

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19**

**AUTO CHLOR SYSTEM OF WASHINGTON,
INC.**

Employer

and

Case 19-RC-357182

**INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL UNION NO.
46, AFL-CIO**

Petitioner

DECISION AND DIRECTION OF ELECTION

Auto-Chlor System of Washington, Inc. (“Employer”) provides maintenance services for commercial dish machines, ware wash, and laundry dispensing systems in the Seattle, Washington area.

On December 20, 2024, the International Brotherhood of Electrical Workers, Local 46 (“Petitioner”) filed an election petition in Case 19-RC-357182 seeking to represent all persons employed by the Employer working at or out of its Seattle facility excluding chemical production workers. On December 26, 2024, the Petitioner amended their election petition seeking to represent a unit of all full-time and regular part-time sales service representatives working at the Employer’s Seattle facility. The amended petitioned-for unit included approximately 14 employees.

The Employer contests the appropriateness of the requested unit of employees arguing that all of the job classifications should be included in a wall-to-wall unit because they share a community of interest. Specifically, the Employer contends that the job classifications of route supervisor, installer, rebuilder, production employees, office administrator, outside sales representative, and production supervisor should be included in any appropriate unit. The

Employer also notes that the Petitioner already sought twice to represent a wall-to-wall unit at their Kent, Washington facility. However it appears that the Kent facility did not have in part the disputed production classifications at issue here.

The parties then stipulated in Board Exhibit 2 that any unit found appropriate would include all full-time and regular part-time sales service representatives, installers, route supervisors, and rebuilders employed by the Employer at its facility located at 4135 7th Avenue South Seattle, Washington. Accordingly, the disputed classifications left for this decision are the production employees, office administrator, outside sales representative, and production supervisor. The parties further stipulated that the production supervisor and route supervisor are not supervisors within the meaning of Section 2(11) of the Act.

A Hearing Officer of the National Labor Relations Board (“Board”) held a videoconference hearing on January 2, 2025. Both parties filed post-hearing briefs.

Based on the record, the parties’ briefs, and relevant Board law, I determine that the Employer has not met its burden to prove that production employees and production supervisor share a community of interest with the stipulated unit. However, the Employer has met its burden to prove that the office administrator and outside sales representative share a community of interest with the stipulated unit.

I. COMMUNITY OF INTEREST IN PETITIONED-FOR UNIT

A. Facts

The parties stipulated that the sales service representatives, installers, route supervisors, and rebuilders are an appropriate unit with a community of interest. At issue is whether the production employees, office administrator, outside sales representative, and production supervisors also share that same community of interest.

1. Departmental Organization

The branch manager for the facility testified that he ultimately oversees all the employees at the facility with the production supervisor and route supervisor serving mostly as leads for their respective departments. He further testified that he is the direct supervisor for the outside sales representative and office administrator.

The branch manager further testified that the installer, rebuilder, sales service representatives, and route supervisor are part of an on-call rotation to provide 24/7 maintenance coverage for their customers. This team, and the office administrator, also are the classifications with a company phone.

2. Skills, Training, and Job Functions

The branch manager testified that there are no educational requirements for sales service representatives or production employees. Both sets of classifications also do not have specific experience requirements. There was no testimony provided about whether there are educational or experience requirements for the office administrator or outside sales representative.

The branch manager provided undisputed testimony regarding the job functions for the job classifications at issue. The sales service representatives primary job function is in the field providing services to the Employer's customers. This service entails preventative maintenance on dishwashers and delivering chemicals to the customers. Day-to-day, the sales service representatives, load their trucks, do the work on their routes, return to the facility and process paperwork, and load their trucks for the next day. They also inventory customer chemicals. Additionally, they will perform emergency service calls and are part of the on-call rotation for after business hours coverage. While the branch manager testified that they also undergo the

HazCom training that production employees do, the route supervisor who was formerly a sales service representative said he did not remember that training.

The outside sales representative arranges the leases and rental agreements for the dishwashers with the customers. Day-to-day, the outside sales representative is taking meetings with restaurant owners to talk about dishwashing needs, coordinating installs for new customers, and completing paperwork. The outside sales representative comes into the office weekly to do a sales meeting with the branch manager but otherwise only comes in to complete paperwork. Additionally, the outside sales representative is communicating frequently with the sales service representative as they hand off new customers.

