



Region 10 PERSPECTIVE

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CHIP'S CORNER: "Hard Times"

Sequestrations, debt ceiling debates, annual budget battles, continuing resolutions and a government shutdown, not to mention many consecutive years of frozen wages, limited hiring and travel restrictions are not conducive to enhancing one's work life. Yet our staff and management press on to bring you the best service they can because they care about the Act and what it represents.

Many of you have taken the time to let us know when one of our staff's efforts has been noteworthy and that extra effort on your part has been most appreciated.

Obviously, restricted travel and limited hiring, coupled with regular staff attrition, necessitate a continual evaluation of where we can best utilize our resources. Our offices in Winston-Salem and Birmingham have experienced and are expected to continue to experience some significant staff reductions over the next few months. Accordingly, we have to shift work to other offices within the Region to ensure it can be timely completed.

For the time being, we anticipate we can assist Birmingham by assigning on an ad hoc basis some work which would normally be done by agents in that office to agents in Nashville or Atlanta. With respect to Winston-Salem, the problem is more severe, and we have concluded that when cases are filed in certain counties in southern South Carolina, we will most likely assign those cases to the Regional office for case docketing and investigation. This temporary adjustment is made possible by the consolidation of the Winston-Salem office with Atlanta.



Regional Director C.T. "Chip" Harrell, Jr.

Accordingly, effective October 1, 2013, the following counties in South Carolina will generally be serviced by the offices set forth below:

WINSTON-SALEM: Calhoun, Chester, Chesterfield, Clarendon, Darlington, Dillon, Fairfield, Florence, Georgetown, Horry, Kershaw, Lancaster, Lee, Lexington, Marion, Marlboro, Richland, Sumter, Williamsburg, and York.

ATLANTA: Abbeville, Aiken, Allendale, Anderson, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Cherokee, Colleton, Dorchester, Edgefield, Greenville, Greenwood, Hampton, Jasper, Laurens, McCormick, Newberry, Oconee, Orangeburg, Pickens, Saluda, Spartanburg, and Union.

As we go forward, we will continue to monitor the assignment and distribution of cases and, if necessary, readjust office boundaries to ensure that workloads are equitably distributed.

We appreciate your understanding.

Thanks,
Chip

NLRB RETURNS TO FIVE-MEMBER BOARD

For the first time since August 21, 2003, the National Labor Relations Board has a full complement of five Senate-confirmed members. Four new members, all nominated by President Barack Obama and confirmed in July by the United States Senate, have been sworn into office. NLRB Chairman Mark Gaston Pearce was also confirmed to an additional five-year term on the Board.

Meet the five members:

Mark Gaston Pearce is currently Chairman of the National Labor Relations Board, a position he has held since August 2011. He has served as a Member of the NLRB since March 2010. Mr. Pearce was a founding partner at Creighton, Pearce, Johnsen & Giroux and previously a partner at Lipsitz, Green, Fahringer, Roll, Salisbury & Cambria LLP. From 1979 to 1994, he was a district trial specialist for the NLRB in Buffalo, NY. He has served by appointment of the Governor as a Board Member of the New York State Industrial Board of Appeals, and he has taught labor studies courses at Cornell University's School of Industrial Labor Relations Extension. Mr. Pearce received a B.A. from Cornell University and a J.D. from State University of New York at Buffalo. Board Chairman Pearce's term will end August 27, 2018.

Nancy Schiffer was Associate General Counsel to the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) from 2000 to 2012. From 1998 to 2000, she was Deputy General Counsel to the United Auto Workers (UAW). She also worked as Associate General Counsel for the UAW from 1982 to 1998. Earlier in her career, Ms. Schiffer was a staff attorney in the Detroit Regional Office of the National Labor Relations Board and worked as an attorney in private practice. Ms. Schiffer received her B.A. from Michigan State University and her J.D. from the University of Michigan Law School. Board Member Schiffer was sworn in on August 2, 2013, for a term ending December 16, 2014.

