



Spring Edition
 April 2011
 Volume 7

**INSIDE
 THIS
 ISSUE:**

Marty's Soapbox 1

Solomon & Flynn;
 Objections 2

Promotion,
 Compliance 3-4

CHM Revisions 5

Black History Month;
 Interest Rates 6

Regional R-Cases,
 Facebook 7

New Website,
 Outreach 8

Birmingham Bits 9

Filing Charges;
 Outreach 10

Regional
 Directory 11

Contact Info 12

Region 10 PERSPECTIVE

An Outreach Publication Issued by
 Region 10, National Labor Relations Board, Atlanta, Georgia;
 our Birmingham, Alabama Resident Office;
 and Knoxville, Tennessee Resident Agent.

MARTY'S SOAPBOX

Comments by
 Regional Director Martin M. Arlook



As just about all readers of the *Region 10 Perspective* are aware, Section 9(a) of the Act we administer provides, in relevant part, that, “Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representative of all employees in such unit...” Note that this provision does not prescribe the method or manner of such designation or selection. Accordingly, it has been long held and settled that the NLRA provides employees two different paths to vindicate their Section 7 right to choose a representative: certification based on a Board-conducted secret ballot election *or* voluntary recognition based upon convincing evidence of majority support (usually authorization cards.) Linden Lumber Div., Summer & Co. v NLRB, 419 US 301, 309-310 (1971); NLRB v. Gissel Packing Co. 395 U.S. 575, 596-597 (1969). Nevertheless, last November, a majority of the electorate in Arizona, South Carolina, South Dakota and Utah approved Amendments to their respective state constitutions, which in essence guarantee the right to a secret ballot election for a designation, selection, or authorization for employee representation by a labor organization. In January of this year the Board’s Acting General Counsel communicated with each of the four states expressing the Board’s concern that these amendments run afoul of the Constitution’s Supremacy Clause by eliminating the Federal right of employees to secure union representation on the basis of evidence of majority support other than a secret ballot election. The four States’ Attorneys General responded expressing their view that the amendments do not violate the Supremacy Clause because they are consistent, and not in conflict, with federal law.

Stay tuned for what comes next.

SOLOMON NOMINATED AS GC; FLYNN NOMINATED AS BOARD MEMBER

On January 27, the White House announced that President Barack Obama would nominate Lafe E. Solomon to be General Counsel of the National Labor Relations Board and Terence F. Flynn to be a Board Member of the National Labor Relations Board.

Lafe Solomon, a career attorney at the National Labor Relations Board, was named Acting General Counsel of the NLRB by President Obama as of June 21, 2010. As the NLRB's top investigative and prosecutorial officer, the General Counsel has supervisory authority over all Regional Offices and guides policy on issuing complaints, seeking injunctions, and enforcing the Board's decisions. See the Fall 2010 edition of the Perspective for more about Mr. Solomon's career.

Terence F. Flynn is currently detailed to serve as Chief Counsel to NLRB Board Member Brian Hayes. Mr. Flynn was previously Chief Counsel to former NLRB Board Member Peter Schaumber, where he oversaw a variety of legal and policy issues in cases arising under the National Labor Relations Act. He holds a B.A. degree from University of Maryland, College Park and a J.D. from Washington & Lee University School of Law. Mr. Flynn started his law career at the firm Reid & Priest, handling labor and immigration matters from 1990 to 1992. From 1996 to 2003, Mr. Flynn was Counsel in the Labor and Employment Group of Crowell & Moring, LLP, where he handled a wide range of labor and employment issues, including collective bargaining negotiations, litigation of unfair labor practices, defense of ERISA claims, and wage and hour disputes, among other matters. From 1992 to 1995, he was a litigation associate at the law firm David, Hager, Kuney & Krupin, where he counseled clients on federal, state, and local employment and wage hour laws, NLRB arbitrations, and other labor relations disputes.

