all institutional charging parties within 120 miles of a field office location will be asked to come to the office to give affidavit testimony. Likewise, both representation and unfair labor practice hearings for employers within 120 miles of an office will also be scheduled in the office unless the presence of witnesses at the hearings must be compelled by subpoena and the costs associated make scheduling the hearing at the remote location more cost-effective.

Finally, in keeping with our transition to electronic case files, we ask you help us cut down on paper, ink, and time by filing all your documents with us through **e-file** only. Paper documents must be scanned into our electronic case system and paper duplicates of documents submitted through **e-file** generally must be shredded because, since October 1, 2012, there is no paper file in which to place them. So, save a few trees while helping us out — don't send paper documents. We appreciate your assistance in advance!

— **CLAUDE T. “Chip” HARRELL JR.**
Regional Director

Region 10 Welcomes the Nashville Resident Office

Effective December 1, 2012, the Nashville Resident Office became a part of Region 10. The Nashville Resident Office has been in existence since about 1968. Prior to December 2012, it was part of Region 26-Memphis. The Nashville RO handles cases in middle Tennessee and western Kentucky (west of the time zone line), with the exception of Davies and Henderson counties in Kentucky, which are covered by the Indianapolis Regional Office. Now that it is part of Region 10, the Nashville office may also handle cases in eastern Tennessee and northern Alabama.

The Nashville Resident Officer is Joe Artiles, who has been with the National Labor Relations Board since 1975. The office is ably staffed by Field Examiners Stacey Smith, Jill Adkins, and David Watkins; Field Attorney Michael Jeannette; and Election Specialist Deanna McFarland. Smith, Adkins and McFarland have served with the Agency since 2000, while Watkins joined in 2004. Jeannette is familiar with the Winston-Salem Sub-Regional Office, having worked there until transferring to Region 26 in 1996. Prior to working in Winston-Salem, he was in the Office of Appeals. Similarly, Region 10's Knoxville Resident Agent, Alex Edinger, once worked in the Nashville office. The Nashville staff is looking forward to a long, productive relationship with Region 10.

NORTH AND WILSON NEWLY APPOINTED

Jane North has been appointed Officer in Charge of the Agency's Subregional office in Winston-Salem. In her new position, North will assist Regional Director Chip Harrell in enforcing the National Labor Relations Act in Georgia, North Carolina and South Carolina, and in certain counties in Alabama, Kentucky, Tennessee, Virginia and West Virginia. A native of Lynchburg, Virginia, North received her B.A. degree from Eckerd College and her J.D. degree, magna cum laude, from the University of Tennessee. She served as a law clerk for the Honorable Gilbert S. Merritt in the United States Court of Appeals for the Sixth Circuit, after which she was in private practice in Nashville, Tennessee, for three years. She began her NLRB career as a field attorney in the Winston-Salem office in 1988. North was promoted to Supervisory Field Attorney in 2000; Deputy Regional Attorney in 2002; Regional Attorney in 2009; and Deputy Regional Director in 2009.

Nancy Wilson was selected to serve as the new Assistant to the Regional Director for Region 10. Wilson graduated from William Paterson College (now University) in Wayne, New Jersey in 1984 and received a master's degree in Industrial Relations from Rutgers University in 1987. Shortly after, she was hired as a Field Examiner in Region 22-Newark. In June 2004, Wilson accepted a transfer to Winston-Salem. In February 2006, she was promoted to Supervisory Field Examiner, a position she held at the time of her promotion to ARD.

"This is a period of tremendous growth and change for Region 10," commented RD Chip Harrell. "I've been working closely with Jane since the regional merger, and Nancy is a welcome addition to our management team. Though we're in different physical offices, I anticipate a seamless transition."

TEEL PROMOTED TO REGION 10 OFFICE MANAGER

Region Ten is pleased to welcome Yvette R. Teel to Atlanta as the Region's new Office Manager. Teel formerly served as Secretary to the Regional Director in Sub-Region 11—Winston-Salem.

