



# The Downtowner

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*News from and about Region 21*

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## Regional Perspective

*By James F. Small, Regional Director*

For some, the last year involved a lot of waiting: waiting for Board members to be nominated, waiting for Board members to be confirmed, waiting for Congress to address any potential changes to the Act. For Region 21, the last year was a time of accomplishments and planning for the future.

During the year, the Region carefully investigated and processed over 800 unfair labor practice charges and representation cases. Through the hard work of



Region 21 agents, employees received nearly \$2.5 million in backpay from Board or non-Board settlements. Region 21 fully utilized the investigative tools available to us and issued 56 investigative subpoenas during the year. Likewise, when appropriate we requested authorization for injunctive relief. In one of those cases, our request was instrumental in promoting a non-Board settlement that included the execution of an initial contract and a dozen employees receiving backpay. In another case, we filed for injunctive relief in District Court pursuant to Section 10 (j) of the Act. We also submitted a case for consideration of contempt. That case was resolved by the Respondent agreeing to and complying with a bargaining schedule, which culminated in a first contract. Several other cases were settled with special remedies such as electronic notice postings and extensions of the certification year. Significantly, we were authorized to toll the 10 (b) period based on

a “fraudulent concealment” theory in a charge dismissed over two years ago. In the R case area, we conducted representation elections among over 4500 employees in a median time of 36 days from date of filing.

Region 21 remained very active in outreach efforts during the year. We participated in nearly 60 different outreach activities and events. Upcoming outreach activities are described in this edition of *The Downtowner*. Region 21 also remained very involved in a variety of labor and employment law conferences. Several of those conferences are detailed on the back page of this issue. Mark your calendar so you can reserve the dates. Board Member Peter C. Schaumber

*Continued on Page 5.*

### Board Bits: Test Your NLRB I.Q.



1. *Why is Jones & Laughlin Steel Corporation, 1 NLRB 503 (1936) significant?*
2. *Can you name the 13 regional directors which have served at Region 21?*
3. *Who is the former Los Angeles Times reporter, winner of a Pulitzer Prize, named as NLRB Director of Public Information?*

Answers on Page 8.

## Contact Us

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## 75 Years

By Bruce Hill, Assistant to the Regional Director

For the past 75 years, the Act has permitted and protected employees in their exercise of their freedom of choice through voluntary recognition or via elections.



When I first arrived in Region 21 a year ago, I expected a lot of representational activity. I discovered the during that last 5 years, there have been 640 petitions filed in Region 21; and over the past 11 months, there have been 101 petitions. In my view, this is a sign of healthy and consistent organizing going on within Region 21. While the public can debate the method of selection or whether employees really freely choose at an election or whether the Board appropriately safeguards an election, a lot of employees have voted in NLRB-conducted elections over the last 75 years. In fact, over the last 10 years, over 80,000 voters have cast ballots in

elections conducted by Region 21 Board agents.

Transferring from Little Rock, Arkansas to Los Angeles has been a challenge on a number of levels. However, handling cases here in Los Angeles is essentially the same as in Arkansas, or Illinois, or on the East Coast. But, what a learning experience it has been this past year!

The cases here in Region 21 have challenged the Board agents and the Region in effectuating the purposes and policies of the Act, as well as the right of employees to make a free choice in an election. We have some of the most challenging matters before the Board anywhere in the country right here in Southern California. On the



representation case front, in the past year, over 4100 employees have voted in Board conducted elections. In all of these elections, the Board balanced the rights of employees guaranteed in Section 7 with due process for all parties, hopefully reaching the right balance in all cases.

The very first reference to the Regional Director of Region 21 in Westlaw in a representation matter is at *In the Matter of Standard Oil Company of California*, 1 NLRB 614 (1938). It involved Case No. XXI-R-3. The case citations may have changed and the case numbering system may have changed from 1938, but I am sure that Region 21's objectives in representation matters, and the balancing of all interests in those matters, have not changed all that much. The Board's work has gone on for 75 years, and it will continue after the milestone that will be reached on July 5, 2010, the 75th anniversary of the date that President Roosevelt signed the statute enacting the NLRA.

The work of the Board goes on. The work of Region 21 goes on. I am proud to be part of that work. I look forward to working with you during the coming years.