REGIONAL HEARING OFFICER UPHELD; OBJECTIONS OVERRULED

On March 11, in a 2-to-1 decision, the Board overruled employer objections to conduct affecting an election in *Mastec N. Am. Inc. d/b/a Mastec Direct TV*, 356 N.L.R.B. No. 110 (2011). Chairman Wilma B. Liebman and Member Craig Becker agreed with Region 10 hearing officer Sally R. Cline's ruling that, despite threatening statements made by pro-union employees, long-standing NLRB precedent favors certifying the union — which won the election by two votes — as the bargaining representative.

Quoting *Westwood Horizons Hotel*, 270 N.L.R.B. 802, 116 LRRM 1152 (1984), Liebman and Becker said the board will not set aside an election based on threats made by nonparties to an election proceeding unless their conduct is “so aggravated as to create a general atmosphere of fear and reprisal rendering a free election impossible.”

Dissenting, Member Brian E. Hayes agreed on the general standard for evaluating third-party conduct, but found that statements by Union supporters that they would “whip” or “bitch slap” co-workers if the union lost the election, were “serious and likely to intimidate prospective voters to cast their ballots in a particular manner” and required the board to set aside the election.

Chairman Liebman and Member Becker said that while they did not condone the statements, the Board has consistently required a “more compelling showing” to set aside the results of balloting “when the source of the alleged coercion is the conduct of third parties rather than the conduct of the employer or union.”

JOHN DOYLE NAMED DRA IN REGION FIVE



After serving 15 years as a trial attorney in the Atlanta and Birmingham offices of Region 10, John D. Doyle Jr. has been promoted to Deputy Regional Attorney of Region 5-Baltimore. John will miss and be missed by his friends in Birmingham and Atlanta, but is excited to be part of the management team of the largest regional staff in the Agency. He will be putting his considerable experience to good use to help develop staff attorneys' trial skills and coordinate the litigation in the area served by the Baltimore Regional and Washington DC Resident offices. In addition to Maryland, Delaware, and the District, the Region also serves certain counties in Pennsylvania, Virginia and West Virginia. John and his wife Steph grew up in colder climates than Region 10's, and they are looking forward to their three children experiencing wintertime in Baltimore.

WHAT IS "COMPLIANCE"?

Compliance, in which respondents are required to take restorative actions to effectively undo violations, is the final phase of an unfair labor practice case.

When a case involves a person who was unlawfully discharged, compliance requires that the individual be reinstated and "made whole." This seemingly simple remedy – return the employee to the job he or she previously held and pay them lost wages – is often quite complex. How are lost wages determined? What about extra expenses the person incurred due to the unfair labor practice? How is income received from substitute employment sorted out? How is interest figured on money owed the person?

On March 11, Acting General Counsel Lafe Solomon revealed significant changes to the methods used to calculate make whole remedies. These guidelines, announced in General Counsel Memo 11-08, were necessitated by the Board's decision in *Jackson Hospital Corporation d/b/a Kentucky River Medical Center*, 356 NLRB No. 8 (2010), wherein, most notably, the Board changed its policy with regard to the assessment of interest on make-whole orders. Under the new policy, interest on make-whole awards is to be compounded on a daily basis and will now be due and owing from the date of the pay period of the violation. This is a change from the old policy in which interest began accruing at the end of the calendar quarter in which the liability was incurred. The *Kentucky River* modifications were made to bring National Labor Relations Board remedies in line with other comparable legal regimes (including the Internal Revenue Code) and to better serve the remedial policies of the Act. *Kentucky River* also prompted reconsideration and revision of the treatment of other components of the monetary award, specifically, search-for-work expenses; interim work-related expenses; the tax treatment of back pay awards; and the reporting of back pay to Social Security.

It is an unfortunate fact that it can take years from a person's unlawful discharge until the happy day he or she is handed their back pay check. For this reason, the check could be a big one – so big that the person gets a much bigger tax bite than if they had never been terminated. To correct this problem, those who commit unfair labor practices will now have to compensate the affected for their tax losses.