Teel is a native New Yorker and has a strong military background. She joined the United States Army in 1983 and did two tours in Korea and a tour in Germany, as well as other postings. She served 11 years of active duty, left the military, then joined the Army Reserves from 2001-2004.

Teel began working for the National Labor Relations Board in 2001, starting in Region 29-Brooklyn, as a group secretary. During her tenure with the Agency, Teel has transferred to several offices to gain greater opportunities and master new challenges. After becoming an expert in the Agency's case tracking system, she transferred to the Agency's Miami resident office in 2002 and later became the DRA secretary. During that period, she had the opportunity to serve as Acting Office Manager, and her interest in that position was piqued. In 2007, Teel transferred to Region 11-Winston-Salem, becoming the Regional Director's secretary in 2008. She received extensive training in the Agency's new electronic case management system and became a strong proponent of, as well as an expert in, NxGen. She also had the opportunity to act as Office Manager in Region 11, which solidified her goal to become an office manager.

Teel is very excited about the challenges that await her as Atlanta's new Office Manager. With her varied background in support staff work and office manager duties, her positive attitude about the challenges as well as the benefits of NxGen, and her strong desire to help the office run smoothly in all aspects, she is sure make a positive impact right away. In addition to enjoying her new position, she is happy to return to a thriving big-city environment.

In her limited spare time, Teel enjoys spending time with her two children, DeChaun, 23, and Jadea, 20. She proudly notes that her daughter is following in her footsteps and joined the Army in 2012. She also enjoys interior design/ decorating, cooking, and fitness, and is presently seeking certification as a personal trainer and nutritionist.

**LATE BREAKING NEWS —
Shannon R. Meares appointed new
Supervisory Attorney in Sub-Region 12 —
Winston-Salem!**

RECENT REGION 10 DECISIONS

General Drivers, Warehousemen and Helpers Local No. 509, A/W International Brotherhood of Teamsters, 10-CD-094327 – Board order remanding approval of Charging Party's request to withdraw the charge in light of parties' non-Board settlement agreement to the Regional Director.

NTN Bower Corporation, 10-RD-090682 – Board order finding no substantial issues warranting reversal of Regional Director's administrative dismissal.

Intertape Polymer Group, 11-CA-077869 – ALJ decision finding Employer violated Section 8(a)(1) by unlawfully restricting employees' protected concerted activities.

Murphy Oil USA, Inc., 10-CA-038804 – Board order granting Joint Motion to transfer the case to be continued before the Board in Washington, D.C. and approving stipulation of facts.

USA Fire Protection, 10-CA-038074 – Board order denying Union's Motion for Reconsideration.

EBI, LLC, 10-CA-088242 – Board order denying Employer's Petition to Revoke Subpoena Duces Tecum.

NTN Bower Corporation, 10-CA-038816 – Board order granting parties' Joint Motion Seeking Remand to the Regional Director.

United States Postal Service, 10-CA-077588 – Board decision approving Formal Settlement Stipulation, transferring proceeding to be continued before the Board in Washington, D.C., and ordering Employer to cease and desist violating Employees' Section 7 rights and affirmatively take action necessary to effectuate the policies of the Act.

Mohawk Flooring and Janitorial Service, Inc., 11-CA-022379 – Board decision granting Acting General Counsel's Motion for Default Judgment and ordering due net backpay plus interest accrued to the date of payment.

Copper River Grill, 10-CA-085934 – Board order denying Employer's Petition to Revoke Subpoena Duces Tecum.

THE B'S NEST: BIRMINGHAM HAPPENINGS

No matter how comfortable you are in your environment, should change come, there will always be some difficulties encountered during the transition. It's been six months since my appointment as Resident Officer, and I remain excited about this challenging opportunity to lead the Birmingham office. There have been some growing pains for all of us, but I believe we are very close to creating our new normal.

For one, after more than 12 years, our offices have been renovated with new paint, carpet and artwork. By all accounts the much needed makeover has received positive feedback. We invite all practitioners and representatives to stop by for a visit when you are in the neighborhood. Otherwise, stay on the lookout for an invitation to our open house this spring.