The office administrator reports to the branch manager and communicates throughout the day with the sales service representatives for administrative functions like clocking-in, turning in checks, turning in paperwork, and providing customer information to them. The office administrator also reviews all the paperwork submitted by sales service representatives in order to catch potential billing mistakes.

The installer's primary job is to install dishwashers for customers. They also will respond to service calls and are part of the on-call rotation. Installers are cross-trained on rebuilding and will also go out to swap dishwashers for customers as needed.

The rebuilder takes old dishwashers, strips them for parts, and then rebuilds them. They will also periodically respond to service calls as needed and are on the on-call rotation.

Only the Seattle branch has production employees. The production employees are supervised by the production supervisor for day-to-day assignment of work, but their discipline is handled by the Branch Manager. The production employees start their shifts at 6:30AM with a set of tasks laid out by the production supervisor and spend their day mixing chemicals to create

the finished products used by the other employees in sales. The production employees bottle the mixtures, label them, and pack products up for shipment to the other branches. Production employees undergo HazCom training and on the job training for handling the caustic chemicals. While the branch manager testified that both production and sales service representatives are hired based on how well they interact with people, production employees do not interact with customers. Production employees also have only incidental contact with dishwashers although they may move them around the warehouse.

The production supervisor performs inventory of current chemicals and finished products, figures out what products need to be produced each day, and orders new chemicals as needed.

3. Functional Integration and Contact and Interchange

The branch manager testified that production employees move to other positions in the company including sales service representatives, rebuilder, and installer; however, he provided no examples of an employee having done so. The branch manager also testified that he believed a production employee could also become an outside sales representative, but he did not remember an employee ever doing so. None of the current sales service representatives have been production employees.

4. Terms and Condition of Employment

Every employee receives the same benefits and is governed by the same employee handbook. The sales service representatives and outside sales representative have the ability to earn commissions although their commission schemes are different. The sales service representatives receive a three percent commission on products that they directly sell to their customers, which they receive every time they bill and deliver the product. The outside sales

representative earns a commission every time they sign up a new customer and that customer remains for six months. Their commission is also higher than the sales service representatives. A sales service representative can also earn a commission for a new customer, but it is given out at 25 per cent , and they must have it approved by the branch manager.

Every job classification is an hourly employee that makes between \$22 and \$25 per hour except for the outside sales representative who is salaried plus commission.

All employees wear some version of personal protective equipment. The sales service representatives wear gloves and protective goggles. Production employees wear gloves, goggles, and coveralls.

5. Supervision

All the employees are supervised by the branch manager in terms of who has the ability to hire and fire, discipline, promote, and reward. Production employees receive their day-to-day assignments from the production supervisor, and the route supervisor does the day-to-day assignments for the sales service representatives.

B. Parties' Positions

1. Petitioner's Position

The Petitioner contends that the Act only requires that a petitioned-for unit be an appropriate one not the most appropriate unit, and that the stipulated unit does not share a community of interest with the outside sales representative, office administrator, production employees, and production supervisor. Specifically, the Petitioner argues that the production employees and production supervisor are particularly separated from the stipulated unit because their work is distinct. Additionally, the Petitioner notes that the Seattle branch is the only Employer facility that has production employees.

2. Employer's Position

The Employer contends that the stipulated unit is a fractured unit and that the only appropriate unit is a wall-to-wall unit that includes all employees of the Employer. Additionally, the Employer argues that because the Petitioner has petitioned for wall-to-wall units at their other facilities, they should not be allowed to petition for a smaller unit at this facility.

C. Analysis

1. Legal Standard

The Act does not require a petitioner to seek representation of employees in the most appropriate unit possible but only in an appropriate unit. *Overnite Trans. Co.*, 322 NLRB 723 (1996). As a result, in deciding the appropriate unit, the Board first considers whether the unit sought in a petition is appropriate. *Id.* When deciding whether the unit sought in a petition is appropriate, the Board focuses on whether the employees share a “community of interest.” *NLRB v. Action Automotive*, 469 U.S. 490, 494 (1985). The factors the Board considers in making this determination are whether the employees sought are organized into a separate department; have distinct skills and training; have distinct job functions and perform distinct work, including inquiry into the amount and type of job overlap between classifications; are functionally integrated with the Employer’s other employees; have frequent contact with other employees; interchange with other employees; have distinct terms and conditions of employment; and are separately supervised. *United Operations, Inc.*, 338 NLRB 123 (2002). The Board has made it clear that it will not approve of fractured units—that is combinations of employees that are too narrow in scope or that have no rational basis. *Seaboard Marina*, 327 NLRB 556 (1999). However, all relevant factors must be weighed in determining community of interest, and no one factor is more important than another.