The sometimes lengthy process can also affect Social Security. Say a \$30,000 a year employee is out of work for three years. A lump sum back pay check may create the appearance that the employee earned \$90,000 in one quarter while earning nothing the 12 previous ones. To insure that Social Security earnings are properly allocated, employers who violate the Act and owe back pay will now be required to advise Social Security what the person's quarterly pay would have been had the unlawful activity not occurred.

One thing *Kentucky River* did not change is the calculation of back pay on a quarterly basis as set forth in *F.W. Woolworth Co.*, 90 NLRB 289 (1950). This means that *interest is compounded daily* but the *amounts owed are still figured quarterly*. To determine interest owed in this new era we need a blending of the old with the new – *quarterly* calculations with *daily* interest. So how do we figure this?

We start with the same old data:

- Gross earnings -- What would the person have made on the job in which the unlawful termination occurred?
- Interim earnings -- What did the person make at any substitute job?
- Job expenses -- What additional expenses did the person incur searching for work, traveling for work or other new work expenses?
- Other losses -- What other losses did the person have, for example unpaid medical bills that would have been covered had there been no discrimination?

What we are calculating, before and now, is net back pay – what the person would have earned minus what the person earned through interim, or substitute, employment. This net back pay, plus interest, is what is due the employee. What's new is how the data is crunched. For example, under the old method, if a person had expenses but no interim earnings in a quarter, the person would not be paid for the expenses. Now that will no longer be the case. Instead, discriminatees will be fully compensated for expenses incurred as a result of the discrimination.

Because the calculations remain quarterly, interims will still be reported quarterly. But because interest will be owed from the pay period in which it was due and interest will be compounded daily, we need to do some figuring. First, we will determine what the person would have earned in each pay period if the discrimination had not occurred. The quarterly interim earnings are then allocated to pay periods that contain gross back pay on a proportional basis determined by the proportional distribution of pay period gross back pay in the quarter. Daily compound interest will then be added for each pay period. Sum up all the net back pay amounts and all the interest amounts, and we've got what is owed.

It may sound confusing, but what it does is insure that those whose paychecks were unlawfully reduced or eliminated receive all that they are owed – but no more than what the law requires.



At his retirement luncheon on December 17, 2010, Senior Field Attorney Carla L. Wiley presents Senior Field Examiner Richard "Tony" Harrison with a token of the Region's appreciation for his years of dedicated service to the Agency.

REVISIONS TO NLRB UNFAIR LABOR PRACTICE CASEHANDLING MANUAL

The following sections have been added or revised in the Unfair Labor Practice Casehandling Manual:

- (1) Section 10022 – includes potential need for injunctive relief as a factor in assigning a case for investigation
- (2) Section 10027 (new) – specifies that cases raising potential Section 10(j) and 10(l) injunctive relief should be identified as soon as possible after filing of the charge
- (3) Section 10052.3 – provides guidance when contacting the charging party or witnesses by e-mail or other forms of correspondence
- (4) Sections 10052.9, 10310.3 and .4 – discuss Section 10(j) and expedited administrative law judge hearings in nip-in-the-bud discharge cases
- (5) Section 10130.10 (new) – discusses need to include default language in settlement agreements
- (6) Sections 10130.11 (new) and 11750.4 (new) – discuss confessions of judgment, circumstances when it may be appropriate to include in settlement agreements and conferring with Contempt Litigation and Compliance Branch when its use is contemplated
- (7) Sections 10148.3 and 10150.4 (new) – clarify that the Regional Office has the final decision as to whether compliance with unilateral and bilateral settlement agreements has been achieved
- (8) Section 10168 (Pattern 60, Formal Settlement Stipulation in CA Case) – revised so that pattern language is equally applicable to unilateral and bilateral formal settlement agreements
- (9) Sections 10242, 10310.3, 10320 and 11863 – revise instruction as to when it is necessary to institute a litigation hold
- (10) Section 10334.3 – revises guidance as to a Board trial attorney taking an affidavit from a prospective witness
- (11) Section 10394.7 – clarifies that e-mails and other recordings can be *Jencks* statements
- (12) Sections 11770.7 and 11770.8 (new) – discuss petition to revoke investigative subpoena, opposition to such petition and referral of these documents
- (13) Section 11782.6 (new) – discusses when counsel for the General Counsel has standing to file a petition to revoke a subpoena duces tecum served on an alleged discriminatee or General Counsel witness
- (14) Section 11842.3 and .4 – clarifies who is served with final appeal letters, final compliance letters and letters acknowledging an appeal, ruling on motions for reconsideration and conditioning the denial of an appeal