If you are not in the neighborhood and cannot make the open house, please look for members of our staff at upcoming training events currently sponsored by the local EEOC office. EEOC has agreed to partner with us by allowing us to display our information and be available to answer questions from the public during these events. Most recently, members of our staff attended the EEOC's observance of Women's History Month. In June 2013, the EEOC has invited us to participate in the 50th year celebration of the Civil Rights Movement, which will be held at the Birmingham Civil Rights Museum.

As always, case processing is the top priority in the Birmingham office. Notably, members of our staff recently successfully resolved a series of cases involving the United States Postal Service and The Heil Corporation.

— Resident Officer Belinda Bennett

BOARD OVERRULES ANHEUSER-BUSCH, REQUIRES BALANCING TEST

The National Labor Relations Board has ruled that, in considering whether an employer is obligated to provide witness statements to a union representing an employee concerning discipline, the Board must balance the confidentiality interests of the employer against the union's need for the information.

The decision in *American Baptist Homes of the West d/b/a Piedmont Gardens* overrules a 1978 Board decision, *Anheuser-Busch, Inc.*, 237 NLRB 982, that established a categorical exemption for witness statements in such cases. In *Piedmont Gardens*, the Acting General Counsel and the charging party argued that the bright-line rule established in 1978 was "inappropriate," and the Board agreed, finding it should instead apply a balancing test articulated by the Supreme Court in 1979, in *Detroit Edison Co. v NLRB*, 440 U.S. 301.

Piedmont Gardens involves a continuing care facility in Oakland, California, where statements by two witnesses alleging that a certified nursing assistant was asleep on the job resulted in that person's termination. The union representing employees at the facility, SEIU, United Healthcare Workers-West, asked for information used in the termination, including witness statements. The employer refused.

In its decision, the Board noted that the National Labor Relations Act imposes on an employer a "general obligation" to furnish a union with relevant information necessary to perform its duties. However, under *Detroit Edison*, the Board must balance that need against "any legitimate and substantial confidentiality interests established by the employer." Also, the Board decided not to apply the rule retroactively; therefore, *Piedmont Gardens* and other pending cases are being decided under the *Anheuser-Busch* standard.

PCA Corner: A Regular Look at 8(a)(1)

The Board issued its decision in *Sabo, Inc. d/b/a Hoodview Vending Co.*, 359 NLRB No. 36, on December 14, 2012, finding that the Employer violated Section 8(a)(1) by discharging an employee for discussing job security with a coworker.

The facts are not complex. Employee George worked as a route driver in the Employer's vending machine service. George asked a fellow driver, Boros, if he had seen the Employer's help wanted advertisement seeking a route driver. Boros responded that he had. George stated that she thought that the Employer had posted the ad because the only other vending company in town did not have as much turnover as the Employer. Boros agreed. George then stated that she thought that the Employer was going to fire a route driver, and she asked Boros who he thought it would be. Boros indicated that he did not know. Boros later complained to the Employer's owners about the conversation and asked if he would be fired. That afternoon, the Employer discharged George for being "untrustworthy." The next day, one of the owners told employees that George had been fired for gossiping and telling other employees that they were going to be fired.

The Administrative Law Judge found no violation, concluding that George's conversation with Boros did not constitute protected concerted activity because nothing was said that expressly or impliedly contemplated any future action for the mutual aid and protection of the Employer's employees. (The ALJ also found that George was not discharged because of union activity because the Employer demonstrated that it would have fired her because of a leave offense the day before her conversation with Boros.)

The Board (Chairman Pearce and Member Griffin, Member Hayes dissenting) reversed the ALJ, disagreeing with the Judge's conclusions regarding the 8(a)(1) allegation. (The Board found it unnecessary to decide the 8(a)(3) aspect of the case.)

The Board concluded that the employees' conversation did constitute protected concerted activity. The Board specifically found that the lack of evidence that the conversation contemplated future group action was not dispositive of the issue. Rather, the Board noted, discussions of job security, like wages, are among the most vital terms and conditions of employment and are inherently concerted. In particular, the Board observed that the topic of job security concerns the very existence of the employment relationship, and such concerns often quickly "ripple through" and "resonate" with employees. Accordingly, the Board concluded that the discussion of job security here was concerted even if group action was nascent or not yet contemplated. The Board further concluded that the conversation at issue was a motivating factor in George's discharge, and that the Employer had not established that it would have discharged George in the absence of her protected conduct.