Harry I. Johnson, III, was a partner with law firm Arent Fox LLP, a position he had held since 2010. Previously, Mr. Johnson worked at the Jones Day law firm as a partner from 2006 to 2010 and as an associate from 1994 to 2005. In 2011, he was recognized by The Daily Journal as one of the "Top Labor & Employment Attorneys in California." Mr. Johnson received a B.A. from Johns Hopkins University, an M.A.L.D. from Tufts University's Fletcher School of Law and Diplomacy, and a J.D. from Harvard Law School. Board Member Johnson was sworn in on August 12, 2013 for a term that expires on August 27, 2015.

Kent Hirozawa was chief counsel to National Labor Relations Board Chairman Mark Pearce. Before joining the NLRB staff in 2010, Mr. Hirozawa was a partner in the New York law firm Gladstein, Reif and Meginniss LLP, where he advised clients on a variety of legal and strategic issues, including Federal and state labor and employment law matters. Mr. Hirozawa previously served as a field attorney for the NLRB from 1984 to 1986. He was a pro se law clerk for the U.S. Court of Appeals for the Second Circuit from 1982 to 1984. He received a B.A. from Yale University and a J.D. from New York University School of Law. Board Member Hirozawa was sworn in on August 5, 2013 for a term that expires on August 27, 2016.

Philip A. Miscimarra was a partner in the Labor and Employment Group of Morgan Lewis & Bockius LLP, a position he had held since 2005. Since 1997, Mr. Miscimarra has been a senior fellow at the University of Pennsylvania's Wharton Business School. Mr. Miscimarra worked at Seyfarth Shaw LLP as a partner from 1990 to 2005 and as an associate from 1987 to 1989. Mr. Miscimarra received a B.A. from Duquesne University, an M.B.A. from the University of Pennsylvania's Wharton School of Business, and a J.D. from the University of Pennsylvania Law School. Board Member Miscimarra was sworn in on August 7, 2013 for a term that expires on December 16, 2017.

Chairman's October 29 Statement on Senate Confirmation of NLRB General Counsel

"Today's Senate vote to confirm Richard F. Griffin, Jr. as General Counsel will ensure the NLRB's ability to enforce the National Labor Relations Act. The Act guarantees the right of private sector workers to organize and bargain collectively with their employers and to participate in concerted activities to improve their pay and working conditions.

"Having served as a staff attorney and as a member of the Board, Mr. Griffin has a wealth of experience in labor law and a deep understanding of the National Labor Relations Act. On behalf of the NLRB, I welcome him back and know that he will play a vital role in ensuring that we continue to provide excellent service to the American people.

"The Agency and the American people owe a debt of gratitude to Lafe E. Solomon, who began his career at the NLRB in 1972 and has served so ably as the Acting General Counsel since June of 2010. His courage and dedication to the mission and to improving the efficiency of the Agency during his term as Acting General Counsel was extraordinary. I know that all the dedicated public servants who work for the Agency in headquarters and regional offices throughout the country appreciate his long record of service and significant accomplishments at the NLRB."

RECENT REGION 10 DECISIONS

Copper River of Boiling Springs LLC, 10-CA-085934 et al. — Issued 25 September 2013. ALJ decision recommending dismissal of 8(a)(3) discipline and discharge allegations and finding 8(a)(1) interrogation violation.

Pac Tell Group, Inc., d/b/a/ U.S. Fibers, 10-CA-101166 — Issued 26 June 2013. Board decision denying review of Acting Regional Director's Decision and Direction of Election.

Bluefield Hospital Company LLC d/b/a Bluefield Regional Medical Center, 10-CA-093042 — Issued 20 June 2013. Board decision denying Acting General Counsel's Motion for Summary Judgment and remanding to the Region for further action.

The Martin Law Group, 10-CA-078395 — Issued 17 June 2013. Board Order adopting ALJ decision.

