

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 2**

**PUBLIC STORAGE OPERATING COMPANY
Employer**

and

Case 02-RC-353072

**UNITED AUTOMOBILE, AEROSPACE AND
AGRICULTURAL IMPLEMENT WORKERS OF
AMERICA (UAW), LOCAL 2179
Petitioner**

DECISION AND DIRECTION OF ELECTION

United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), Local 2179 (the Petitioner) seeks to represent a unit of all full-time and regular part-time employees employed by Public Storage Operating Company (the Employer) at eight facilities located in the Bronx, Mt. Vernon, Pelham, and Yonkers, New York. There are approximately twenty-nine employees in the petitioned-for unit.¹

The only issue before me is whether the petitioned-for multi-facility unit is an appropriate unit for bargaining, or whether the only appropriate unit must include fifteen additional facilities. The Employer contends that the petitioned-for multi-facility unit is inappropriate and that any appropriate unit encompassing the petitioned-for-facilities must also include four other facilities in New York and eleven facilities in New Jersey. The Employer maintains that the petitioned-for unit does not share a community of interest distinct from those excluded facilities. There are approximately fifty-five employees at the twenty-three facilities the Employer contends must be included in any unit encompassing the employees the Petitioner seeks to represent.

A hearing officer of the National Labor Relations Board (“Board”) conducted a hearing for this matter. All parties appeared at the hearing and filed post-hearing briefs. The Board has delegated its authority in this proceeding to me under Section 3(b) of the National Labor Relations Act (the Act). As explained below, based on the record and consistent with Board law, I find that the petitioned-for unit is an appropriate unit.

¹ The parties stipulated that any unit found appropriate should include all full-time and regular part-time employees employed by the Employer and exclude office clerical employees, confidential employees, and guards and supervisors as defined in the Act. The record shows that the petitioned-for unit includes the following classifications: Property Manager – Nonresident, A Property Manager – Resident, A Property Manager – Nonresident, A Property Manager - Nonresident, KTP, and Maintenance Assistant.

I. RECORD EVIDENCE

A. The Employer's Operations

The Employer rents temperature-controlled self-storage units to the public. The Employer operates facilities throughout the United States. The Employer's operations are divided into geographic divisions, which are subdivided into districts. The facilities at issue here are in the Northeast Division.

Each facility is assigned a unique five-digit property number and is comprised of an office containing a computer and phone, rental units, and a secured perimeter surrounding the facility. Facilities are staffed with between one and six Property Managers. Facilities with 1000 units or more and facilities that generate over \$3 million in revenue are also staffed with "A" Property Managers. Each District has one or two Property Managers designated as Key Training Professionals (KTP). In addition to their Property Manager duties, KTP train new hires within their District, traveling to different facilities as needed.

Senior Regional Manager Nicole Tremblay oversees eleven Districts in New York, New Jersey, and Pennsylvania with approximately 223 property-level employees across 127 facilities. The facilities at issue here are in Districts 151, 284 and 147. Reporting directly to Tremblay are District Managers Caitlin Tierney, George Stivala, and Ashley Sanchez.² Stivala is the District Manager for District 151, which has four facilities. Sanchez is the District Manager for District 284, which has eight facilities.³ Tierney is the District Manager for District 147, which has 11 facilities in Northern New Jersey. The District Managers are the direct supervisors for employees in their respective districts. There are one to six employees at each facility.

The eight petitioned-for facilities are in Districts 151 and 284, as set forth in the table below.

Property Number	Facility Location	District
25775	385 Gerard Ave. Bronx, NY	151
25747	367 Southern Blvd. Bronx, NY	151
25704	875 Brush Ave. Bronx, NY	151
34112	60 E. Kingsbridge Rd. Mt. Vernon, NY	151
21811	925 Spring Rd. Pelham, NY	284
08107	400 Nepperhan Ave. Yonkers, NY	284

² The Northeast Division also has two Senior District Managers. They oversee the eight Northeast districts not at issue here and report directly to Tremblay. In those districts, the District Managers report to the Senior District Manager.