2. Application

a. Departmental Organization

An important consideration in any unit determination is whether the proposed unit conforms to an administrative grouping or departmental organization that already exists within the Employer's operation. Thus, for example, generally the Board would not approve a unit consisting of some, but not all, of an employer's production and maintenance employees. *See, Check Printers, Inc.*, 205, NLRB 33 (1973). In certain circumstances, the Board will approve a unit in spite of the fact that other employees in the same administrative grouping are excluded. *Home Depot USA*, 331 NLRB 1289, 1289-91 (2000).

Here, the evidence shows that the branch manager has supervisory authority over all the employees; however, the testimony also revealed a clear organizational divide between production employees and the other job classifications due to their work with chemicals. The production employees have a dedicated lead who assigns their work, and they form a discrete, identifiable unit within the branch. Their job functions are performed only by production employees, and they do not substitute in to fill other job functions or roles in other classifications.

Regarding the office administrator and outside sales representative, the evidence does not show that they are part of such a distinct unit within the company. They are both supervised by the branch manager. They both work closely in their day-to-day work with the sales service representatives, and their job tasks and functions overlap with the other stipulated unit classifications.

Accordingly, I find that this factor weighs in favor of a shared community of interest for the office administrator and outside sales representative with the stipulated unit and against a shared community of interest with the production employees and production supervisor.

b. Skills, Training, and Job Functions

For this factor, the Board analyzes whether employees perform the same basic function or have the same duties, whether there is overlap in job functions, or whether they work together as a team to decide if this factor weighs in favor of finding a community of interest. Additionally, the Board looks at whether the employees must meet similar requirements to obtain employment, whether they have similar licensure requirements, similar job descriptions, use similar equipment, participate in similar training programs, or if they have similar job descriptions.

Casino Aztar, 349 NLRB 603; *J.C. Penny Company, Inc.*, 328 NLRB 766 (1999); *Brand Precision Services*, 313 NLRB 657 (1994); *Phoenician*, 308 NLRB 826 (1992).

Here, while all the job classifications broadly work together as a team to support the Employer's mission of providing dishwashers and maintaining dishwasher leases for customers, the production employees have different job functions and de minimis overlap with the other job classifications. For example, the production employees are the only employees who mix chemicals. They are the only employees who bottle and package the end product. Additionally, the production employees do not perform work with the dishwasher equipment like the sales service representatives, installers, and rebuilders.

Regarding the office administrator and outside sales representative, their job functions overlap significantly with the sales service representatives. The outside sales representative works closely with the sales service representatives because they hand off their customers to the sales service representatives. Additionally, their commission structure depends upon the work of

the sales service representatives. The office administrator also works closely with the sales service representative because they provide them customer information, review their invoices, and process their sales.

On balance, I find that the production employees and production supervisor do not have sufficient overlap in job functions for this factor to weigh in favor of a shared community of interest between the production employees and production supervisor and the stipulated unit including sales service representatives. However, I do find that there is sufficient overlap in job functions for this factor to weigh in favor of a shared community of interest between the outside sales representative and office administrator and the stipulated unit.

c. Functional Integration and Contact

Functional integration refers to when employees' work constitutes integral elements of an employer's process or business. It exists when employees in a unit work on different phases of the same product or a single service as a group. Additionally, it could also exist when the employer's workflow involves all employees in the unit. Evidence that employees work together on the same matters, have frequent contact with one another, and perform similar functions are relevant when examining whether functional integration exists. *Transerv Sys.*, 311 NLRB 766 (1993). Also relevant is the amount of work-related contact among employees including whether they work beside one another. *See Casino Aztar*, 349 NLRB at 605-606.

Here, as noted above, there is not a significant overlap in job functions between the production employees and production supervisor and the stipulated unit; however, there is functional integration between these job classifications. The cleaning products made by the production employees are sold and delivered by the sales service representatives, and their sales needs determine how much cleaning product the production employees produce. Additionally,

the outside sales representative and office administrators are also functionally integrated in their job tasks with the sales service representatives.