Taft Coal Sales & Associates, Inc., 10-CA-088599 et al. — Issued 13 June 2013. ALJ decision finding merit to 8(a)(1) interrogation and threat violations and 8(a)(5) failure to bargain over layoffs.

Pac Tell Group, Inc., d/b/a U.S. Fibers, 10-CA-101166 — Issued 31 May 2013. Board Order denying Request for Review and amending Decision and Direction of Election to permit employees to vote subject to challenge.

Amerisave Mortgage Corporation, 10-CA-082519 — Issued 22 May 2013. Board Order approving Stipulation, granting Motion to waive hearing and ALJ decision and transferring proceedings to the Board.

The Martin Law Group, 10-CA-078395 — Issued 6 May 2013. ALJ decision finding Employer promulgated unlawful rule prohibiting discussion of wages, but dismissing 8(a)(1) discharge allegation.

Greenbrier VMC, LLC d/b/a Greenbrier Valley Medical Center, 10-CA-094646 — Issued 3 May 2013. Board Order denying Employer's petition to revoke subpoena duces tecum.

Mission Produce, Inc., 10-RC-095843 — Issued 29 April 2013. Board decision and certification of representative.

NLRB and Mexican Foreign Ministry Sign Letter of Agreement

The National Labor Relations Board and the Ministry of Foreign Affairs of the United Mexican States have signed a letter of agreement designed to strengthen collaborative efforts to provide Mexican workers, their employers, and Mexican business owners in the United States with information, guidance, and access to education regarding their rights and responsibilities under the National Labor Relations Act.

Under the framework announced today, the NLRB and the Mexican Embassy in Washington, D.C., as well as NLRB Regional Offices and Mexican Consulates nationwide, will cooperate to provide outreach, education, and training, and to develop best practices. This framework has been used by other federal labor agencies, including the Department of Labor and the Equal Employment Opportunity Commission, which have similar agreements with the Mexican Embassy and its consulates.

Acting NLRB General Counsel Lafe Solomon indicated the agreement will “promote a broader awareness within the Mexican community of the rights and responsibilities of employees and employers, along with the services that the NLRB provides.”

“We recognize the need to improve employer and worker awareness of the rights and obligations under the Act that are applicable to all Mexican workers in the United States of America,” Solomon said. “This agreement will give us a greater opportunity to fulfill the goals of the National Labor Relations Act, to guarantee the right of workers - including employees just entering the work force - to engage or refrain from engaging in protected-concerted or organizing activity to improve their working conditions without fear of discrimination, harassment or retaliation,” he added.

“With coordination from the consulates, we expect to meet with Mexican workers around the country to help forge innovative solutions to issues specific to their needs,” Acting General Counsel Solomon said. He noted the letter of agreement will also increase the NLRB’s ability to provide employers, including Mexican business owners in the United States, with resources directly available to them, including access to education and training resources regarding rights and responsibilities under the Act.

La Junta Nacional de Relaciones del Trabajo (JNRT) y el Ministerio de Relaciones Exteriores de los Estados Unidos Mexicanos firmaron hoy una carta de acuerdo diseñada para fortalecer sus esfuerzos de colaboración para proveer a los trabajadores mexicanos, sus empleadores, y a los empresarios mexicanos en los Estados Unidos, información, asesoramiento y acceso a la educación en lo referente a sus derechos y responsabilidades bajo la Ley Nacional de Relaciones del Trabajo.

La JNRT y la Embajada Mexicana en Washington, D.C., junto con las oficinas regionales de la JNRT y consulados mexicanos a nivel nacional, van a cooperar para proveer un programa de alcance comunitario, educación y entrenamiento, y para desarrollar mejores prácticas. Este marco ha sido utilizado por otras agencias federales de trabajo, incluyendo al Departamento de Trabajo y la Comisión para la Igualdad de Oportunidades de Empleo, que tienen acuerdos similares con la Embajada Mexicana y sus consulados.

