

# The Gateway-River City Times

**SECTION 7 OF THE NATIONAL  
LABOR RELATIONS ACT  
(NLRA) GIVES EMPLOYEES  
THE RIGHT TO:**

FORM, JOIN OR ASSIST A UNION

CHOOSE REPRESENTATIVES TO  
BARGAIN WITH THEIR  
EMPLOYER ON THEIR  
BEHALF

ACT TOGETHER WITH OTHER  
EMPLOYEES FOR THEIR  
BENEFIT AND PROTECTION

CHOOSE NOT TO ENGAGE  
IN ANY OF THESE  
PROTECTED ACTIVITIES

NLRB Region 14 St. Louis, MO and Subregion 33 Peoria, IL



St. Louis



Peoria

## **Claude (Chip) Harrell, Year One** **Regional Director Region 14 and Subregion 33**

The end of my first year as Regional Director rapidly approaches. It's been a good year - I am blessed with an experienced and dedicated staff committed to effectuating the purposes and policies of the Act in a fair and impartial manner.

It has been challenging and exciting as the staff and I not only had to learn about and adapt to each other, but also implement numerous new Agency initiatives. At the same time, we had to worry about the possibility of substantial cuts in funding during the height of the budget crisis. Thankfully, the budget issues have been resolved - we can now turn our exclusive attention back to enforcing the Act.

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Any change in management necessitates some changes in approach and procedures. Since my arrival in June 2010, I have stressed efficient and effective case processing, particularly the need to obtain the charging party's evidence shortly after a case is filed. To Charging Parties: if you are not ready to promptly proceed, I ask that you not file a charge until you are. A failure of a charging party to timely present evidence could result in the charge being dismissed. Should that happen, absent a statute of limitations issue, a new charge may be filed when you are ready to present your evidence in a timely fashion.

I have urged agents to do all they can to resolve evidentiary conflicts. If there are neutral witnesses or documents which can help in determining what really occurred or resolve credibility issues, we are taking extra steps to obtain that evidence, including issuing investigative subpoenas if we cannot obtain voluntary cooperation.

We have undertaken a review of our existing practices and procedures to ensure they are as effective as possible. In so doing, we are asking why we do what we do? Acceptable answers to that question do not include "because we have always done it that way." We are also reaching out to others for suggestions. We hope these efforts will improve our service to you.

This issue of our newsletter focuses on some exciting new initiatives by the Acting General Counsel. In addition we have included discussions of other topics of interest including, among others, the increased use of social media by employees and its implications within the meaning of the Act. I urge you to read on...

Would you like to review past issues of the Gateway-River City Times? Would you like even more information on R14 and SR33? Click here for our [Regional web page!](#)



Since his appointment as Acting General Counsel in June 2010, Lafe Solomon has enacted a series of initiatives to more quickly and effectively restore the status quo when unfair labor practices have occurred. He has also highlighted areas of interest to be addressed or reconsidered by the Board. In this section, we will address what we believe is of special interest to our readership.

## Effective Remedies in Organizing Campaigns

In [General Counsel \(GC\) Memorandum 10-07](#), issued on September 30, 2010, Acting General Counsel Solomon announced a desire to obtain more remedies in cases when employees are discharged in the midst of a union organizing campaign. In furtherance of that initiative, Acting General Counsel Solomon issued [GC Memorandum 11-01](#) outlining appropriate remedies in these cases, including seeking a federal injunction that would compel an employer to offer reinstatement to the fired workers pending litigation of the underlying unfair labor practice case. In summary, the initiative provides for obtaining all the charging party's evidence within 14 days of the filing of a charge, full completion of the investigation within 49 days, and submission of merit cases to the injunction litigation branch with a recommendation as to the appropriateness of section 10(j) relief within seven days of determination. Remedies for these nip-in-the-bud cases will most often also include a notice-reading remedy where an employer has engaged in serious section 8(a)(1) violations. Where the employer's unlawful conduct interferes with communications with employees or between employees and a union, the remedy sought will include seeking union access to bulletin boards and employee names and addresses. In extreme impact cases, where it is determined that the use of bulletin boards and the supplying of names and addresses are insufficient to permit a fair election, consideration will be given to additional remedies, including granting union access to non-work areas during employees' non-work time and/or granting equal time and facilities for the union to respond to any address made by the company to employees at an appropriate time prior to a Board election.