### Orange County Labor and Employment Relations Association (OC LERA)

28<sup>th</sup> Annual Labor & Employment Law Conference  
July 28, 2010, Anaheim CA

NLRB Regions 21 and 31, in conjunction with OC LERA and FMCS, proudly present the 28<sup>th</sup> Annual Labor and Employment Law Conference designed to provide information about the NLRB and its decisions and procedures, as well as up-to-date information on current employment law issues. This ever-informative program is useful to attorneys representing labor or management, union officials, human resources personnel, arbitrators, mediators, students, and members of the academic community. Come hear our experts explain the labor and employment developments of the past year, predict what may lie ahead, and suggest how to prepare yourself, your clients, and your organizations. Featured this year will be a special tribute commemorating the 75<sup>th</sup> Anniversary of the NLRA. MCLE credits are available. *Still "the best in the West!"* For further information, contact OC LERA President Ami Silverman at (213) 894-5223 or [ami.silverman@NLRB.gov](mailto:ami.silverman@NLRB.gov).

### Labor Law Stories

Deputy Regional Attorney Peter Tovar will serve as a moderator for an NLRB-oriented workshop at the upcoming Los Angeles County Bar Association Labor & Employment Law Symposium on March 31, 2010. DRA Tovar's work on *Hoffman Plastics Compound, Inc. v. NLRB*, 535 U.S. 137 (2002), the Region 21 case involving whether undocumented workers have a right to backpay, is chronicled in a publication called *Labor Law Stories*, which tells the story of the importance of the case in shaping the law.



## Supreme Court to Review Validity of Two-Member Board

By Neil Warheit, Deputy Regional Attorney

On November 2, 2009, the United States Supreme Court agreed to decide the issue of whether a two-member Board has the authority to issue decisions. The Supreme Court's analysis will turn on the meaning of Section 3 (b) of the National Labor Relations Act. That section provides, in relevant part, that "three members of the Board shall, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to the first sentence [of this section]."



Towards the end of 2007, the Board members knew that the terms of existing members would expire, without replacements being appointed. On December 16, 2007, the term of Board Chairman Robert J. Battista expired. That left four remaining members: Wilma Liebman, Peter C. Schaumber, Peter Kirsanow, and Dennis Walsh. On December 28, 2007, the remaining members voted to delegate the Board's powers to a three-member group comprised of Members Liebman, Schaumber, and Kirsanow. Three days later, the recess-appointment terms for Members Walsh and Kirsanow expired on December 31, 2007. In the Board's view, the remaining two members then constituted a quorum with the authority to issue decisions.

In continuing to operate with only two members, the Board relied in part on a March 4, 2003 legal memorandum issued by the Office of Legal Counsel, U.S. Department of Justice. In its memorandum, the Office of Legal Counsel concluded that "if the Board delegated all of its powers to a group of

three members, that group could continue to issue decisions and orders as long as a quorum of two members remained."

The Board has continued operating with only two members—Liebman and Schaumber—from January 1, 2008, to the present. During that time, the Board has issued over 500 published and unpublished decisions and orders in unfair labor practice cases and representation cases.

Final orders of the Board are reviewable in the United States circuit courts of appeals. At present, courts of appeals in five circuits have issued decisions on the validity of the Board's designation of authority to a two-member Board. Four courts have found the designation valid, and one court has found the designation invalid.

Courts in the First, Second, Fourth, and Seventh Circuits have found the designations valid, and have enforced Board orders pending before those courts. *Northeastern Land Services, Ltd. v. NLRB*, 560 F.3d 36 (1<sup>st</sup> Cir. 2009); *Snell Island SNF LLC v. NLRB*, 568 F.3d 410 (2<sup>d</sup> Cir. 2009); *Narricot Industries, L.P. v. NLRB*, 2009 WL 4016113 (4<sup>th</sup> Cir. 2009); and *New Process Steel, L.P. v. NLRB*, 564 F.3d 840 (7<sup>th</sup> Cir. 2009).