In finding that job security, like wages, was inherently concerted, the Board noted that in an earlier case, the Board had similarly concluded that discussions concerning employee work schedules were also inherently concerted, but specifically declined to address whether discussions of other terms and conditions of employment might also be inherently concerted.

Member Hayes dissented. Among other things, Hayes criticized the majority's theory of inherently concerted as a "legal fiction" that cannot substitute for affirmative proof. Specifically, Hayes asserted that there is no statutory rank order of importance for wages, job security, and schedule changes as compared to other terms and conditions of employment. In that regard, Hayes opined that employee discontent with any aspect of employment may lead to concerted or organizational activity no matter how minor the issue, and, conversely, some employee expressions of discontent may be individual, no matter how important the subject. Additionally, Hayes considered the majority's theory as a variant of the constructive concerted activity theory of *Alleluia Cushion*, rejected by the Board in the *Meyers*' cases.

AGENCY MOVES TO REVIEW DEFERRED CASES

In an effort to reduce its inventory of deferred cases, the Agency will be reviewing all cases that were placed in deferral status prior to March 13, 2012. There are at least 50 cases pending in Region 10 that fit into this category, and in late March, 2013, the Region began issuing show-cause letters to the parties in all such cases. These letters instructed the Charging Parties, Charged Parties and, in some cases, the discriminatees, to provide a status report of the grievance, as well as their position on whether the case should remain in deferral status. It is anticipated that by early May, the Region will have completed its review of these cases and will have made a determination whether to continue to keep a case in deferral status. It should be noted that if the Region does not receive a response to its show-cause letter from the Charging Party, a second letter will issue reminding the Charging Party of its obligation to respond and warning that a failure to do so may result in dismissal of the charge. However, in cases involving individual discriminatees who are not the Charging Party and in which a grievance has been dropped without settlement or has settled, but not to the discriminatee's satisfaction, or where the Charging Party does not respond to the Region's deferral status check letters, the Region will resume the investigation and make a determination on the merits of the charge. This practice is consistent with the Acting General Counsel's guidance for *Collyer* deferral cases contained in [OM 12-01](#) and [OM 12-43](#).

— ARD Nancy Wilson

RECENT REGION 10 RECIPIENTS OF GOVERNMENT SERVICE AWARDS

Officer in Charge Jane P. North – 25 years

Assistant Regional Director Nancy Wilson – 25 years

Office Manager Yvette R. Teel – 20 years

Pursuant to New Horizons for the Retarded, 283 NLRB 1173 (1987), the rate used to calculate interest on back pay and other monetary remedies provided for in Board Orders is to be based upon the "short-term Federal rate," i.e., the rate assessed by the Internal Revenue Service on the underpayment of taxes. The rate assessed for the second quarter of Fiscal Year 2013, January 1-March 31, 2013, and the third quarter of Fiscal Year 2013, April 1-June 30, 2012 remains 3 percent.

A list of rates to be used to calculate interest on Board monetary awards from April 1, 2001, to the present may be found in Operations Management (OM) Memo 11-39, posted under "Publications" on the Agency's website, www.nlr.gov.

Acting GC Releases Summary Operations Report

In January, Acting General Counsel Lafe Solomon released a summary of activities for Fiscal Year 2012. Of special note:

- 93.9% of all initial elections were conducted within 56 days of the filing of the petition.
- Initial elections in union representation elections were conducted in a median of 38 days from the filing of the petition.
- A 91% settlement rate was achieved in the Regional Offices in meritorious unfair labor practice cases.
- 97% of the 37 10(j) petitions litigated in federal district court resulted in a satisfactory settlement or substantial victory.
- The Regional Offices won 90.1% of Board and Administrative Law Judge unfair labor practice and compliance decisions in whole or in part.
- 94.5% of the 73 Board decisions under review by the US Courts of Appeals were enforced or affirmed in whole or in part.
- \$44,316,059 was recovered on behalf of employees as backpay or reimbursement of fees, dues, and fines. 1,241 employees were offered reinstatement.