## Default/Performance Language in Settlement Agreements

In 2002, the Agency identified a best practice of including default or performance language in settlement agreements when there was a substantial likelihood the charged party/respondent would be unwilling or unable to fulfill its settlement requirements. What is default or performance language? It is language that requires the charged party/respondent to honor its commitments in the settlement agreement, a failure of which will result in the General Counsel filing for summary judgment for a Board order with respect to the issues contained in the settlement agreement. The language provides that the only issues which may be litigated are whether the charged party/respondent defaulted on the terms of the settlement agreement. In [GC Memorandum 11-04](#), Acting General Counsel Solomon expanded the use of performance language to *all* informal settlement agreements Agency-wide. Via [GC Memorandum 11-10](#), Acting General Counsel Solomon clarified GC Memorandum 11-04 to require the use of language assuring that service of any enforcement proceedings would be made to charged parties/respondents at their last known address. Regional Director Chip Harrell has some additional thoughts about settlement standards, which are contained on page 4.

## First Contract Bargaining Cases

Former General Counsel Ronald Meisberg initially established remedial initiatives in first contract bargaining cases, which were highlighted in [GC Memoranda 06-05](#) and [07-08](#). In [GC Memorandum 11-06](#), Acting General Counsel Solomon has expressed interest in determining whether additional appropriate remedies should be included. Regions are now authorized to seek notice readings and extensions of certification years without having to submit cases to the Division of Advice. The length of such extensions will depend on the nature of the violations, the number, extent and dates of collective bargaining sessions, the impact of unfair labor practice sessions on the bargaining process, and the conduct of the union during negotiations. Most often, a year's extension will be sought, however, regions have the discretion in appropriate circumstances to seek extensions between 1 year and 6 months. Regions are also authorized to seek bargaining schedules of at least 24 hours per month and at least 6 hours per session without submitting cases to Advice. Where it may be appropriate, Regions are also instructed to submit cases to Advice where reimbursement (see page 3).

**First Contract Bargaining Cases (continued from page 2):**

for negotiation expenses may be warranted. Similarly, Regions have been instructed to submit to Advice cases in which reimbursement of litigation expenses for the union or General Counsel may be an appropriate additional remedy in response to the unfair labor practices.

**Deferral to Arbitral Awards and Grievance Settlements:**

In [GC Memorandum 11-05](#), the Acting General Counsel advised that he would be submitting the issue of the Board's deferral standards in 8(a)(1)(3) cases for reconsideration by the Board. Specifically, he will urge the Board to hold in such cases that : **A.** The party urging deferral has the burden of demonstrating that: (1) the contract had the statutory right incorporated in it or the parties presented the statutory issue to the arbitrator; and (2) the arbitrator correctly enunciated the applicable statutory principles and applied them in deciding the issue. **B.** If the party urging deferral makes that showing, the Board should defer unless the award is clearly repugnant. The award should be considered clearly repugnant if it reached a result that is "palpably wrong," i.e., the arbitrator's award is not susceptible to an interpretation consistent with the Act. **C.** The Board should not defer to a pre-arbitral-award grievance settlement unless the parties themselves intended the settlement to also resolve the unfair labor practice issues. Where the evidence demonstrates that the parties intended to settle the unfair labor practice charge, the Board should continue to apply current non-Board settlement practices and procedures, including review under the standards of Independent Stave. While this issue is being considered by the Board, Regions are instructed to, at a minimum, obtain a *prima facie* case prior to deferring a case, and that upon issuance of an award or receipt of a grievance settlement, the Region should determine if the party urging deferral has met the burdens set forth above to demonstrate that deferral to the arbitrator's award is appropriate. If it does not, regions are to complete the investigation of the case and thereafter submit the case to the Division of Advice, along with the Region's recommendation as to whether to defer to the award.