El Abogado Interino de la JNRT Lafe Solomon indicó que el acuerdo va a “promover una conciencia más amplia dentro de la comunidad mexicana sobre los derechos y las responsabilidades de los empleados y empleadores, junto con los servicios que la JNRT provee.”

“Nosotros reconocemos la necesidad de hacer conscientes a empleadores y empleados de los derechos y obligaciones que ante la Ley, son aplicables a todos los trabajadores mexicanos en los Estados Unidos,” dijo Solomon. “Este acuerdo nos dará una mejor oportunidad para alcanzar los objetivos de la Ley Nacional de Relaciones del Trabajo, para garantizar los derechos de los trabajadores de participar o abstenerse de participar en actividad protegida- concertada o actividad de organización para mejorar sus condiciones de trabajo sin miedo a la discriminación, hostigamiento o retaliación,” agregó.

“Con la coordinación de los consulados, esperamos reunirnos con trabajadores mexicanos a través de el país para ayudar a forjar soluciones innovadoras para asuntos específicos relacionados con sus necesidades”, dijo el Abogado Interino Solomon. También afirmó que la carta de acuerdo aumentará la posibilidad de que la JNRT provea a empleadores, incluyendo a los dueños mexicanos de negocios en los Estados Unidos, recursos directamente disponibles para ellos, incluyendo acceso a educación y entrenamiento respecto a los derechos y responsabilidades bajo la Ley.



REGION PARTICIPATES IN NATIONAL LABOR RIGHTS WEEK

August 25 through August 31 was National Labor Rights Week. Throughout the country, staff members working in regional offices of the National Labor Relations Board (NLRB) met with immigrant workers, community groups, employees and employers to discuss the rights guaranteed by the National Labor Relations Act.

“We are placing a particular emphasis on educating Mexican workers employed in the United States by partnering with Mexican consulates in many communities,” said NLRB Chairman Mark Gaston Pearce. “Along with other federal labor agencies, including the Department of Labor and the Equal Employment Opportunity Commission, we are participating in events designed to ensure that Mexican employers and workers in the United States understand their rights and obligations under American law.”

“Since its passage in 1935, the National Labor Relations Act has promised generations of workers the right to join together, with or without a union, to seek improvements and a voice in their working lives,” notes Acting NLRB General Counsel Lafe Solomon. “But that promise can only be fulfilled if individuals understand and are able to exercise their rights under the law.”

Nashville Resident Officer Joe Artiles represented the NLRB and Region 10 during Labor Rights Week activities sponsored by the Mexican Consulate in Atlanta. Artiles led presentations on two days, speaking about the role and importance of the NLRB in protecting employees’ rights to engage in union and protected concerted activities and in conducting union representation elections, as well as explaining the procedures for the filing and processing unfair labor practice charges. Attendees posed questions indicating a genuine interest in the functions of the Agency and in the collective bargaining process. Artiles’ presentation was followed by representatives of the Department of Labor’s Employee Benefits Security Administration and Wage & Hour Division, Occupational Safety & Health Administration, and the Equal Employment Opportunities Commission, as well as private organizations such as Tapestri, Georgia Hispanic Construction Association and People on the Way.

From October 1-16, 2013, the National Labor Relations Board was closed due to a lapse in appropriated funds. For information on the Agency’s Contingency Plan and the effect of the government shutdown on filing deadlines, see [this summary](#) and [this notice](#).

NLRB Launches Mobile App

In late August, the National Labor Relations Board announced the launch of a new mobile app, available free of charge for iPhone and Android users. The app provides employers, employees and unions with information regarding their rights and obligations under the National Labor Relations Act.