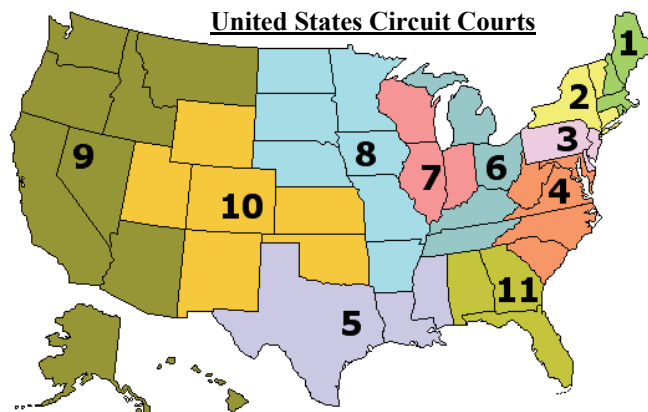
In *Northeastern*, the First Circuit found that the Board's designation of authority "to a panel that ultimately consisted of a two-member quorum because of a vacancy was lawful under the plain text of section 3 (b)." Similarly, in *New Process Steel* the Seventh Circuit held that "[a]s we read it, [Section] 3 (b) accomplished two things: first, it gave the Board the power to delegate its authority to a group of three members, and second, it allowed the Board to continue to conduct business with a quorum of three members but expressly provides that two members of the Board constitutes a quorum where the Board has

delegated its authority to a group of three members."

In contrast, the District of Columbia Circuit found the Board's delegation of authority to be invalid. *Laurel Baye Healthcare of Lake Lanier, Inc. v. NLRB*, 564 F.3d 469 (D.C. Cir. 2009). The D.C. Circuit held that Section 3 (b) of the Act requires a quorum of three members at all times. And that "the Board cannot by delegating its authority circumvent the statutory Board quorum requirement, because this requirement must always be satisfied." As the D.C. Circuit found that the two-member Board was not properly constituted, it vacated the Board's decision in *Laurel Baye* and remanded the case for further proceedings before the Board "at such time as it may once again consist of sufficient members to constitute a quorum."

Petitions for certiorari were filed with the Supreme Court by the respondent employers in *Northeastern*, *Snell Island*, and *New Process Steel*. And the Solicitor General, on behalf of the Board, filed a petition for certiorari with the Supreme Court in *Laurel Baye*. On November 2, 2009, the Supreme Court granted the petition for certiorari in *New Process Steel* in order to resolve the conflict among the courts on the meaning of Section 3 (b) of the Act and the validity of the Board's delegation of authority to a two-member quorum.

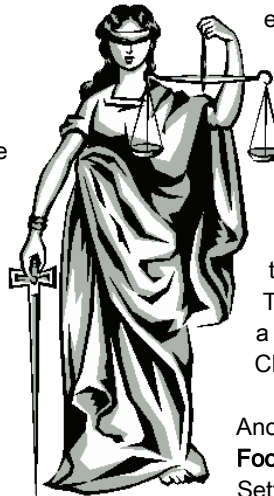
In the next few months, legal briefs will be filed by the parties. And the matter could be heard by the Supreme Court in the spring of 2010, with a decision expected in the summer of 2010.



## Litigation Updates

By William M. Pate, Regional Attorney

During the past few months, the Region has continued to have a fairly busy litigation schedule. One case, **Swift Transportation Co., Inc.**, which is being handled by Field Attorneys Ami Silverman and Lindsay Parker, involves significant issues under Section 10 (j) of the Act. The Region issued a complaint, alleging that four employees had been unlawfully discharged during a union organizing campaign, and filed a petition for Section 10 (j) injunctive relief seeking, among other remedies, the interim reinstatement of the four employees. After the 10 (j) case had been argued before United States District Judge Philip S. Gutierrez, the Judge issued a decision in which he denied the petition. The Judge concluded that under the recent decisions of the U.S. Supreme Court in *Winter v. Natural Res. Def. Council*, 129 S. Ct. 365, 172 L. Ed. 2d 249 (2008), and the Ninth Circuit Court of Appeals in *Am. Trucking Ass'ns, Inc. v. City of Los Angeles*, 559 F.3d 1046 (9th Cir. 2009), a party seeking an injunction now must meet a heightened standard not only in demonstrating that irreparable harm is likely in the absence of preliminary relief, but also in demonstrating a likelihood of success on the merits of its claims. The Judge then concluded, upon applying the new more stringent standard, that the Regional Director had not shown that he is likely to succeed on the merits of his claims. The Agency will accept



the Judge's decision as the law of the case. In the underlying unfair labor practice case, the Administrative Law Judge found significant 8 (a) (1) and two 8 (a) (3) violations.