Several page breaks have also been inserted in the manual to facilitate reprinting future revisions. In addition, references to GC and OM Memoranda have been hyperlinked to the memoranda for the user's convenience. The above revisions are available on the Agency's website (www.nlr.gov) as well as on the Agency's intranet for viewing and, if a hard copy of the revisions is preferred, for printing.

LOCAL HISTORIAN ADDRESSES REGION DURING BLACK HISTORY MONTH

On February 15, 2011, Region 10 celebrated African American History Month with Dianne Wood, a family historian/genealogist and Director of the Coweta County African American Heritage Museum and Research Center in Newnan, Georgia. In keeping with the Agency's theme for the observation, Ms. Wood spoke to the Region about the participation of African Americans in the Civil War.

Staff found Ms. Wood's remarks to be interesting and provocative. Most controversial, perhaps, was her assertion that African-Americans willingly served in the Confederate armed forces in great numbers. Further, she said, they served not only in support roles, but as armed combatants, and she cited a story about black troops fighting under Nathan Bedford Forrest at the notorious Fort Pillow Massacre. According to Ms. Wood, black troops were paid stipends and eventually pensions by the South, remuneration not granted to their Union counterparts. She noted that the contributions of these soldiers and sailors are often overlooked because some were not identified by race in records.

Ms. Wood has volunteered for the Center since its inception seven years ago. She is also a cemetery specialist and amateur photographer and has taken photographs of more than 200,000 cemetery markers. She attempts to assist families in searching their roots through a review of grave sites, death certificates and other historical records, and she hopes to identify an unmarked slave cemetery of approximately 250 plots located near the Center. For more information about the Center, please visit <http://thecowetacountymuseum.blogspot.com/>

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 2011, January 1 to March 31, 2011, was 3 percent. For the third quarter of Fiscal Year 2011, April 1 to June 30, 2011, is 4 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.nlrb.gov.

REGIONAL R-CASE ROUND-UP

In Region 10, since October 1, 2010:

- ◆ 25 petitions have been filed. Eight were RD (decertification) petitions (32%) and 17 were RC (representation) petitions (68%).
- ◆ 14 elections have been scheduled.
- ◆ And the following final election results were recorded:
 - **10-RC-15812**, Atlanta, GA — American Red Cross (14) -Teamsters Local 728 (36)
 - **10-RC-15813**, Decatur, AL — Wayne Farms, LLC (5) - UFCW Local 1995 (9)
 - **10-RC-15814**, Garden City, GA — Cubic Worldwide Tech Services (0) - IAMAW (4)
 - **10-RC-15816**, Atlanta, GA — Ruan Transport (0) -Teamsters Local 728 (10)
 - **10-RC-15819**, Rome, GA — American Red Cross (11) - Teamsters Local 528 (6)
 - **10-RD-1506**, Boaz, AL — GGNSC Boaz LLC d/b/a Golden Living Center Boaz (6) - UFCW Local 1657 (33)
 - **10-RD-1509**, Knoxville, TN — Rural/Metro of TN, L.P. (42) - International Association of EMTs and Paramedics, SEIU/NAGE (49)

ARE ALL FACEBOOK POSTS PROTECTED BY THE ACT?

In October 2010, in American Medical Response of Connecticut, Inc., Region 34-Hartford issued a complaint alleging a violation of the Act where an employer discharged its employee after the employee aired her workplace grievances in Facebook posts.