The Agency's total case intake during FY 2012 was 24,275 compared to 25,004 cases in FY 2011, representing a 3% decrease in overall intake. Unfair labor practice case intake was 21,629, a 2.5% decrease from the previous year, and total representation case intake was 2,646, a 6.5% decrease from the FY 2011 total.

BOARD ADOPTS REQUIREMENTS FOR MAKE-WHOLE REMEDIES

In *Latino Express, Inc.*, 359 NLRB No. 44, a decision that will affect most cases in which back pay is awarded, the Board decided to require respondents to compensate employees for any extra taxes they have to pay as a result of receiving the back pay in a lump sum. The Board will also require an employer ordered to pay back wages to file with the Social Security Administration a report allocating the back wages to the years in which they were or would have been earned. In so holding, the Board reasoned that these two requirements better serve the remedial policies of the National Labor Relations Act by ensuring that discriminatees are truly made whole for discrimination they have suffered. Please General Counsel Memo GC 13-03 and Operations Memo 13-41 for additional guidance.



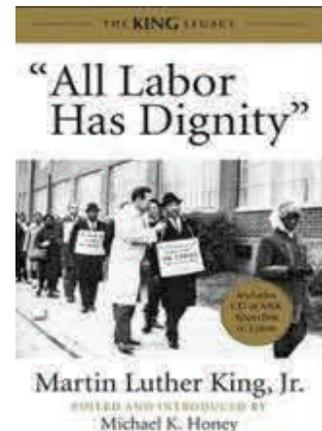
Q: Post-Regional restructuring, where should I file Board charges?

A: Nothing has changed in that regard. Charges should be filed in the Regional or resident office with primary responsibility for the county in which the alleged unfair labor practice took place. There is no need to serve a copy of the charge on the Regional Director in Atlanta.

REGION PAYS TRIBUTE TO AMERICA'S DIVERSITY

In November 2012, Region 10-Atlanta observed Native American Heritage Month by focusing on little-known aspects of Georgia history. A gathering of Regional office staff watched "Lost Worlds: Georgia," an eye-opening and thought-provoking documentary spanning 4000 years of Georgia history and archaeology. Using video and computer-generated reconstructions, filmmakers toured the state's oldest Native American sites, including the Sapelo Shell Ring complex; Kolomoki, Ocmulgee and Etowah Mounds; Rock Eagle and Rock Hawk effigy mounds; and Fort Mountain.

In February, to celebrate African-American History Month, Atlanta staff examined speeches transcribed in "All Labor Has Dignity," Michael K. Honey's compilation of Martin Luther King's speeches on labor rights and economic justice. This under-appreciated aspect of Dr. King's mission was central to his momentous "Mountaintop" speech, delivered in support of striking black sanitation workers the night before he was assassinated. In honor of his life and legacy, staff listened to the speech Dr. King gave on the occasion of the 30th anniversary of District 35, Retail Wholesale & Department Store Union.



NEW POLICY RE FRONT PAY IN BOARD SETTLEMENTS

In Memorandum GC 13-02, issued January 9, 2013, Acting General Counsel Lafe Solomon announced a revision of Agency policy on the inclusion of front pay in Board settlements. Previous policy required settlement terms encompassing front pay to be set forth in non-Board "side letters" that were not made part of the Board settlement agreement. Compliance Casehandling Manual (CHM) Sec. 10592.8 will eliminate this requirement.

"Front pay" is a monetary payment made to an employee as compensation in lieu of reinstatement. Under existing law, this form of compensation is not a remedy the Board includes in remedial orders. However, remedies approved as part of voluntary settlement agreements between parties are not limited to those the Agency would seek in formal proceedings.