The Region dealt with another potential 10 (j) situation in **BlueStar Resort & Golf, LLC; and TLQ Partners, Inc.** The charges were investigated by Field Examiner Sylvia Meza. The litigation stage of this case was primarily handled by Field Attorney Robert MacKay, with Field Attorney Daniel Adlong also working on the case. The complaint alleged that TLQ was a successor to BlueStar with respect to its obligation to bargain with the Charging Party Union and also with respect to the obligation to remedy BlueStar's alleged unfair labor practices, that each of the two employers had unlawfully refused to bargain with the Union, that BlueStar and TLQ had laid off several employees during a union organizing campaign, and that TLQ had unlawfully refused to hire those same

employees. The two employers and the Union, with the assistance of the Region, resolved this dispute through a non-Board settlement which was agreed upon shortly before the trial was scheduled to begin.

The successful resolution eliminated the need for 10 (j) proceedings, which were being considered by the Agency at the time that it was reached. As part of the settlement, TLQ, as the successor employer, entered into a collective-bargaining agreement with the Charging Party Union.

Another noteworthy recent case was **2 Sisters Food Group**, in which a Board informal Settlement agreement was entered into and approved by an Administrative Law Judge after approximately 5 days of hearing. The case primarily involved the alleged discriminatory discharges of four employees, two for union activities and two for protected concerted activities. The settlement provided effective remedies, including substantial backpay and frontpay for each of the discharged employees.

**General Counsel Ronald Meisburg** will be the speaker at the dinner meeting for the Orange County Labor and Employment Relations Association (OC LERA - [www.oclera.org](http://www.oclera.org)) on Tuesday, March 30, 2010. The meeting will begin at 6 p.m., at the Sheraton Inn, 1855 South Harbor Boulevard, Anaheim, California. For more information, contact Field Attorney Ami Silverman at (213) 894-5223 or [Ami.Silverman@nlrb.gov](mailto:Ami.Silverman@nlrb.gov).

## Significant Backpay Due Employees

Compliance proceedings are underway in the matter of *S&F Market Street Healthcare LLC d/b/a Windsor Convalescent Center of Long Beach*, a Region 21 case decided by the Board at 351 NLRB 975 (2007). The case was enforced in part by the D.C. Circuit finding the Employer violated the Act by *inter alia* not hiring union supporters, informing employees that the facility would be nonunion and failing to bargain with the Union as a successor employer. Preliminary backpay computations show a backpay liability nearing \$500,000.

## More Board Bits: Test Your NLRB I.Q.



4. What do Twitter and the NLRB have in common?
5. Which current Region 21 employees used to work in Region 31?

Answers on Page 8.

*Continued from Page 1.*

and General Counsel Ronald Meisburg will be participants in these conferences. One of our senior attorneys, Ami Silverman, is closely involved in the planning for the conferences. Ms. Silverman has also been selected to serve on the State Bar of California, Labor and Employment Law Section Executive Committee and is the incoming chapter president of the Orange County Labor and Employment Relations Association. We appreciate her hard work and commitment. Plans are also underway to commemorate the 75th anniversary of the Act in 2010.



Field Attorney  
Ami Silverman

During the year, Regional managers and I met with several practitioners and members of the public to discuss case concerns. We believe these candid discussions were constructive and we remain committed to the practice. You are invited to call upon us if you have concerns. Region 21 also remains committed to vigorously protecting employee rights and enforcing the Act.

## Employee Photographs? No One's Smiling

The General Counsel concluded in *Longshore Local 17 (Blue Diamond Growers)*, 20-CB-13351, in an Advice Memoranda, that in light of the Board's Decision in *Randell Warehouse of Arizona, Inc.*, 347 NLRB 591 (2006) (*Randell II*), a Union violated Section 8 (b) (1) (A) when in engaged in the unexplained photographing of employees during an organizing campaign, even in the absence of other coercive conduct. The case was resolved short of a Board Decision through a bilateral Informal Settlement Agreement.