**Facebook and other Social Media:**

Today employees are using Facebook and other social media, such as Twitter, to communicate with each other about their personal lives and, increasingly, about work place issues. Although employees believe their comments are private, it is clear that employers, and for that matter, labor organizations often become aware of comments being made about them on these sites. Sometimes they actively engage in surveillance of these activities and take action when they see unflattering comments. Thus, the issue is drawn - are these postings by employees concerted activities protected by the Act and, if so, is retaliation for them violative of the Act? In the most celebrated case in this area to date, Advice authorized the issuance of a complaint in [American Medical Response of Connecticut, Inc., Case 34-CA-12576](#), alleging the Employer had maintained an unlawful internet and blogging standards of conduct and solicitation policy and had unlawfully discharged an employee for violating the policy. The Employer's blogging and internet policy prohibited employees from posting pictures of themselves in any media, including but not limited to the Internet, which depicts the Company in any way, including but not limited to a Company uniform, corporate logo or an ambulance, unless the employee received written approval from the EMSC Vice President of Corporate Communications in advance of the posting. Employees were also prohibited from making disparaging, discriminatory or defamatory comments when discussing the Company or the employee's superiors, co-workers and/or competitors. An employee of AMR made unflattering comments about her supervisor on Facebook for which she was discharged. Finding that her activities were concerted and that her negative comments were not so egregious as to remove her from the protection of the Act, Advice concluded a complaint was warranted. The case was settled prior to trial.

Because of the developing nature of the law in this area, Regions have been instructed to submit these social media cases to Advice so that they are handled on a consistent basis.

## Settlement Considerations from the Director's Point of View

The Acting General Counsel's initiatives regarding performance language in settlement agreements, and enhanced remedies in certain cases are discussed on pages 2 and 3. Here, I'll discuss some of the more common issues involving resolution of charges which arise after a determination that probable cause exists for concluding the Act has been violated.

Upon a determination of probable cause, a case may be litigated, settled either by formal or informal settlement agreement or resolved by a withdrawal of the charge upon a private resolution of the parties. Settlement, of course, is preferable and 95% of our cases are resolved in this manner.

Formal settlements are generally reserved for respondents with a history of prior unfair labor practices or who have engaged in particularly egregious violations where there is a high likelihood of additional violations. These settlements usually result in an Order by a Circuit Court of Appeals which, if violated, could result in a finding of contempt.

Informal settlement agreements are most typical. These agreements provide remedies for the unfair labor practices but generally do not provide for the issuance of a Board or Court order. The most common issues arising during discussions for these types of settlements are whether they should include a non-admissions clause and the amount, if any, of any compromise in the amount of backpay which will be accepted to resolve the case.

With respect to both, it is Agency policy that the inclusion of a non-admissions clause and reductions in the amount of backpay to be paid must have a reasonable basis. Clearly, inclusion of a non-admissions clause for a first time offender or for a minor violation will receive more favorable consideration than repeat violators of the Act.

Similarly, Agency policy has been that backpay computations should be based on an appropriate method of calculation and constitute between 100% to at least 80% of the full backpay due plus interest. Unfortunately, over the years, some parties have come to believe that we will routinely accept 80% of backpay to resolve a case and automatically include non-admissions clauses. I wish to correct that misperception. Compromises of the amount of backpay due should only be considered if respondent has a good faith argument for disputing the amount due or if there are significant issues regarding the merits of the case which would warrant accepting less than a full remedy. With respect to private resolutions, please review [Operations Memorandum OM 07-27](#) setting forth the standards which must be met before we can accept a withdrawal of a charge determined to have merit.

## "What's this thing I keep hearing about—The Boeing Complaint?"

If you've been paying attention to the news, a recent Complaint against the Boeing Corporation out of the Seattle Regional Office has been causing quite a buzz. The case involves the Respondent's decision to relocate work from its Seattle, Washington and Portland, Oregon facilities, where employees are represented by the International Association of Machinists and Aerospace Workers, to a new facility in South Carolina. Essentially, the Complaint alleges that the Respondent made unlawful statements about its motivations for relocating the work, and that the relocation itself was motivated by anti-union animus. Click [here](#) to read the Complaint. Boeing denies it engaged in unlawful conduct and contends its actions are solely economically based. A trial is scheduled for June 14, 2011. In response to public inquiries and a letter from Respondent's Counsel, the Acting General Counsel issued a brief statement. Click [here](#) if you desire to review his response.

Please File Electronically!

Starting next month, the entire Agency will be transitioning from its current Case Automated Tracking System (CATS) to an integrated web-based database and case management system code-named "NxGen". Upon implementation of NxGen, all case documents will be uploaded into the system so they may be retrieved electronically. They will also be viewable by other Agency personnel such as the Division of Advice, Appeals or Operations. Documents not received electronically must be physically scanned into the system. Accordingly, we ask that whenever possible that you submit documents to us in electronic form by [email](#) or [where required by E-Filing](#). Your assistance will be greatly appreciated!!