³ District 284 was created on approximately September 16, 2024, just over a month before the filing of the petition in this matter. It includes four facilities formerly in District 151 and four from District 147.

34108	137 Saw Mill River Rd. Yonkers, NY	284
27821	955 Saw Mill River Rd. Yonkers, NY	284

The Employer seeks to add to the bargaining unit four additional facilities from District 284 and eleven facilities from District 147 set forth below:

Property Number	Facility Location	District
20628	203 New Clarkstown Rd. Spring Valley, NY	284
21016	185 Route 59 Monsey, NY	284
24109	1059 Rt. 94 Vails Gate, NY	284
25444	7 S. Peacock Rd. Spring Valley, NY	284
07003	168 Route 17 N. Rochelle Park, NJ	147
07048	1080 Goffle Rd. Hawthorne, NJ	147
08106	300 Browertown Rd. West Paterson, NJ	147
25764	1661 Route 23 Wayne, NJ	147
25864	3 Curie Ave. Wallington, NJ	147
29283	213 US-46 Fairfield, NJ	147
29294	Jane St. Fort Lee, NJ	147
77734	174 Route 17 N. Rochelle Park, NJ	147
77762	16-09 NJ-208 Fairlawn, NJ	147
77912	75 NJ-17 Paramus, NJ	147
77921	12 Leighton Pl. Mahwah, NJ	147

B. Appropriateness of the Petitioned-for Unit

1. Skills, Duties and Working Conditions

Apart from working from geographically separate facilities, Property Managers across all the Employer’s facilities perform the same duties, dividing their time between Customer Facing and Non-Customer Facing duties. They complete the same training and have the same skills.

Customer Facing duties include taking payment from customers and providing customer service by phone and in-person. Customer service tasks include taking reservations, calling delinquent customers, and reminding customers of an upcoming appointment. Non-Customer Facing duties include light cleaning and maintaining the facility and rental units.

The facilities in dispute are subject to the same personnel policies and employee handbook and receive the same benefits and starting wage.⁴

⁴ “A” Property Managers and Key Training Professionals receive an additional \$1.50 per hour. This applies to all Public Storage facilities.

2. Functional Integration

The employees in the petitioned-for unit are assigned to specific facilities, where they perform most of their work. All facilities are furnished with the same equipment and utilize the same communication channels, including phone, email and MyTime, which is an appointment scheduling and point-of sale platform. The record did not indicate that any facilities share equipment.

District Managers have monthly meetings with Senior Regional Manager Tremblay. Meetings are conducted both in-person at a facility within the district or virtually. In-person meetings are attended by Property Managers working at the facility where the meeting is held.

Tremblay meets with KTPs in the disputed facilities at her office on a quarterly basis.⁵ During these sessions, Tremblay provides company information, additional personal development, and training.

3. Employee Interchange

Each Property Manager in the petitioned-for unit is assigned to a specific facility. The Employer submitted as an exhibit a list of employee interchange between Districts 147, 151, and 284. The documentary evidence shows 379 occasions where an employee from Districts 147, 151, and 284 worked at a facility in another one those Districts during the period January 1 through October 20, 2024.⁶ Employer witness Regional Manager Tremblay testified this interchange primarily occurs due to staffing shortages when employees call out or take leave.

The record evidence shows 271 occasions where an employee in the petitioned-for unit worked at another facility in the petitioned-for unit. The evidence does not show any employee from a petitioned-for facility working at any facility outside of the petitioned-for unit, nor any employee from a facility outside of the petitioned-for unit working at any facility within the petitioned-for unit.⁷

For the non-petitioned for facilities in Districts 147 and 284 that the Employer would include, the evidence shows 25 occasions where an employee worked at a non-petitioned for facility in the other District. The evidence further shows 79 occasions where an employee from a non-petitioned for District 147 facility worked at a facility in District 146 (Central New Jersey) or vice versa.