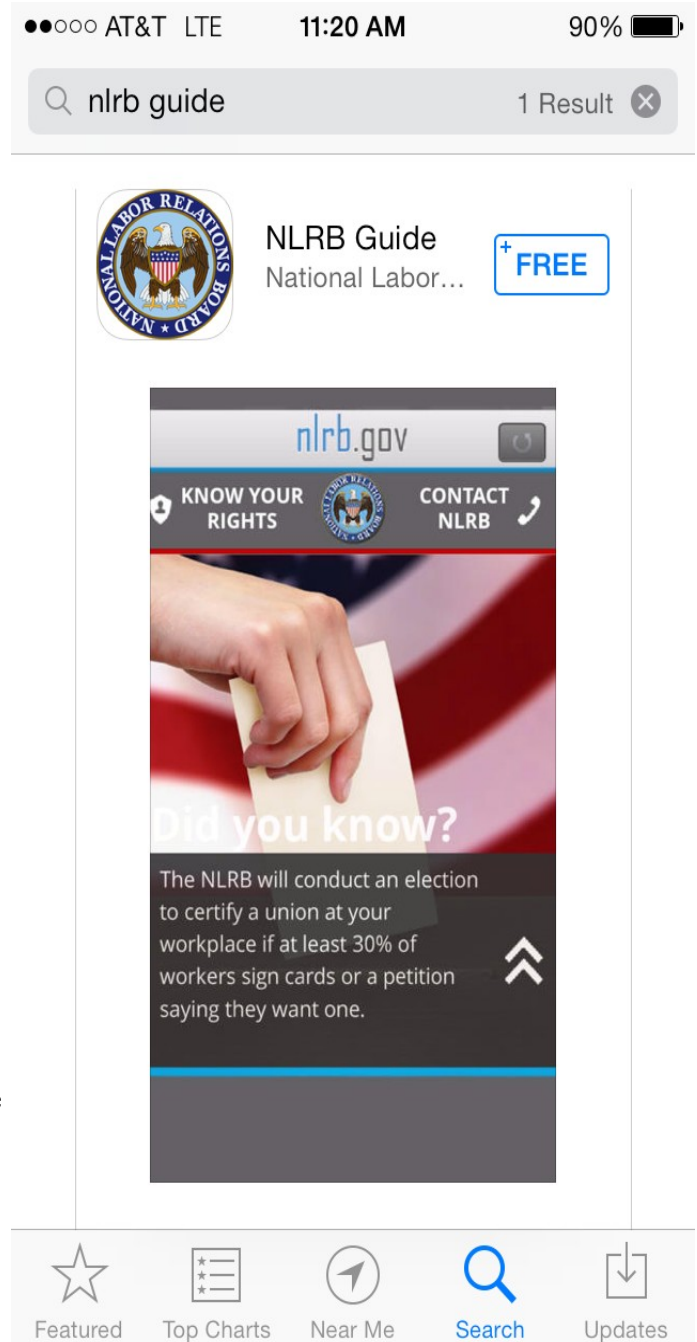
“The National Labor Relations Act guarantees the right of workers to join together, with or without a union, to improve their working lives,” notes NLRB Chairman Mark Gaston Pearce. “The promise of the law can only be fulfilled when employers and employees understand their rights and obligations. With this app, we are using 21st century technology to inform and educate the public about the law and their rights.”


Last year, the NLRB received more than 82,000 public inquiries regarding workplace issues. “It is clear that the American people have questions about the law,” Pearce said. “This app can help provide the answers.”

The app, called NLRB Guide, provides information for employers, employees and unions, with sections describing the rights enforced by the National Labor Relations Board, along with contact information for NLRB regional offices across the country. The app also details the process the NLRB uses in elections conducted to determine whether employees wish to be represented collectively.

Each month, an average of 2,000 unfair labor practice charges and 200 representation petitions are filed with the NLRB. In 2012, the NLRB collected more than \$44 million in backpay or the reimbursement of fees, dues and fines, and more than 1,200 employees were offered reinstatement as a result of NLRB enforcement efforts.

The app is currently available for [iPhone users on the Apple App Store](#) and for [Android users on Google Play](#).