**WE WANT TO HEAR  
FROM YOU!**

We would like to know if this Newsletter is helpful and informative. We would also like to know if there are certain topics, issues, Board decisions, or Regional practices that you would like to see discussed in future editions. If so, please contact Region 14 Outreach Coordinator [Don Gardiner](#) at (314) 539-7770 or Subregion 33 Acting Outreach Coordinator [Pete Perez](#) at (309) 671-7091. Your feedback will be greatly appreciated and carefully considered. You may also contact the Outreach Coordinators if you would like to be added or deleted from our mailing list. If you can suggest any other media sources for informing the public about NLRB issues and procedures, please let us know!

## Court of Appeals Refuses to Enforce Board Decision

In our September 2009 issue, we reported that Judge Michael Rosas ruled that Respondent International Union of Operating Engineers, Local 513 (Ozark Constructors, LLC) violated Section 8(b)(1)(A) of the Act by filing an internal union charge against an employee and fining him \$2500 because, in compliance with the collective-bargaining agreement and safety policies in effect, he reported a safety violation by an employee to the employer, conduct which was alleged to be protected concerted activity under Section 7 of the Act. The Respondent filed exceptions, and the Board adopted the judge's recommendations. Thereafter, the Respondent took the case to the D.C. Circuit Court of Appeals. In asking the D.C. Circuit to overturn the NLRB decision, Local 513 argued that the NLRB could not find it to be in violation of Section 8(b)(1)(A) of the Act absent a finding of concerted activity within the meaning of Section 7 of the Act. The Union argued that since the NLRB relied on its rule that a union fine like the one imposed on the employee involved is a *per se* violation of the Act, there was no underlying finding of protected concerted activity. The D.C. Circuit agreed with Local 513 and rejected the NLRB's *per se* rule. The D.C. Circuit ruled that the employee must first be found to have engaged in concerted activity (or refused to have engaged in protected concerted activity) *before* a determination can be made about whether a union violates the Act by enforcing its internal rules. Click [here](#) to read the D.C. Circuit's decision reported at 635 F.3d 1233 (April 05, 2011). The Board has not yet decided whether it will appeal the decision.

## Region 14 Wrap-Up

This section will highlight topics related to Region 14



## Alert: Significant Compliance Settlement Achieved in ADB

American Directional Boring (ADB), a Missouri company that installs cable and fiber optics, has paid \$262,500 to eight former employees who were fired for trying to organize a union at the company's St. Louis facility. The company also agreed to significant remedies, including granting access and providing employee names to union organizers. In addition to posting a formal Board notice, the company agreed to have a high-level manager read the notice aloud to employees, to mail the notice to current and former unit employees at the St. Louis facility, and to include a second notice to current employees apprising them of their right to report incidents of intimidation or coercion. The company will also allow the union access to its facilities to meet with employees. At the St. Louis facility, the union is allowed access to a non-work area for up to 1 hour every 2 weeks at a predetermined date, and can hold 1 half-hour mandatory employee meeting on paid time. At the Union facility, the union can hold two half-hour mandatory employee meetings on paid time. The company also agreed to provide the Union with a list of names and addresses of current employees at both facilities. The case went all the way to the Circuit Court of Appeals. While the case was pending in court, the settlement was reached through the efforts of the Board's Appellate and Supreme Court Litigation Branch, Region 14, and the Eighth Circuit's settlement program. The settlement resolved all issues in the court case and also resolved all pending unfair labor practice charges.

## Region 14 Representation Cases

In [Stericycle, Inc., 14-RC-12823](#), the Petitioner sought to represent a unit of plant workers and maintenance employees. The Employer argued the appropriate unit must also include employees employed as drivers, technicians and administrative employees. Finding that the petitioned-for employees constituted an appropriate unit, albeit not necessarily the most appropriate unit, the Regional Director directed an election in that group. Additionally, the Regional Director rejected the Employer's position that the Petitioner was not a labor organization within the meaning of the Act.