⁵ Tremblay's office is located at Property 08106 in West Paterson, New Jersey, one of the non-petitioned-for facilities in District 147.

⁶ All dates are for the year 2024 unless otherwise noted.

⁷ On July 14, an employee from facility 26932 in District 152 worked at petitioned for facility 34108, but neither party contends that any facilities from District 152 should be included in the unit.

There are 13 Facilities in District 146 and neither party contends any facility in that district should be included in an appropriate unit.⁸

Petitioner witness Douglas Suarez, a Property Manager at the 385 Gerard Ave. Bronx, facility, testified that while he has worked at petitioned-for facilities other than his home facility, he has never worked in New Jersey or Rockland County in New York, where the excluded facilities are located. Suarez further testified that he and many of other petitioned-for employees use public transportation to get to work. Tremblay, the Regional Manager overseeing Districts 151, 284, and 147, testified that the Employer tries to assign facilities that are commutable.

Suarez further testified that employees regularly communicate with employees in the other petitioned-for facilities and he has never communicated with employees from a New Jersey facility.

4. Centralized Control of Management and Supervision

The petitioned-for employees communicate day-to-day operational issues to their respective District Managers. The respective District Managers, in turn, communicate with Regional Manager Tremblay daily about personnel and other issues. Tremblay visits each of the facilities at issue here on a quarterly basis. District employees also gather for monthly meetings that could occur at any property in a particular district.

For matters of employee discipline, hiring and promotions, the District Managers submit recommendations to Tremblay. Tremblay testified she approves approximately 50% of District Managers' hiring recommendations and 90% of District Managers' disciplinary recommendations. She has sole authority to approve disciplinary action for Districts under her authority.

5. Geographic Proximity

The eight facilities in the petitioned-for unit are in Bronx and Westchester counties, east of the Hudson River. Property numbers 25775, 25747 and 25704 are in Bronx County and Property numbers 24112, 21811, 08107, 34108, and 27821 are in Westchester County.

The fifteen Employer-sought facilities are west of the Hudson River, in northern New Jersey or Rockland and Orange counties. Property numbers 07003, 07048, 08106, 25764, 25864, 29283, 29294, 77734, 77762, 77912, and 77921 are in Northern New Jersey. Property numbers 20628, 25444, 21016 are in Rockland County and Property number 24109 is in Orange County.

⁸ The record also shows three occasions where employees from yet other Districts not at issue here worked at a disputed non-petitioned-for facility. On August 20, 2024, an employee from facility 25586 in District 158 worked at excluded facility 08106. On October 16 and 17, an employee from facility 08189 in District 152 worked at facility 34108. Neither party contends those facilities should be included in an appropriate unit.

Documentary evidence in the record, based on information from Google maps, shows the distances between each of the respective facilities. Beginning with the eight petitioned-for facilities, the evidence shows the facilities are between one and twelve miles apart.⁹ The shortest distance between a petitioned-for and excluded facility is four miles and the longest distance is forty-six miles.¹⁰

6. Bargaining History

The Employer and the Petitioner have no collective bargaining history.

C. Parties' Positions

1. Petitioner's Position

Petitioner argues the petitioned-for unit is appropriate because employees share a community of interest distinct from that shared with employees at the excluded locations. Petitioner emphasizes the lack of employee interchange between the petitioned-for facilities and the excluded facilities, arguing this results in a lack of contact between employees and a barrier to employee participation in union activities. According to the Petitioner the proposed unit aligns with established state and county lines with the Hudson River serving as a boundary and, as such, inclusion of the excluded facilities would make the unit less, not more cohesive. Petitioner posits that the geographic location of the petitioned-for and excluded facilities and the lack of interchange between them, support the conclusion that the employees at the petitioned-for unit share a community of interest distinct from those at the excluded locations.