Accordingly, I find that this factor weighs in favor of a shared community of interest between all the disputed classifications and the stipulated unit.

d. Interchange

Interchange refers to both temporary work assignments between two groups of employees and also to transfer between the groups. Frequent interchange “may suggest blurred departmental lines and a truly fluid work force with roughly comparable skills.” *Hilton Hotel Corp.*, 287 NLRB 359, 360 (1987). As a result, the Board has held that the frequency of employee interchange is a critical factor in determining whether employees who work in different groups share a community of interest sufficient to justify their inclusion in a single bargaining unit. *Executive Resource Associates*, 301 NLRB 400, 401 (1991) (citing *Spring City Knitting Co. v. NLRB* 647 F.2d 1011, 1015 (9th Cir. 1981)).

Here, while the branch manager testified that there is interchange between the job classifications, he also testified that there are no current sales service representatives who have been production employees, and he provided no specific examples of any other employee who had been hired in one position moving to another one. Accordingly, I find his testimony about interchange to be speculative.

Therefore, I find that this factor does not weigh in favor of a shared community of interest between the disputed classifications and the stipulated unit.

e. Terms and Conditions of Employment

Terms and conditions of employment include whether employees receive similar wage ranges and are paid in a similar fashion; whether employees have the same fringe benefits; and

whether employees are subject to the same work rules, disciplinary policies, and other terms that might be described in an employee handbook. *See, Overnite Trans. Co.*, 322 NLRB 347 (1996).

Here, all the employees are subject to the same work rules and are ultimately supervised within the meaning of the Act by the same person, the branch manager. They also share the same fringe benefits. However, there are differences in how they are paid. Both the outside sales representative and the sales service representatives are eligible for commissions as well while none of the other job classifications can earn a commission. All classifications are hourly employees who earn between \$22--\$25 per hour except for the outside sales representative who is salaried.

Based on the shared commission structure between the outside sales representative and sales service representatives, I find that this factor weighs in favor of finding a shared community of interest between the outside sales representative and the stipulated unit. I further find that the shared hourly wage rate and other terms and conditions of employment weighs in favor of finding a shared community of interest between the office administrator and the stipulated unit. Finally, this factor also weighs in favor of finding a shared community of interest between the production employees and the stipulated unit because of the broadly same terms and conditions of employment.

f. Supervision

Another community-of-interest factor is whether the employees in dispute are commonly supervised. In examining supervision, most important is the identity of employees' supervisors who have the authority to hire, to fire, or to discipline, or to supervise the day-to-day work of employees. *See, Executive Resources Associates*, 301 NLRB 400, 420 (1991); *NCR Corporation*, 236 NLRB 215 (1978). Common supervision weighs in favor of placing the employees in

dispute in one unit; however, it is not dispositive especially where there is no evidence of interchange, contact, or functional integration. *United Operations*, 338 NLRB 123, 125 (2002). Conversely, separate supervision does not mandate separate units especially where there is evidence of interchange, contact, or functional integration. *Casino Aztar*, 349 NLRB 603, 607, fn. 11 (2007).

Here, all of the employees share the same supervisor with the authority to hire, fire, and discipline. Their day-to-day work is overseen by different leads. Accordingly, I find that this factor weighs in favor of a shared community of interest between the disputed classifications and the stipulated unit.

3. Summary

Based on the record evidence and the factors above, I conclude that the Employer has not met its burden to prove that production employees and production supervisor share a community of interest with the stipulated unit. While the factors of functional integration, supervision, and terms and conditions of employment weigh in favor of finding a shared community of interest, the factors of departmental organization, job functions, and interchange do not weigh in favor of a shared community of interest. Therefore, on balance, I conclude that the production supervisor and production employees should be excluded from the appropriate unit.

Regarding the office administrator and outside sales representative, I conclude that the Employer has met its burden to prove that they share a community of interest with the stipulated unit because in addition to functional integration, supervision, and terms and conditions of employment weighing in favor, the factors of departmental organization and job functions also weighed in favor of inclusion. The only factor that did not weigh in favor of inclusion for these

classifications was interchange. Therefore, I concluded that the office administrator and outside sales representative should be included in the appropriate unit.

The appropriate unit for an election is one that includes all full-time and regular part-time sales service representatives, installers, route supervisors, rebuilders, office administrator, and outside sales representative employed by the Employer at its facility located at 4135 7th Avenue South, Seattle, Washington.

II. CONCLUSION

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

1. The rulings at the 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.¹
3. The Petitioner is a labor organization within the meaning of Section 2(5) of the Act and represents 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 Sections 2(6) and (7) of the Act.