The Agency's action was quickly disseminated by major news sources from MSNBC to Fox News – not always entirely accurately. Contrary to some press coverage, under existing Board law, the Act covers only internet content found to constitute protected concerted activity. Facebook and other social media sites have not created a space in which “anything goes.” In other words, not all employee statements regarding an employer are concerted, and even if concerted, not all statements are protected.

Since the press release, Region 10 has investigated four charges filed by employees discharged because of their use of Facebook. In only one of those cases did the Regional Director find sufficient evidence that the employer discharged its employee because of that employee's protected concerted activity.

In February 2011, the Region issued a complaint alleging that that an employer unlawfully discharged an employee due to her posts on Facebook. Critical to the Region's decision was a finding that the employer maintained an overly broad rule prohibiting employees from discussing disciplinary action and had invoked this rule when terminating the employee. However, in March 2011, the Region dismissed two other Facebook-related charges. In both of these cases, the Regional Director concluded that these Facebook posts were not concerted in nature as the employees' posts did not “seek to initiate or to induce or to prepare for group action,” but were general complaints about their employment. See Meyers Industries (Meyers II), 281 NLRB 882, 887 (1986), *enfd.* 835 F.2d 1481 (DC Cir. 1987). In both charges, the employees' posts were found to be unprotected “gripping.” Cf. Mushroom Transportation Co. v. NLRB, 330 F.2d 683 (3d Cir. 1964). In one instance, the employee posted a disparaging remark about a customer and in the other the employee made expletive-laden comments about a supervisor. Under these circumstances, the Director determined that no complaint could issue as the discharges were not the result of any protected concerted activity by these employees.

Recent events in the Middle East have demonstrated that internet-based social media are powerful tools for social change. It is clear that Facebook and other social media can serve as a conduit for employees' protected concerted activities and may play an important role during union organizing campaigns. However, the Act does not insulate every employee-authored posting on the internet, only those which seek to induce protected, concerted action.

The NLRB’s new website has launched !

Highlights of the new site include more case information 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 posting unpublished decisions, which do not appear in the official bound volumes of Board decisions, for the first time. Additional previously unavailable documents from Washington and the regional offices will be posted to the site over time.

For the first time, the agency’s regional offices are prominently featured in the new site. An interactive map shows regional borders and allows visitors to quickly locate their own regional office. Pages for each region list top officials and contact info and feature newsletters, news releases, and local cases and decisions. A data section tracks NLRB activities over the years and will launch 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. Our page can be reached at <http://www.nlr.gov/category/regions/region-10>

Better info, easier navigation AND links to the Agency’s regional webpages. Check it out: <http://www.nlr.gov/>

RECENT REGION 10 RECIPIENTS OF GOVERNMENT SERVICE AWARDS

Senior Field Examiner (now retired) Richard Harrison	35 years
Senior Field Examiner Belinda Bennett	30 years
Office Manager Ouida Heath	30 years
Senior Field Attorney (now Reg 5 DRA) John Doyle	15 years
Field Examiner Lanita Cravey	10 years
Litigation Specialist Tabatha Spates	10 years

REGION 10 COMMUNITY OUTREACH

- On March 2, Regional Director Martin Arlook visited a group of students at Cedar Grove High School in Ellenwood, Georgia, to talk about the NLRA, the NLRB, the rights the Agency protects, and potential job opportunities with the Agency. The discussion lasted an hour and included a question-and-answer session. Mr. Arlook was much impressed by his audience. “They were well-mannered, appeared most interested, and asked relevant questions,” he noted.
- Region 10 participated in the third annual Economic Opportunity Empowerment Fair sponsored by Delta Sigma Theta Sorority, Inc., held on March 18, 2011 in Atlanta. The NLRB joined approximately 50 other businesses and government agencies, including EEOC, HUD, SCORE, the Small Business Administration, and the National Action Network to educate hundreds of fair attendees about the groups’ primary functions. The NLRB representative, Senior Field Attorney Elaine Robinson-Fraction, distributed informational leaflets concerning employees’ rights under the Act, as well as agency paraphernalia such as blotters, cup holders and calculators. This was the third consecutive year of the Agency’s participation in the fair.