2. Employer's Position

The Employer asserts the petitioned-for unit lacks a community of interest separate and distinct from the excluded facilities and that a finding that the petitioned-for unit is appropriate would result in splitting the Company's administrative groupings. The Employer emphasizes that the Board generally disapproves of such a division of administrative grouping when there is functional integration, shared supervision, shared terms and conditions of employment and extensive employee interchange.

⁹ Property number 218111, located at 925 Spring Road. Pelham, NY, is one mile from Property number 34112, located at 60 E. Kingsbridge Road. Mt. Vernon, NY. Property number 25747, located at 367 Southern Boulevard, Bronx, NY, is twelve miles from Property number 27821, located at 955 Saw Mill River Road, Yonkers, NY.

¹⁰ Property number 29294, located at Jane St. Fort Lee, NJ, is four miles from Property number 25747, located at 367 Southern Boulevard, Bronx, NY. Property number 25747, in turn, is forty-six miles from Property number 24109, located at 1059 Route 94 Vails Gate, NY.

D. Analysis

1. Legal Standard for Multi-facility Unit

The Board analyzes the following factors when determining whether a petitioned-for unit must include additional locations: “employees’ skills and duties; terms and conditions of employment; employee interchange; functional integration; geographic proximity; centralized controls of management and supervision; and bargaining history.” *AT&T Mobility Services., LLC*, 371 NLRB No. 14, slip op. at 2 (2021). See also *Audio Visual Services Group, LLC*, 370 NLRB No. 39 (2020); *Laboratory Corp of America Holdings*, 341 NLRB 1079, 1081-1082 (2004); *Bashas’ Inc.*, 337 NLRB 710 (2002); *Alamo Rent-A-Car*, 330 NLRB 897 (2000). Unlike single-facility units, multi-facility units are not presumptively appropriate, and the appropriateness of the multi-facility unit is determined by whether the petitioned-for employees share a community of interest distinct from that shared with employees at other, excluded locations. *Laboratory Corp. of America Holdings*, 341 NLRB at 1082. The Board has concluded that where a group of employees’ skills, duties, and working conditions cannot be distinguished from those of employees at excluded locations, sufficient evidence of integration, interchange, and proximity is enough to establish a distinct community of interest. See *AT&T Mobility Services., LLC*, supra, slip op. at 2-3.

2. Application

i. Similarity in Skills and Duties

The petitioned-for employees have similar skills, duties, as those same classifications at the additional Employer-sought facilities, thus weighing in favor of a shared community of interest between the locations.

For these reasons, I find that this factor weighs against finding that the employees at the eight petitioned-or facilities have a distinct community of interest.

ii. Terms and Condition of Employment

The wages for the petitioned-for employees are the same as the wages for the employees at the excluded facilities. The personnel policies are also the same for all of the Employer’s employees. Accordingly, I find that this factor weighs against finding that employees at the eight petitioned for facilities share a distinct community of interest.

iii. Interchange

“The Board has found that the factors of employee interchange and functional integration weigh in favor of a petitioned-for unit where the petitioned-for employees have substantially more contact and interchange with each other than they do with excluded employees.” *Audio-Visual Services Group, LLC*, 370 NLRB supra, slip op. at 2 (citing *Verizon Wireless*, 341 NLRB 483, 485, 490 (2004); *Panera Bread*, 361 NLRB 1236, 1236 fn. 1 (2014)). “In contrast, the Board has generally been disinclined to find a multi-facility unit appropriate when the petitioned-for facilities have no

more functional interchange with each other than they do with the excluded facilities.” *Audio Visual Services Group, LLC*, supra, slip op. at 2 (citing *Bashas’ Inc.*, 337 NLRB 710, 711 (2002); *Alamo Rent-A-Car*, 330 NLRB 897, 898 (2000)).