Per Unfair Labor Practice CHM §10128.7, employees should not be pressured to waive reinstatement. However, where front pay in lieu of reinstatement is proposed, the offer should be communicated to the employee. In addition, a Region may raise the issue of front pay if the Region is confident that reinstatement will not be achieved absent litigation. At the same time, the parties and employee should be advised that the Region is not seeking front pay in formal proceedings, and the employee should be advised of the Region's position that the employee is entitled to reinstatement and full back pay and that, absent settlement, the Region intends to pursue formal proceedings to secure these remedies. Any waivers of reinstatement rights must be in writing. If funds paid to an employee will include both front and back pay, the heading in the "Backpay" section of the settlement Agreement should be changed to "Payment of Wages and Benefits."

— Nicholas Rowe, Field Attorney

REGIONAL R-CASE ROUND-UP

Since November 1, 2012, the following final election results have been recorded in Region 10's Atlanta, Birmingham, Nashville and Winston-Salem offices:

- **10-RC-087613**, Ronceverte, WV — Greenbrier VMC (45) - Nat'l Nurses Organizing Committee (59)
- **10-RC-087616**, Bluefield, WV — Bluefield Hospital (49) - Nat'l Nurses Organizing Committee (79)
- **10-RC-088873**, East Point and Atlanta, GA- Atlas Logistics Group (6)- IAM, AFL-CIO (20)
- **10-RC-089582**, Atlanta, GA- Brooks Range Contract Services (2) - IUOE, Local 926 (3) (all full-time mechanics and chief engineer employed at IRS Center)
- **10-RC-089648**, Atlanta, GA- Brooks Range Contract Services (1) – IUOE, Local 926 (6) (all full-time and reg. part-time mechanics employed at Peachtree Summit #1 Federal Bldg.)
- **10-RC-089651**, Atlanta, GA- Brooks Range Contract Services (4) – IUOE, Local 926 (6) (all custodians employed at IRS Center)
- **10-RC-089889**, Midland, GA- MDV, a wholly owned subsidiary of Nash Finch Co. (12)- Teamsters Local Union 528 (22)
- **10-RC-090329**, Cottdale, AL- Johnson Controls, Inc. (83)- UAW (106)
- **10-RC-091714**, Loudon, TN- Kimberly Clark Corp. (160)- Assoc. of Western Pulp & Paper Workers a/w United Brotherhood of Carpenters (92)
- **10-RC-091799**, Charlotte, NC- Viox Services, Inc. (3)- IUOE, Local 465 (2)
- **10-RC-092302**, Bessemer, AL- Alabama CVS Pharmacy, LLC (7)- UFCW, Local No. 1657 (7)
- **26-RD-093304**, Hawesville, KY – Labor Management Federal Credit Union (2) – Steelworkers (4)
- **10-RC-096203**, Statesville, NC- Origin Food Group, LLC (5)- UFCW, Local 204 (8)
- **10-RC-096653**, Fort Bragg, Fayetteville, NC- Computer Sciences Corp. (0)- IAM (3)
- **10-RC-096878**, Roswell, GA- No. Fulton Medical Center, Inc. d/b/a No. Fulton Hospital (74)- Southern Region Workers United (SEIU) (95)
- **10-RC-097308**, Nashville, TN- Executive Management Services, Inc. (4)- UAW, AFL-CIO, Local 737 (9)
- **10-RC-097771**, Greensboro, Madison, Winder and Elberton, GA- Early Childhood Development Corp., LLP (0)- National Assoc. of Gov't Employees/Service Employees Int'l Union (SEIU) (28)
- **10-RD-098005**, Landrum, SC- Delphi Connection Systems, LLC (5) – IUE, The Industrial Div. of the Communications Workers of America, AFL-CIO, CLC, Local 709 (2)
- **10-RC-098046**, Boiling Springs, SC – Copper River of Boiling Springs, LLC d/b/a Copper River Grill (24)- National Workers Association (10)
- **10-RC-098365**, Mt. Holly, NC- Buckeye Technologies, Inc. (47) – United Steel Workers (USW) (35)

DID YOU KNOW ...?

... that Regional election decisions are available on-line? Click the [Cases and Decisions](#) tab at nlrb.gov to find Decisions & Directions of Election, Reports on Objections and Challenges, and more. Two recently issued by Region 10 are *Angelica Textile Services*, 10-RC-099829, and *Copper River of Boiling Springs, LLC*, 10-RC-098046.