Birmingham Bits

C. Douglas Marshall, Resident Officer



As I prepare this article, the calendar reminds me that on April 26th I will celebrate 40 years with the NLRB — all of it in Region 10. In fact, over 34 years have been spent as Resident Officer here in Birmingham. Thinking of anniversaries, the agency marked 75 years this past July; Deputy GC John Higgins retired in November after holding countless top agency positions during his 46-year career; and, of course, our Director Martin Arlook just completed 51 years with the NLRB in March. In several issues of the *Perspective*, I featured a ‘Where Are They Now’ segment remembering retired Region 10 employees. Reflecting on them and on all these anniversaries now has made me a little pensive. Younger agents have asked me “how things were in the day” when I ran the ridges of East Tennessee with Tom Palmer, Walter Bowman, Bill Cates (now Associate Chief ALJ in Atlanta) and the late Howard Trimble. Indulge me as I travel down memory lane:

- We took our affidavits by hand — not on a laptop.
- We ‘gum-shoed,’ finding witnesses by sequentially checking Waffle Houses, gas stations and country stores to locate where they lived — not by doing a Google name search and programming the address into our GPS.
- We investigated secondary boycotts and jack rocks on picket lines — not discharges for Facebook postings and Twitter tweets.
- We looked for the cheapest place to stay that still had clean sheets without toe holes — not ones with Wi-Fi and complimentary breakfast.
- We drove everywhere and anywhere — and at 11 cents a mile, my paper travel check exceeded my paper paycheck most months.
- We hurried back to the office or asked someone in town to deposit our checks to cover our bills we mailed — not having direct deposit and on-line banking.
- We carried a pocket full of coins for calls from the pay phones located on nearly every corner, hoping that critical witness was home to answer — not worrying about caller ID, texting or calling them from cell phones or Blackberries and leaving voice mails.
- We used carbon paper for copies — not scanning and emailing.

Still, as much as things were different then, some things are very much the same. Independent witnesses are still afraid to get involved whether the charges are against the employer or the union. Most all witnesses still respect the Agency and listen to the agent. The satisfaction from an investigation or trial when you know you have done your best and the result was the correct one is still just as rewarding.

As John Higgins stated in a speech last summer in Huntsville, when we are discussing the impact of fine points of recent Board decisions, we should not underestimate how important the dismissal of a charge of duty of fair representation is to the accused shop steward after a prompt investigation by the Board agent. And when there is a settlement, reinstatement or back-pay, the individual employee’s heartfelt appreciation reminds you why you care so much about what we really are all about — now, and 40 years ago.

Filing Charges or Petitions

Unfair labor practice and petition forms are available for download from the NLRB Website at www.nlrb.gov. Forms may also be obtained from any NLRB regional office. Pre-filing assistance is available daily from 8:00 am to 4:30 pm in Atlanta (eastern time) and Birmingham (central time), in person or by phone. Our information officers can provide information about which forms to use and how they should be completed and can answer general unfair labor practice and representation questions. See page 12 for contact information.



BOARD AGENTS ROX AND RICH SPEAK TO LAW STUDENTS

Senior Field Attorneys Frank Rox and Lauren Rich spent a recent Friday evening with Professor Helen DeHaven's labor and employment law class at the John Marshall Law School in Atlanta, Georgia.

Mr. Rox spoke to the class about the recent case handling initiatives instituted by Acting General Counsel Lafe Solomon. Mr. Rox highlighted General Counsel Memorandum 11-04, which addresses the inclusion of default language in informal settlement agreements. The class discussed how the new guidelines as articulated might impact the Board's ability to obtain settlements in unfair labor practice cases. Mr. Rox also spoke about GC Memo 10-07 (increased scrutiny of discharge cases during organizing campaigns), GC Memo 11-01 (increased use of enhanced remedies in unfair labor practices cases involving an organizing campaign), and GC Memo 11-05 (changes in the NLRB's approach to deferral matters.)