Here, there is significant interchange between the petitioned-for facilities. The record establishes 271 occasions where an employee worked at another facility in the petitioned-for unit. In contrast, there is no evidence of employee interchange with facilities that the Employer seeks to include. Accordingly, I find this factor weighs heavily in favor of finding that the petitioned-for unit share a distinct community of interest. *Audio Visual Services Group, LLC*, supra, slip op. at 2.

iv. Functional Integration

Functional integration refers to when employees’ work constitutes integral elements of an employer’s production process or business, notwithstanding their physical separation – for example, when the employees provide a service as a group. Evidence that employees work together on the same matters, have frequent contact with one another, and perform similar functions is relevant when examining whether functional integration exists. See *Transerv Systems*, 311 NLRB 766, 766 (1993). On the other hand, if functional integration does not result in contact among employees in the unit sought by a union, the existence of functional integration has less weight.

I find that the eight petitioned-for facilities are more functionally integrated than the larger Employer-proposed grouping of 23 facilities because the evidence shows employee contact through work at other petitioned-for facilities and no contact with locations outside the petitioned-for unit. Likewise, the evidence shows that employees working at the 15 additional facilities proposed by the Employer have exclusively worked at other non-petitioned-for facilities west of the Hudson River. While the employees perform the same work irrespective of where they work, employee contact within the petitioned-for grouping reveals significant integration and weighs in favor of finding that the eight petitioned-for facilities share a distinct community of interest.

v. Centralized Control of Management and Supervision

Where the petitioned-for unit includes multiple facilities, the Board will consider whether employees at petitioned-for facilities share common and centralized supervision with employees at excluded facilities. *Purity Food Stores, Inc.*, 150 NLRB 1523, 1527 (1965); see also *Alamo Rent-A-Car*, 330 NLRB at 898. Common and centralized supervision weigh in favor of finding the employees do not share a community of interest distinct from that shared with excluded employees.

The record shows District 284 District Manager Sanchez directly supervises petitioned-for Facilities 21811, 08107, 34108, and 27821 and non-petitioned Facilities 20628, 21016, 24109, and 25444. Further, the District Managers for Districts 151, 284, and 147 report directly to Senior Regional Manager Tremblay who has final authority over hiring, promotions, and discipline, including termination.

However, there are an additional 104 facilities under Tremblay, including 13 in District 146 which have substantial employee interchange with District 147. Thus, while there is common supervision within District 284 and centralized control of management over Districts 151, 284, and 147, there will be facilities covered by the centralized management that are not included under either scenario since neither party seeks the inclusion of any of the other 104 facilities. In these circumstances, the exclusion of the four District 284 facilities west of the Hudson River is not fatal to finding that the eight petitioned-for facilities are appropriate. I find this factor is neutral in this situation.

vi. Geographic Proximity

When assessing geographic proximity in a petitioned-for unit, the Board looks at the distances between the petitioned-for locations when compared to the excluded locations. See, e.g., *AT&T Mobility Services*, supra, slip op. at 2; *Audio Visual Services. Group*, supra, slip op. at 3 (finding geographic proximity of five miles weighed in favor of petitioned-for unit where excluded locations were significantly farther away). “The Board has found that geographic proximity weighs against petitioned-for units when the distances between some of the petitioned-for and excluded facilities are roughly equivalent to the distances between some of the petitioned-for facilities (thus rendering the exclusions somewhat arbitrary).” *Id.* (citing, e.g., *Bashas’ Inc.*, 337 NLRB at 771).

Although the record shows the greatest distance between a petitioned for and non-petitioned for facility (forty-six miles) is three times greater than the greatest distance between two petitioned for facilities (twelve miles), one non-petitioned for facility is closer to a petitioned for facility than the greatest distance between certain petitioned-for facilities, weighing against a distinct community of interest. I recognize that the Hudson River is a significant geographic boundary separating the petitioned-for unit from the additional facilities the Employer contends must be included in the unit. As manifested in this record, Tremblay testified that the Employer tries to assign facilities that are commutable and there are no examples of an assignment across the Hudson River. Notwithstanding the strong geographic cohesion between petitioned-for facilities east of the Hudson River, as demonstrated by interchange and functional integration, the distances between some of the petitioned-for and excluded facilities are roughly equivalent and I find this factor is neutral.

vii. Bargaining History

This factor is neutral as there is no bargaining history for the employees at issue.