REGIONAL OFFICES GIVE GENEROUSLY

The Atlanta Regional office donated 455 pounds of canned and dry groceries to Atlanta Community Food Bank during the Feds Feed Families campaign. Over 600 nonprofit community-based partners in more than 29 north Georgia counties rely on ACFB for food and other items. In addition, the Birmingham office partnered with EEOC to collect 240 pounds of food for Community Food Bank of Central Alabama. The goods donated by Region 10 will provide hundreds of meals to those in need. **Thanks to all who helped fight hunger in our community!**

REGION 10 COMMUNITY OUTREACH

- On April 18, Examiner Lanita Cravey gave a presentation introducing the NLRB to an undergraduate human resource business class at University of Alabama-Birmingham.
- On April 23, at John Marshall Law School, Attorney Lauren Rich spoke to a class of law students about labor arbitration.
- On June 20, Supervisory Attorney Lisa Henderson participated in a plenary session addressing labor law updates at the Georgia Labor-Management Conference in Jekyll Island GA. Approximately 100 conference participants attended.
- On July 17, Attorney Carla Wiley sat on a panel with other labor and employment lawyers to address law students interning at EEOC.
- On July 24, RD Chip Harrell gave a presentation to approximately 30 to 40 human resources professionals and/or small company presidents at the law office of Greenberg Taurig, speaking about current NLRB issues in the news.
- On August 9, Attorney Kerstin Meyers conducted a seminar on NLRB updates for Institute of Continuing Legal Education's annual Arbitration Institute.
- On September 24, Birmingham Resident Officer Belinda Bennett spoke to students at Alabama Law School interested in labor and employment law.
- On September 25, Bennett addressed students at the Cumberland School of Law Government Career Fair who are interested in careers with the NLRB.

MEARES PROMOTED TO SUPERVISORY ATTORNEY POSITION



We are pleased to welcome Shannon Meares as the new Supervisory Field Attorney in Subregion 11. Shannon was born and raised in Champaign Illinois, and graduated from the University of Illinois (Champaign-Urbana Campus) with a double major in Sociology and Psychology in 1997. She received her J.D. in 2000 from Washington University School of Law in St. Louis, where she started the Law School's first Labor and Employment Association. During the summer before Shannon's graduation, she served as a legal intern at the UAW's Solidarity House in Detroit, Michigan.

In November, 2000, Shannon came to Winston-Salem as a Field Attorney. Prior to her promotion, for many years Shannon ably served as chair of NLRBU Local 11's committee, and, on frequent occasions, also served as the Region's unofficial "social director."

Shannon is married to Douglas McCain and has three children, Douglas, Jr., Chasetei, and Lauryn. She is a member of Alpha Kappa Alpha Sorority, Incorporated, and the Winston-Salem Chapter of Links, Incorporated. She enjoys volunteering at her daughter Lauryn's school and serves there on the Parent Council Committee.

Shannon brings a multitude of skills, abilities and enthusiasm to her new position, and the Region is fortunate to have Shannon as our newest Supervisory Field Attorney!



BOARD BABIES

Please join us in welcoming our newest additions to the Region!

On August 17, 2013, Subregion 11 Compliance Officer Jenny Dunn, her husband Jay, and daughter Peyton welcomed the arrival of daughter **Paige Harper Dunn**. Paige weighed in at 6 lbs. and 14 oz.

On August 18, 2013, Region 10 Language Clerk Mariana Ryan and her husband Thomas welcomed the arrival of son **Joseph Alvaro Ryan**. Joseph weighed in at 8 lbs. and 5.5 oz.

BOARD'S INTEREST RATE

Pursuant to *New Horizons for the Retarded*, 283 NLRB 1173, the rate used to calculate interest on backpay and other monetary remedies provided for in a Board Order 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 first quarter of Fiscal Year 2014, October 1-December 31, 2013, will be 3 percent.