In [Vatterott Educational Centers, Inc., 14-RC-12813](#), the Employer contended that the Petitioner, Carpenters' District Council of Greater St. Louis and Vicinity, is a business rival of the Employer and should be disqualified from representing the petitioned-for employees. The Employer further contended that because the Associated Electrical Contractors Local Union 57 Joint Apprenticeship Program (an entity affiliated with the Petitioner) contracts with Ranken Technical College, a competitor, to provide classroom instruction, collective bargaining with the Petitioner would result in a clear and present danger to the Employer. Finding the record evidence failed to support the Employer's positions, the Regional Director ordered an election.

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## Subregion 33 ALJ/Board Decisions Issued

### Board Finds Union Bargained in Good Faith

In *United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO, CLC (PPG Industries, Inc.), 356 NLRB No. 127 (March 31, 2011)*, the Board adopted the order of the Administrative Law Judge finding that the Respondent Union did not breach its duty to bargain in good faith. The alleged violation was premised upon the Union's declaration that it would only bargain provisionally over subjects that the Employer failed to present by the first day of bargaining. The Board found that the Union's declaration meant only that it was preserving its right to arbitrate whether some of the Employer's proposals were untimely. Citing *WWOR-TV*, 330 NLRB 1265 (2000), the Board held that the Union's declaration merely preserved a contractual litigation provision without affecting its willingness and ability to engage in good-faith bargaining.

### Board Grants Motion for Summary Judgment; Orders Employer to Bargain

The Board reconsidered a case remanded by the United States Court of Appeals for the Seventh Circuit pursuant to the holding of the U.S. Supreme Court in *New Process Steel, L.P. v. NLRB*, 130 S. Ct. 2635 (2010) in *Rochelle Waste Disposal, LLC, 356 NLRB No. 51 (December 13, 2010)*. The Employer in this case contested the validity of the Union's certification. On remand, the Board found that all representation issues raised by the Employer were or could have been litigated in a prior representation proceeding. Therefore, the Board granted the Subregion's Motion for Summary Judgment and ordered the Employer to bargain on request with the Union.

## Subregion 33 Representation Cases

In *McAllister Equipment Co. Case 33-RC-5173*, Operating Engineers Local 965 sought to represent a unit of all full-time and regular part-time technicians employed by the Employer in 15 Illinois counties. The Employer's Springfield, Illinois facility is the only Employer facility located within the petitioned-for counties. Although only one unit employee regularly works out of that facility, the Petitioner asserted that two technicians who work out of the Employer's East Peoria facility were dual function employees who share a community of interest with the Springfield employee. The Regional Director, however, found that the East Peoria Employees were not dual function employees. Thus, the petitioned-for unit consisted of only one employee. As it is contrary to the Board's policy to direct an election in a unit consisting of only one employee, the Regional Director dismissed the petition. He further noted that union's request for a unit determination based on its geographic jurisdiction rather than an employer's operations was contrary to Board law.

Finding that the petitioned-for maintenance unit of employees is an appropriate unit and two temporary maintenance foremen are not supervisors within the meaning of the Act, the Regional Director directed an election in *Archer Daniels Midland Company, Case 33-RC-5181*. Initially, the Regional Director rejected the Employer's argument that 160 of its production employees shared such an overwhelming community of interest with the maintenance employees so as to require their inclusion in the unit. The Regional Director noted that maintenance employees have distinct duties, are separately supervised, have a higher skill level and wage rate than the production employees, and that interchange between the two groups is minimal. The Regional Director further found that the Employer failed to meet its burden of establishing that two temporary maintenance foremen are supervisors under Section 2(11) of the Act. The evidence produced at hearing failed to show that the foremen assigned employees to different tasks using independent judgment, disciplined employees or effectively recommended discipline, rewarded employees, or adjusted grievances.

At issue in *Vactor Manufacturing, Inc., 33-RC-5177*, was the supervisory status of crew leaders. The Petitioner contended that 13 crew leaders in a unit of around 300 production and maintenance employees had the authority to assign work and responsibly direct employees, discipline and effectively recommend discipline, transfer employees and adjust grievances. Rejecting the Petitioner's arguments, the Regional Director concluded that the crew leaders did not possess the necessary indicia of supervisory status and included them in the bargaining unit.

## How did it Play in Peoria?

In a "play" on words of the city's motto dating back to Vaudevillian days, this section will highlight topics related to Subregion 33



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## YOU KNOW PETE PEREZ, RIGHT?