**Board Member Peter C. Schaumber** will be the luncheon speaker at the San Diego Labor & Employment Relations Association meeting on March 23, 2010 to be held in San Diego, California. For more information, contact NLRB Resident Officer Steven Sorensen at (619) 557-6559 or by email at [steven.sorensen@nrlb.gov](mailto:steven.sorensen@nrlb.gov).

NLRB  
Updates and  
Tips

## NLRB Speakers are Available for Your Group

*Interested in having a representative of the Regional Office address your group?*

Region 21 agents are available to make presentations before any group, including classroom groups, legal services clinics or service agency staffs, as well as those members of the public that they serve. Speakers are available to cover a variety of topics, including presentations describing what the Act's protections cover, how the Region investigates unfair labor practice charges, the NLRB's representation case procedures, or any other NLRB topic of interest.

To arrange for a speaker and to discuss possible topics, please contact Supervisory Field Examiner Tirza Castellanos at (213) 894-5184. You may also request a speaker on the NLRB's Web site: [http://www.nrlb.gov/about\\_us/speakers.aspx](http://www.nrlb.gov/about_us/speakers.aspx).

## Theodore B. Horn

### Former Region 21 ARD

Long-time Region 21 employee Ted Horn passed away suddenly on November 27, 2009, at the age of 71. Ted was hired as a field examiner in 1966 by former Regional Director Ralph Kennedy, and became Assistant to the RD in 1988. Ted was one of the founding members of OC LERA and was actively involved in many NLRB labor law conferences. Ted's work on the early OC LERA conferences assured that the conference thrives even today. He retired in 1995, and worked as a private arbitrator for several years while remaining active in many local charities. Those of you who worked with Ted will remember his gruff exterior and caring heart. He is survived by his wife Lynne, children Kim, Jeff, and Paul and their spouses Stephen, Rachel, and Devin. Ted is also survived by his two adored grandchildren, Aveline and Zachary.



## White House Announces a Third Nomination to the Board

*Distributed by the NLRB Division of Information on July 10, 2009*

On July 9, 2009, the White House announced that it had sent to the Senate the nominations of Craig Becker, Mark Gaston Pearce, and Brian Hayes to be members of the National Labor Relations Board. If confirmed by the Senate, the Board would have a full complement of five members for the first time since December 16, 2007. The sitting members are Chairman Wilma B. Liebman and Member Peter C. Schaumber.

Earlier, on April 24, 2009, President Obama had announced his intention to nominate labor law attorneys Craig Becker and Mark Gaston Pearce for the two vacant Democratic seats on the Board. The intent to nominate Hayes to fill the vacant Republican seat was announced yesterday shortly before the nominations were sent to the Senate.

Hayes currently serves as the Republican Labor Policy Director for the U.S. Senate Committee on Health, Education, Labor and Pensions. Hayes' term would expire on December 16, 2012. Pearce, in private practice with a Buffalo, NY law firm, would have a term ending August 27, 2013. Becker, Associate General Counsel of the Service Employees International Union and the AFL-CIO, would have a term ending December 16, 2014. Chairman Liebman's term expires on August 27, 2011, and Member Schaumber's term ends August



27, 2010. By tradition, three of the five Board seats are filled by individuals of the same political party as the President in office.

Previously, Hayes was in private legal practice for over twenty-five years. His practice was devoted exclusively to representing management clients in all aspects of labor and employment law. He has represented employers in scores of cases before the National Labor Relations Board, the Equal Employment Opportunity Commission, and various state fair employment practice agencies. He has served as chief trial counsel in the full range of employment claims in both state and Federal courts. Hayes has extensive experience in negotiating labor contracts on behalf of management clients, as well as representing clients in arbitrations, mediations and other forms of alternative dispute resolution. He has argued a number of significant labor cases before the Federal Courts of Appeal; and regularly counseled clients regarding compliance with the full range of state and Federal labor laws including OSHA, FMLA, Title VII and the Fair Labor Standards Act. Before entering private practice, Hayes clerked for the Chief Judge of the NLRB and thereafter served as Counsel to the Chairman of the NLRB. Hayes was also a member of the adjunct faculty at Western New England Law School where he taught classes in Labor Law, Collective-Bargaining, Arbitration and Employment Litigation. He is a member of the Massachusetts and District of Columbia bars, and the American Bar Association and its Labor and Employment Law Section. Hayes earned his undergraduate degree from Boston College and his law degree from Georgetown University Law Center.