3. Conclusions

I conclude that the interchange and functional integration weigh in favor of finding the petitioned-for unit shares a distinct community of interest and that the appropriate geographic scope of this unit includes all eight petitioned-for facilities located east of the Hudson River. The Board has found that the factors of employee interchange and functional integration weigh in favor of a petitioned-for unit where the petitioned-for employees have substantially more

contact and interchange with each other than they do with excluded employees.” *Audio-Visual Services Group, LLC*, supra, slip op. at 2 (citations omitted). While the skills and duties; terms and conditions of employment; and centralized control of management weigh in favor of including the fifteen additional locations the Employer seeks to include, these factors are also present at other Employer locations in the Northeast Division, including the 104 facilities neither party seeks to include. Moreover, I have found the geographic proximity factor is neutral in this case as the geographic coherence of the petitioned-for unit supports my conclusion that the petitioned-for unit is appropriate.

II. CONCLUSION

Based upon the entire record in this matter and in accordance with the discussion above, I conclude and find as follows:

1. The hearing officer’s rulings made at that hearing are free from prejudicial error and are hereby affirmed.
2. The Employer is engaged in commerce within the meaning of the Act, and it will effectuate the purposes of the Act to assert jurisdiction herein.¹¹
3. The Petitioner is a labor organization within the meaning of Section 2(5) of the Act and claims to represent certain employees of the Employer.
4. A question affecting commerce exists concerning the representation of certain employees of the employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.
5. The following employees of the Employer constitute a unit appropriate for the purpose of collective bargaining within the meaning of Section 9(b) of the Act:

Included: All full time and regular part time employees employed by the Employer at facilities located at 385 Gerard Avenue, Bronx, NY, 367 Southern Boulevard, Bronx, NY, 875 Brush Avenue, Bronx, NY, 60 E. Kingsbridge Road, Mt. Vernon, NY, 925 Spring Road, Pelham, NY, 400 Nepperhan Avenue, Yonkers, NY, 137 Saw Mill River Road, Yonkers, NY, and 955 Saw Mill River Road, Yonkers, NY

Excluded: Clerical employees, confidential employees, and guards and supervisors as defined in the Act.

¹¹ The parties stipulated to the following jurisdictional information: The Employer, a State of Maryland corporation with offices and places of business throughout the United States, is engaged in the business of operating temperature controlled self-storage facilities. It has a principal office and place of business at 701 Western Avenue, Glendale, CA 91201 and offices located at 300 Browertown, Road, Woodland Park, NJ. Annually, in the course and conduct of its business operations, the Employer derives gross revenues in excess of \$500,000, and purchases and receives at its New York, NY, facilities goods and materials valued in excess of \$5,000 directly from points

outside the State of New York.

III. DIRECTION OF ELECTION

The National Labor Relations Board will conduct a secret ballot election among the employees in the unit found appropriate above. Employees will vote whether or not they wish to be represented for purposes of collective bargaining by United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW), Local 2179.

A. Election Details

The election will be held on **Thursday March 20, 2025**, from 1 p.m. to 4 p.m. at the Employer's facility located at 385 Gerard Avenue, Bronx, New York. The National Labor Relations Board will conduct a secret ballot election among the employees in the unit found appropriate above. Employees will vote whether or not they wish to be represented for purposes of collective bargaining by United Automobile, Aerospace, and Agricultural Implement Workers of America (UAW), Local 2179.

B. Voting Eligibility

Those eligible to vote in the election are employees in the above unit who were employed during the payroll period ending **Saturday February 22, 2025**, including employees who did not work during that period because they were ill, on vacation, or were temporarily laid off. In a mail ballot election, employees are eligible to vote if they are in the above unit on both the payroll period ending date and on the date they mail in their ballots to the Board's designated office.

Employees engaged in any economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, employees engaged in an economic strike which commenced less than 12 months before the election date, who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls or by mail as described above in paragraph 4.