A treasured stalwart of the Atlanta Regional Office, Office Manager **Ouida Heath** retired January 3. With more than 30 years of service in government, Heath handled the affairs of the office with quiet assurance and unfailing reliability. Often the first to arrive and the last to leave, Heath was much-appreciated not only here, but by staff in Headquarters. We wish her the best!

AGENCY OFFERS PARTIES CONVENIENT E-FILING

The NLRB strongly encourages parties to use the Agency's E-Filing Program to file documents with the Regional offices, the Office of Appeals, the Division of Judges, and the Office of the Executive Secretary. The E-filing system provides an easy way to file most case documents electronically. The case number is required for all documents uploaded through the E-file system. Please enter the case number in this format — 2 digits, dash, 2 characters, dash, 6 digits, i.e. 10-CA-000000. For consolidated cases, it is sufficient to E-File the document solely under the lead (lowest) case number in order to file in all the cases. For complete information about E-filing, please click [here](#).

The E-filing system accepts most documents allowed under Board rules, including:

- Answer to Complaint/Compliance Specification
- Appeal Filings
- Amicus Brief or Reply to Amicus Brief, Post Hearing Brief, Briefs in Support of Motions
- Disclaimer of Interest
- EAJA Applications
- Evidence
- Excelsior List
- Exceptions or Cross Exceptions
- Exhibits
- Extension of Time Request
- Formal Settlement Agreement
- Letter
- Motions, Oppositions to Motions, and Replies to Oppositions to Motions
- Motion to Stay Election
- Notice of Appearance
- Objections to Election
- Petition to Revoke Subpoenas or Response
- Position Statement
- Request for Review and Oppositions to a Request for Review
- Request for Special Permission to Appeal
- Requests to Proceed with Election
- Questionnaire
- Settlement Agreement
- Service Documents
- Withdrawal Request

Documents that may NOT be E-Filed include:

- Unfair Labor Practice Charges
- Representation Petitions
- Petitions for Advisory Opinions
- A document that is more than twenty (20) megabytes in size



A NOTE FROM THE EDITOR

Region 10 Perspective always encourages your questions, suggestions, comments and feedback. Please feel free to contact me at Lisa.Henderson@nlrb.gov or 404-331-2889.

Thank you!

Lisa Y. Henderson, Editor

Supervisory Attorney, Region 10-Atlanta

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The **National Labor Relations Board** is an independent federal agency created by Congress in 1935 to administer the National Labor Relations Act, the primary law governing relations between unions and employers in the private sector. The statute guarantees the right of employees to organize and to bargain collectively with their employers, and to engage in other protected concerted activity with or without a union, or to refrain from all such activity. The NLRA extends rights to most private sector employees, to their employers, and to unions/labor organizations. The NLRA protects workers who form, join, support or assist unions, and protects groups of workers (two or more employees) without a union who engage in protected concerted activities seeking to modify their wages or working conditions. The Act protects non-union and union employees against employer and union discrimination based on union-related activities or other protected concerted activities.

Employees wishing to pursue workplace organization issues or allegations of unfair labor practices may seek assistance from the nearest regional NLRB office. Employers and unions who wish to pursue allegations of unfair labor practices may do the same. The Agency has 51 regional, sub-regional, or resident offices to serve the public.

Please let us know if you'd like to be added to or deleted from our newsletter mailing list. If you would like to receive future copies of Perspective by email, please notify us at NLRBRegion10@nlrb.gov.



NLRB Speakers are Available for Your Group

Members of the Region's staff are available to make presentations before any employer or union group, classroom group, legal services clinic or service agency, or labor relations association to describe the Act's protections, how the Region investigates and resolves unfair labor practice charges, how it processes representation petitions, or any NLRB topic of interest.

To arrange for a speaker and to discuss possible topics, please do not hesitate to contact Regional Outreach Coordinator Jason Hardman at Jason.Hardman@nlrb.gov or (404) 331-2888.

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