Region 21 and 31 staff at the OC LERA Conference on July 22, 2009. Front left to right: John Hatem, Brian Gee, Bruce Hill, Diane Gonzales, James Small, Liz Valtierra, Lisa McNeill, Tirza Castellanos, Joanna Silverman, Tom Chang, Arthur Yuter, David Selder, Nicole Pereira, Nicole Deitman, Sylvia Meza & Kristen Scott. Back left to right: Travis Williams, James McDermott, Joseph Baniszewski ( D.C. ), Alex Hajduk, Alvaro Medina, Daniel Adlong, William Pate, Robert MacKay, Steve Sorensen, Steve Wyllie, Cecelia Valentine, Ami Silverman, Anne White & Jerry George. **Reserve July 28 for the 2010 OC LERA/NLRB Conference.**

## How To E-File NLRB Documents

To file documents electronically with the NLRB, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov). You can access the E-Filing System from the Agency's home page by hovering over the "E-Gov" tab, then selecting either "My NLRB" or "E-Filing" from the drop-down menu.

If you are registered with "My NLRB," you may log in by entering your user name and password. You can E-File documents without registering or logging in, but you are strongly encouraged to register to use the log in feature. Registration will speed E-Filing because your contact information will already be in the system. Registration will also allow you to edit your contact information, view information about your pending case (s) with the Agency, and sign up for electronic issuance of Board and ALJ decisions.

You begin the E-Filing process by entering the case number and clicking "Search Case." After the system finds the case, simply follow the directions for filing your document.

### Benefits of E-Filing

#### Immediate Acknowledgement

When you E-File documents with the Agency, you will receive a confirmation page that you can print for your records. The confirmation page contains a confirmation number that is proof that you successfully E-Filed the document.

#### Extended Deadline

Another significant advantage of E-Filing is the extended deadline for filing documents. The deadline for E-Filing documents is 11 :59 p.m. in the time zone of the receiving office on the due date. The deadline for filing documents by other means is the "close of business" of the receiving office.

#### Registration for E-Issuance

When you register with "My NLRB," you can also register for E-Issuance of Board and ALJ decisions. Parties who register for E-Issuance of decisions receive an e-mail notification immediately upon issuance of the Board or ALJ decision rather than being served by U.S. mail. The e-mail notification contains a link allowing the parties immediate access to the decision online. The full text of the Board or ALJ decision is available to the public the following business day, when it is posted on the NLRB website.

In addition, parties who register for E-Issuance also receive from the Board a courtesy e-mail notification of any documents that are E-Filed in a case in which they are a participant. Parties registered for E-Issuance also receive e-mail updates from the Agency from time to time regarding new policies, procedures or other news of interest to case participants. To learn more about E-Issuance, go to <http://mynlrb.nlr.gov>.

## What Documents Can be E-Filed?

**Most documents may be filed electronically.**

- 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

## What Documents Cannot be E-Filed?

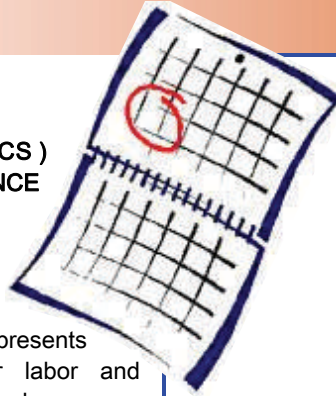
**The following documents may not be filed electronically with the Agency**

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



## Save the Dates

CENTER FOR COLLABORATIVE SOLUTIONS (CCS)  
21<sup>st</sup> ANNUAL LABOR MANAGEMENT CONFERENCE  
" SMART LABOR RELATIONS: BOUNDLESS  
OPPORTUNITIES IN CHALLENGING TIMES "  
March 24 - 26, 2010, Anaheim CA



## Answers to Board Bits

The Center for Collaborative Solutions – CCS – presents its highly successful annual conference designed for labor and management representatives and anyone else who wants to learn more about conflict resolution, team building, and creative solutions to collective-bargaining issues. Co-sponsors of this innovative program include the NLRB, FMCS, PERB, and the ALRB, along with public-sector entities including CSMCS (California State Mediation and Conciliation Service) and CPER (California Public Employee Relations). Nearly 30 panel presentations will be offered, and **NLRB member and former Chairman Peter C. Schaumber** will talk about the 75<sup>th</sup> Anniversary of the NLRA. More information is available at [www.ccscenter.org](http://www.ccscenter.org).