Ineligible to vote are (1) employees who have quit or been discharged for cause after the designated payroll period for eligibility, and, in a mail ballot election, before they mail in their ballots to the Board's designated office, (2) employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and (3) employees engaged in an economic strike which began more than 12 months before the election date who have been permanently replaced.

C. Voter List

As required by Section 102.67(l) of the Board's Rules and Regulations, the Employer must provide the Regional Director and parties named in this decision a list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal

email addresses, and available personal home and cellular telephone numbers) of all eligible voters.

To be timely filed and served, the list must be received by the Regional Director and the parties by **Tuesday March 3, 2025**. The list must be accompanied by a certificate of service showing service on all parties. **The Region will no longer serve the voter list.**

Unless the Employer certifies that that it does not possess the capacity to produce the list in the required form, the list must be provided in a table in a Microsoft Word file (.doc or docx) or a file that is compatible with Microsoft Word (.doc or docx). The first column of the list must begin with each employee's last name and the list must be alphabetized (overall or by department) by last name. Because the list will be used during the election, the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at www.nlr.gov/what-we-do/conduct-elections/representation-case-rules-effective-april-14-2015.

When feasible, the list shall be filed electronically with the Regional Director and served electronically on the parties named in this decision. The list may be electronically filed with the Region by using the E-filing system on the Agency's website at www.nlr.gov. Once the website is accessed, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions.

Failure to comply with the above requirements will be grounds for setting aside the election whenever proper and timely objections are filed. However, the Employer may not object to the failure to file or serve the list within the specified time or in the proper format if it is responsible for the failure.

No party shall use the voter list for purposes other than the representation proceeding, Board proceedings arising from it, and related matters.

D. Posting of Notices of Election

Pursuant to Section 102.67(k) of the Board's Rules, the Employer must post copies of the Notice of Election accompanying the Decision in conspicuous place, including all places where notices to employees in the unit found appropriate are customarily posted. The Notice must be posted so all pages of the Notice are simultaneously visible. In addition, if the Employer customarily communicates electronically with some or all of the employees in the unit found appropriate, the Employer must post copies of the Notice at least 3 full working days prior to 12:01 a.m. the day of the election and copies must remain posted until the end of the election. For purposes of posting, working day means an entire 24-hour period excluding Saturdays, Sundays and holidays. However, a party shall be estopped from objecting to the nonposting of notices if it is responsible for the nonposting, and likewise shall be estopped from objecting to the nondistribution of notices if it is responsible for the nondistribution. Failure to follow the posting requirements set forth above will be grounds for setting aside the election if proper and timely objections are filed.

Failure to follow the posting requirements set forth above will be grounds for setting aside the election if proper and timely objections are filed.

E. Right to Request Review

Pursuant to Section 102.67 of the Board's Rules and Regulations, a request for review may be filed with the Board at any time following the issuance of this Decision until 10 business days after a final disposition of the proceeding by the Regional Director. Accordingly, a party is not precluded from filing a request for review of this decision after the election on the grounds that it did not file a request for review of this decision prior to the election. The request for review must conform to the requirements of Section 102.67 of the Board's Rules and Regulations.

A request for review must be E-filed through the Agency's website and may not be filed by facsimile. To E-file the request for review, go to www.nlr.gov, select E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. If not E-filed, the request for review should be addressed to the Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001, and must be accompanied by a statement explaining the circumstances concerning not having access to the Agency's E-Filing system or why filing electronically would impose an undue burden. A party filing a request for review must serve a copy of the request on the other parties and file a copy with the Regional Director. A certificate of service must be filed with the Board together with the request for review.

Neither the filing of a request for review nor the Board's granting a request for review will stay the election in this matter unless specifically ordered by the Board.

Dated: February 27, 2025

A handwritten signature in black ink that reads "John D. Doyle, Jr." with a stylized flourish at the end.

John D. Doyle, Jr., Regional Director
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