On March 30, 2011, the Board unanimously approved the Acting General Counsel's recommendation to appoint Leonard J. "Pete" Perez as the Officer-in-Charge of the Peoria Subregional Office. Pete succeeds Will Vance, who retired at the beginning of the year. Pete is a veteran of the U.S. Army, having served in Korea and Vietnam in 1969-1970. He received a Bachelor of Arts degree in Political Science from the University of Missouri-St. Louis in 1976. After working in the construction industry for two years, Pete joined the staff of Region 14 in St. Louis as a field examiner. In 2003, he was promoted to Deputy Officer-in-Charge of Subregion 33.

Pete brings a wealth of experience to the position. Through the years Pete has personally investigated and overseen the investigation of thousands of unfair labor practice and representation cases. His expertise has been recognized by his selection to numerous Agency planning and training committees. He currently serves as a member of the Agency's Quality Committee and on a committee planning a New Employee Training conference to be held later this year.

Please join the staff of Region 14 in St. Louis and Peoria in welcoming Pete to his new position as Officer-in-Charge.

## Field Attorney Melissa Olivero is leaving us!

In July 2011, Field Attorney Melissa Olivero will leave the Peoria Subregional Office of Region 14 to begin her career as an Administrative Law Judge for the Social Security Administration, Office of Disability Adjudication and Review. Since 2005, Melissa has served as an attorney for the National Labor Relations Board in Peoria.

Melissa graduated from the University of Michigan in 1990 and from Northern Illinois University College of Law in 1997, magna cum laude. She served as a Military Police Officer on active duty in Germany and the U.S. from 1990 to 1994. From 1994-1998 she served in the Army Reserve and was honorably discharged in 1998 at the rank of Captain. She holds numerous military qualifications, including the parachutist badge.

For almost six years, Melissa was an Assistant State's Attorney in LaSalle County, Illinois, where she formed and managed the first domestic violence prosecution unit in the county's history. Melissa also worked in private practice, defending professionals, individuals, and large corporations in negligence matters.

Melissa is an appointed member of the Illinois State Bar Association's Standing Committees on Government Lawyers and on Women and the Law. She also serves as Vice Chair of the Board of Trustees of Illinois Valley Community College. She was named the 2011 Illinois Valley Woman Making History in *The News Tribune*. Melissa is also active in the Northern Illinois University College of Law Alumni Council and Zonta International.

Melissa, her husband, Doug, their children, Cameron and Andrew, and their pug reside in Peru, Illinois.

During her tenure with the Agency, Melissa has diligently applied her skills to enforcing the Act. Her resourcefulness and dedication will certainly be missed by all of us. However, her efforts have been rewarded and we rejoice in her success.

**Good luck, Melissa!**



# Outreach Corner

**November 9, 2010** Field Staff spoke to members of the Independent Electrical Contractors Association about Secondary Boycotts/picketing.

**November 13, 2010** Supervisory and Field Staff addressed students at Washington University Law school about the Mock Interview Program and resumes.

**November 17, 2010** Field Staff spoke to members of the Boilermaker's Union on the NLRA and the NLRB's Information Officer Program.

**November 23, 2010** Field Staff spoke to students at the O'Fallon Institute on the NLRA and collective bargaining.

**December 3, 2010** Supervisory and Field Staff spoke to UAW officials regarding case handling procedures and recent developments at the Board.

**December 7, 2010** Field Staff spoke to representatives of the Teamsters union on the NLRA.

**January 12, 2011** Supervisory and Field Staff participated in a panel discussion at Washington University Law School on "Business Etiquette and Attire", and spoke to students about public service and careers at the NLRB.

**January 25, 2011** Field Staff spoke to students at Hannibal-Lagrange college on NLRB Law and procedures.

**January 27, 2011** Field Staff judged a mock trial and presented NLRB trial hypothetical's for high school students and other attendees at the St. Louis County Government Center.

**January 28, 2011** Supervisory Staff spoke to United Steelworker's representatives on Duty of Fair Representation and charge-filing procedures.

**February 17, 2011** Field Staff provided an overview of the NLRA to attorneys of the LaSalle County, Illinois, Bar Association.