STATE BAR OF CALIFORNIA  
LABOR AND EMPLOYMENT LAW SECTION  
28<sup>th</sup> ANNUAL MEETING  
March 26 - 27, 2010, Anaheim CA

This annual meeting will present a number of panels emphasizing practical tips for both established practitioners and novices in labor and employment law. **NLRB Board Member Peter C. Schaumber** will be the keynote luncheon speaker to commemorate the 75<sup>th</sup> Anniversary of the NLRA, and **Prof. Erwin Chemerinsky**, Dean of UC Irvine Law School, will present his ever-popular Supreme Court update. MCLE credits are available. More information is available on the Section's website at [www.calbar.ca.gov](http://www.calbar.ca.gov).

LOS ANGELES COUNTY BAR  
LABOR AND EMPLOYMENT LAW SECTION CONFERENCE  
March 31, 2010, Downtown Los Angeles

This very popular one-day midweek program regularly draws in excess of 250 attorneys for its comprehensive review of timely labor and employment topics. The keynote luncheon speaker this year will be **California Supreme Court Justice Carlos Moreno**. Several workshops will be presented, including one featuring **NLRB General Counsel Ronald Meisburg** regarding the history and future of the NLRA on its 75<sup>th</sup> anniversary. MCLE credits are available. Further information will be available at [www.lacba.org](http://www.lacba.org).

COFFEE WITH THE BOARD  
April 1, 2010, 9:00 a.m. to 11:30 a.m., at the Offices of Region 21

Join **NLRB General Counsel Ronald Meisburg** and senior Board agents for updates on NLRB law and procedures. Celebrating seventy-five years of effectuating the purposes and policies of the Act, this event is sponsored by NLRB Regions 21 and 31, and **Regional Directors James Small** and **James McDermott** will be available to answer your questions and concerns. Won't you join us for coffee? Registration is free, but reservations are required: contact Assistant to the Regional Director Bruce Hill at (213) 894-5210 or [Bruce.Hill@NLRB.gov](mailto:Bruce.Hill@NLRB.gov).

1. *The constitutionality of the National Labor Relations Act was confirmed by the Supreme Court on April 12, 1937 when it reversed the Fifth Circuit's decision to deny enforcement of the Board's order in Jones & Laughlin Steel Corporation.*

2. *The 13 Regional Directors of Region 21 are:*

*Towne J. Nylander (1936-1938)  
Walter P. Spreckeles (1939-1940)  
William R. Walsh (1941)  
Elwyn J. Eagen (1942-1943)  
Stewart Meachem (1944-1945)  
Hugh E. Sperry (1946)  
Howard F. LeBaron (1947-1953)  
George A. Yager (1954-1955)  
Henry W. Becker (1956-1957)  
Ralph E. Kennedy (1958-1970)  
Wilford W. "Bud" Johansen (1971-1985)  
Victoria Aguayo (1985-2007)  
James F. Small (2007-Present)*

3. *Pulitzer Prize winner Nancy Cleeland is our new Director of Public Affairs. Nancy works with Media Specialist Tony Wagner to increase the Agency's presence and provide relevant and timely information about labor law to the communities we serve.*

4. *The NLRB website, [www.nlr.gov](http://www.nlr.gov), has an active Twitter feed, providing current information about high profile NLRB matters.*

5. *Director James Small, Field Attorney Ami Silverman, and Secretary to the ARD Maria Fregoso have all worked in Region 31. Give yourself a bonus point if you also knew that Region 31 Director James McDermott, Regional Attorney Margaret Hume, and Field Examiner Alex Hajduk are all Region 21 alumni.*

### Contributors to this issue:

- James Small
- William Pate
- Bruce Hill
- Neil Warheit
- Ami Silverman
- John Hatem, *editor*