WINSTON-SALEM BIDS ADIEU TO FIELD EXAMINER KATHLEEN DONOHUE

On September 24, 2013, after 35 years of government service, including 24 years as a Field Examiner, the Winston-Salem office said good bye to retiree Kathleen "KD" Donahue. KD began her tenure at the Agency in May 1989. During this time, she investigated myriad cases and conducted innumerable representation elections. She particularly enjoyed her detail assignments to Region 13 (Chicago) and Region 16 (Fort Worth), as well as the Professional Exchange Program with headquarters. In addition to her regular duties, from 1996 through her retirement Kathleen served as the Winston-Salem EEO counselor. When asked about the best part of her job, she quickly exclaimed that it was traveling to meet with parties because "everyone has a story to tell." KD also enjoyed visiting different manufacturing plants and observing their production processes. During her retirement, she plans to catch "a lil Brady Bunch," visit friends and family, explore her creative and artistic abilities, "try not to be a burden to society," and "wake up happy every day." Although she will be missed, we wish her the very best.



Did you know ...

The screenshot shows the National Labor Relations Board (NLRB) website at <http://www.nlr.gov/cases-decisions>. The page features a navigation menu with the following items: Home, Rights We Protect, What We Do, Who We Are, Cases & Decisions, News & Outreach, and Reports & Guidance. The 'Cases & Decisions' menu is expanded, showing a list of options: Case Search, File Case Documents, Board Decisions, Unpublished Board Decisions, Administrative Law Judge Decisions, Advice Memoranda, Appellate Court Briefs and Motions, Contempt, Compliance, and Special Litigation Branch Briefs, Invitations to File Briefs, Weekly Summaries of Decisions, Regional Election Decisions, and Research. The main content area displays 'Cases & Decisions' with sub-sections for Board Decisions, Unpublished Board Decisions, and Administrative Law Judge Decisions. A search bar and a 'Sign up for NLRB Updates' button are also visible.

... that Board Decisions, Administrative Law Judge Decisions, Advice Memoranda, Regional Election Decisions and even certain briefs are available on the Agency's website at <http://www.nlr.gov/cases-decisions> ?

Law Clerk Life —

Fresh off my first year of law school, the Board's Region 10 Birmingham Resident Office put me straight to real legal work, in a way that my previous job clerking never could. Not only was I doing research, but for the first time I was handling cases and witnesses myself, taking affidavits and actually moving investigations forward. Within the first week I learned more about labor law than I could expect from months of classes, and after that it was off to the races with real, personal work. Every case

I worked on felt important—and was—and even more importantly than the law itself, I learned about the responsibilities, dedication, and empathy required for working at the Board. Because of all the things going on in national politics, I expected to either be thrown in above my head to help the agency in a rough time or to just be left on my own so the professionals could focus on their jobs, but neither was the case. Not only did Field Attorney Katherine Chahrouri and Resident Officer Belinda Bennett focus on making sure I had a balanced experience, but everyone in the office contributed in whichever way they could. Because of the office's deep commitment to the community, I had opportunities I never could have expected not just working for the Board but also tagging along as they dedicated themselves to Birmingham in their private time. It was a great learning experience, and one I would wholeheartedly recommend to anyone.

— Evan Sartin, University of Alabama School of Law
 “Testimonial,” NLRB 2013 Summer Program for Law Clerks, Co-Ops & Interns

REGIONAL R-CASE ROUND-UP

Since April 1, 2013, the following final election results have been recorded in Region 10's Atlanta, Birmingham, Nashville and Winston-Salem offices:

- 10-RD-099829, Ooltewah, TN – Angelica (11) - Teamsters Local 519 (4)
- 10-RD-098077, Atlanta, GA – Southern Power (32) - IBEW (10)
- 10-RC-100672, Alcoa, TN – Rural Metro (20) - IAEMSTP, SEIU/NAGE (14)
- 10-RC-101166, Trenton, SC – Pac Tell Group (59) - United Steel, Paper (71)
- 10-RC-103272, Birmingham, AL – General Dynamics (97) - IAMAW (38)
- 10-RC-103297, Charlotte, NC – Transit Management (6) - IASMA (267)
- 10-RC-104875, Knoxville, TN – Mayfield Dairy (27) - Teamsters 519 (13)
- 10-RC-105057, Mount Hope, AL – West Lawrence (0) - IUOE (7)
- 10-RC-105065, Cayce, West Columbia SC – Harsco Rail (166) - IAMAW (2103)
- 10-RC-105289, Birmingham, AL – The Hertz Corp. (8) - Teamsters 612 (1)
- 10-RC-105376, Winston-Salem, NC – ADT LLC (7) - IBEW (10)
- 10-RC-105471, Calhoun, TN – PHB Inc. (2) - United Steel, Paper (9)
- 10-RC-106213, Brentwood, TN – Kelly Construction (28) - IUB (17)
- 10-RC-107055, Aiken, SC – Autoneum North America (90) - RWDSU (64)
- 10-RC-108084, Fort Stewart, GA – Gino Morena (8) - UFCW (2)
- 10-RC-108476, Conley, GA – EFCO (1) - IUOE (9)
- 10-RC-108737, Charleston, SC – Fedserv Ind. (0) - IUOE (2)
- 10-RC-109351, Savannah, GA – Aramark (9) - IAMAW (5)
- 10-RD-109990, Tifton, GA – Mayfield Dairy (10) - Teamsters 528 (9)
- 10-RC-109967, Macon, GA – Mayfield Dairy (8) - Teamsters 528 (22)
- 10-RC-110257, McDonough, GA – Americold (11) - Teamsters 528 (30)
- 10-RC-110342, Spartanburg, SC – Fedserv Ind. (0) - IUOE (2)
- 10-RC-110539, Covington, VA – MeadWestvaco (2) - Covington Paperworks (436)
- 10-RC-110732, Birmingham, AL – Hickman Williams (6) - United Steel, Paper (5)
- 10-RC-110531, Radford, VA – G4S Government (2) - International Guards (28)

NLRB CREATES NEW DIVISION OF LEGAL COUNSEL

By consolidating several offices, the NLRB has created a new Division of Legal Counsel at its Washington Headquarters. The consolidation eliminates duplication of functions, improves the delivery of services, streamlines operations and integrates services. The new Division is headed by Associate General Counsel Margery E. Lieber, and its three branches are:

- The Ethics, Employment and Administrative Law Branch, which provides legal counsel and advice in ethics, labor relations, employment and personnel law, government contracting and Federal Tort Claims Act matters.

- The Contempt, Compliance and Special Litigation Branch provides compliance and contempt advice and conducts litigation when external statutes, programs or outside proceedings threaten the Agency's ability to carry out its mission. It also provides advice and engages in litigation to attain compliance with outstanding court judgments and initiates ancillary collection proceedings; protects the Board's remedial orders in bankruptcy courts or against attachments, garnishments, and liens; assists with defending Agency employees when they have been sued in their individual capacity for actions taken in their official capacity, and assists Regions regarding compliance work related to potential derivative liability.

- The Freedom of Information Act (FOIA) Branch coordinates the processing of all FOIA requests in the Regional Offices and directly handles all FOIA requests in Headquarters, as well as all FOIA appeals. In the near future, it is anticipated that the FOIA Branch will be responsible for processing all FOIA requests nationwide.

- In addition, the Division of Legal Counsel's Lead Technology Counsel renders advice and assistance regarding e-litigation and e-discovery matters.

AGENCY OFFERS PARTIES CONVENIENT E-FILING

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

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

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

Documents that may NOT be E-Filed include:

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



A NOTE FROM THE EDITOR

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

Thank you!

Lisa Y. Henderson, Editor

Supervisory Attorney, Region 10-Atlanta

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For the hearing impaired: (866) 315-6572

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.



NLRB Speakers Are Available for Your Group

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

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

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