**February 22, 2011** Field Staff spoke to students at Lindenwood University on NLRB Law and procedures.

**March 2, 2011** Supervisory and Field Staff attended a LERA program about building cooperative labor-management relations.

**March 29, 2011** Field Staff published an article in two Illinois State Bar Association publications, *The Catalyst* and *The Public Servant*, about NLRB Chairman Wilma Liebman.

**April 20, 2011** Field Staff spoke to students at New Mexico State University via videoconference on the history of the NLRA, labor relations and its impact on social media.

**April 27, 2011** Field Staff spoke to representatives of the Masonry Contractor's Association about Secondary Boycotts/picketing; other Field Staff spoke to students at the East Central College on current application of NLRA law including the Boeing Complaint in South Carolina and social media issues.

Our staffs are ready and willing to appear at your events! If you are interested in having someone from Region 14 or Subregion 33 speak to your group, please contact Region 14 Outreach Coordinator [Don Gardiner](#) (314) 539-7770 or Subregion 33 Acting Outreach Coordinator [Pete Perez](#) at (309) 671-7091.

## ASK the DIRECTOR

If you have something you would like Regional Director Chip Harrell to address, please email us at [Region 14](#), call us at 314-539-7770, or write to Region 14, 1222 Spruce Street, Room 8302, St. Louis, MO 63103 . Chip will respond to topics that are of interest to the general readership in the next Newsletter. For any questions of an individualized nature, Chip will make every effort to respond to you directly in a timely manner.

## Chats with Chip

On November 3, 2010, I was privileged to address the [Employment Law Association](#) at St. Louis University about "Current Issues at the National Labor Relations Board".

On April 8, 2011, I had the pleasure of addressing the local chapter of the [National Academy of Arbitrators](#) concerning the heightened requirements by the Acting General Counsel for deferral to arbitration awards.

On April 6 and 20, 2011, my supervisory and managerial Staff and I met with counsel representing labor and management in our inaugural "Chats with Chip". This program is designed to obtain feedback from our shareholders as to whether we are operating efficiently, effectively and fairly with all parties. We will periodically hold such conferences throughout the year and wish to expand it to our Peoria Subregional Office. If you are interested in participating, please let me know.

National Labor Relations Board  
Region 14 St. Louis, MO  
and  
Subregion 33 Peoria, IL  
Semi-Annual Outreach Newsletter

*"The purpose of the [National Labor Relations Act] is to define an environment within which labor and management can resolve their differences."*

Former NLRB Chairman  
Robert J. Battista  
May 20, 2005

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 Basics

The National Labor Relations Board (NLRB), charged with enforcing the NLRA, has two principal functions: 1) to determine through secret ballot elections whether employees wish to be represented by a union in dealing with their employers, called representation cases, and 2) to prevent and remedy unlawful acts by either employers or unions, called unfair labor practice cases. The Agency does not act on its own motion in either function. It processes only those charges of unfair labor practices and petitions for employee elections that are filed with the NLRB in one of its 51 Regional, Subregional, or Resident Offices. Region 14 covers the geographical area of Eastern Missouri and Southern Illinois. Subregion 33 covers the Northern half of Illinois (except for the Chicago area) and some of Iowa. If you have questions about a workplace problem, please call an NLRB Information Officer in the Office that covers the area where your employer is located. Information Officers are available by phone or by walking into Regional Offices during business hours. Our [website](#) is extensive and user-friendly, and it can give you additional information about filing charges and petitions with the NLRB and other workplace questions.



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Main Office Number	SubRegion 33	Peoria	309-671-7080 309-671-7095
Facsimile			

Last Name	First Name	Title	Phone
Budke	Vanessa	Field Examiner	309-671-7312
Hajduk	Alexander	Field Examiner	309-671-7059
Hubbard	Rebecca	Office Manager	309-671-7094
Miller	Tiffany	Field Examiner	309-671-7088
Olivero	Melissa	Field Attorney	309-671-7039 Only thru 6/30/11
Perez	Leonard	Officer in Charge	309-671-7091 Pete
Pyrtel	Ahavaha	Field Attorney	309-671-7060 Ahava
Ramsay	Greg	Compliance Officer	309-671-7085
Stefanik	Debra	Field Attorney	309-671-7069
Strickler	Nathaniel	Field Attorney	309-671-7092

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Email Addresses are:

**First Name.Last Name@NLRB.gov**