Ms. Rich, who for several years served as counsel to the Major League Baseball Players Association, spoke on the National Football League lock-out and the implications of the NFL Players Association's decision to disclaim interest as the players' representative and pursue anti-trust litigation.

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, Supervisory Attorney

2011 REGION 10 DIRECTORY

ATLANTA REGIONAL OFFICE

NAME	TELEPHONE #	NAME	TELEPHONE #
Regional Director ARLOOK, MARTIN M.	(404) 331-2862	ARD Secretary MARTIN, TERRANCE R.	(404) 331-2883
Regional Attorney BULLS, MARY L.	(404) 331-2829	Field Attorney MEYERS, KERSTIN I.	(404) 331-2827
Elections Specialist CHATMAN, JOSELLE M.	(404) 331-4764	Assistant Office Manager PHILLIPS, MARSHA L.	(404) 331-2866
Field Attorney CLINE, SALLY R.	(404) 331-2893	Field Attorney RICH, LAUREN	(404) 331-2882
Assistant to the RD COMBS, TERRY D.	(404) 331-2877	Field Attorney ROBINSON-FRACTION, ELAINE	(404) 331-9685
RA Secretary DAVIS, YVETTE	(404) 331-2875	Field Attorney ROX, FRANK F.	(404) 331-4600
Docket Secretary DORSEY, PAUL E.	(404) 331-4740	Litigation Specialist SPATES, TABATHA G.	(404) 331-4695
Field Examiner HARDMAN, JASON A.	(404) 331-2888	Receptionist STEVEN, MITCHELL S.	(404) 331-2890
Office Manager HEATH, OUIDA Y.	(404) 331-5457	Compliance Assistant WATKINS-CARROLL, SHAWN Y.	(404) 331-4675
Supervisory Attorney HENDERSON, LISA Y.	(404) 331-2889	Field Attorney WILEY, CARLA L.	(404) 331-2857
Deputy Regional Attorney HYMON, GAYE NELL	(404) 331-2870	Field Attorney WILLIAMS, JEFFREY D.	(404) 331-2899
RD Secretary LUCAS, NELLIE P.	(404) 331-2861		

BIRMINGHAM RESIDENT OFFICE

Case-Processing Asst. AYERS, YVONNE	(205) 933-3020	Resident Officer MARSHALL, C. DOUGLAS	(205) 933-3021
Field Examiner BENNETT, BELINDA C.	(205) 933-3015	Field Examiner McCARTY, P. LINN	(205) 933-3014
Field Attorney CHAHROURI, KATHERINE	(205) 933-3016	Compliance Officer NEWMAN, MORRIS J.	(205) 933-3013
Field Examiner CRAVEY, LANITA	(205) 933-3012	Field Attorney POWELL, GREGORY	(205) 933-3022

KNOXVILLE RESIDENT AGENT

Field Examiner EDINGER, ALEXANDER	(865) 573-4879
--------------------------------------	----------------



Contact Information:

Atlanta Regional Office

Suite 1000, Harris Tower
 233 Peachtree St, NE
 Atlanta, Georgia 30303
 Phone: (404) 331-2896
 Toll-Free Phone: (866) 667-NLRB [6572]
 Fax: (404) 331-2858 [50-page limit on faxes]
 Web: www.nlr.gov
 For the Hearing Impaired: (866) 315-6572

Birmingham Resident Office

Ridge Park Place, Suite 3400
 1130 South 22nd Street
 Birmingham, Alabama 35205
 Phone: (205) 933-2018
 Fax: (205) 933-3017 [50-page limit on faxes]

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.

April 2011 Issue Contributors:

Editor-in-Chief Lisa Y. Henderson. Assistant Editors Sally Cline & Kerstin Meyers. Writers Martin Arlook, Katherine Chahrouri, Sally Cline, Terry Combs, Jason Hardman, Doug Marshall, Kerstin Meyers, Morris Newman, Elaine Robinson-Fraction & Frank Rox.