¹ The parties stipulated to the following commerce facts: The Employer, a Washington corporation with an office and place of business in Seattle, Washington, is engaged in the business of providing maintenance service for commercial dish machines, ware wash, and laundry dispensing systems. During the past 12 months, a representative period of time, the Employer derived gross revenues in excess of \$500,000 and purchased and received at its facilities within the State of Washington goods valued in excess of \$50,000 directly from points located outside the State of Washington.

5. The following employees of the Employer constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act as part of the bargaining unit:

All full-time and regular part-time employees, including sales service representatives, installers, route supervisors, rebuilders, office administrator, and outside sales representative employed by the Employer but excluding the job classifications of production and production supervisor and all managers, confidential employees, and guards and supervisors as defined by the Act.

There are approximately 15 employees in the unit found appropriate.

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 International Brotherhood of Electrical Workers, Local Union No. 46, AFL-CIO.

A. Election Details

As set forth above, I have determined that a manual election will be held.

The election will be held on Wednesday, March 26, 2025, from 7 AM to 9:30 AM at the Employer's facility located at 4315 7th Avenue South, Seattle, WA 98108.

B. Voting Eligibility

Eligible to vote are those in the bargaining unit who were employed during the payroll period ending immediately preceding the date of this decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off.

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

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

C. Voter List

As required by Section 102.67(1) 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 address, available personal email addresses, and available home and personal cell 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 4, 2025**. The list must be accompanied by a certificate of service showing services on all parties. **The region will no longer serve the voter list.**

Unless the Employer certifies 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/conduc-elections/representation-case-rules-effective-april-14-2015.

When feasible, the list shall be filed electronically with the Region and served electronically on the other parties named in this decision. The list may be electronically filed with the Region by using the E-filing systems 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 proceedings, 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 this Decision in conspicuous places, 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 also distribute the Notice of Election electronically to those employees. The Employer must post copies of the Notice at least 3 full working days prior to 12:01 a.m. of 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.

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: This 28th day of February 2025.



RONALD K. HOOKS
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS BOARD
REGION 19
915 2nd Ave Ste 2948
Seattle, WA 98174-1006



United States of America
National Labor Relations Board
NOTICE OF ELECTION



19-RC-357182

PURPOSE OF ELECTION: This election is to determine the representative, if any, desired by the eligible employees for purposes of collective bargaining with their employer. A majority of the valid ballots cast will determine the results of the election. Only one valid representation election may be held in a 12-month period.

SECRET BALLOT: The election will be by SECRET ballot under the supervision of the Regional Director of the National Labor Relations Board (NLRB). A sample of the official ballot is shown on the next page of this Notice. Voters will be allowed to vote without interference, restraint, or coercion. Electioneering will not be permitted at or near the polling place. Violations of these rules should be reported immediately to an NLRB agent. Your attention is called to Section 12 of the National Labor Relations Act which provides: ANY PERSON WHO SHALL WILLFULLY RESIST, PREVENT, IMPEDE, OR INTERFERE WITH ANY MEMBER OF THE BOARD OR ANY OF ITS AGENTS OR AGENCIES IN THE PERFORMANCE OF DUTIES PURSUANT TO THIS ACT SHALL BE PUNISHED BY A FINE OF NOT MORE THAN \$5,000 OR BY IMPRISONMENT FOR NOT MORE THAN ONE YEAR, OR BOTH.

ELIGIBILITY RULES: Employees eligible to vote are those described under the VOTING UNIT on the next page and include employees who did not work during the designated payroll period because they were ill or on vacation or temporarily laid off, and also include employees in the military service of the United States who appear in person at the polls. Employees who have quit or been discharged for cause since the designated payroll period and who have not been rehired or reinstated prior to the date of this election are *not* eligible to vote.

SPECIAL ASSISTANCE: Any employee or other participant in this election who has a handicap or needs special assistance such as a sign language interpreter to participate in this election should notify an NLRB Office as soon as possible and request the necessary assistance.

PROCESS OF VOTING: Upon arrival at the voting place, voters should proceed to the Board agent and identify themselves by stating their name. The Board agent will hand a ballot to each eligible voter. Voters will enter the voting booth and mark their ballot in secret. **DO NOT SIGN YOUR BALLOT.** Fold the ballot before leaving the voting booth, then personally deposit it in a ballot box under the supervision of the Board agent and leave the polling area.

CHALLENGE OF VOTERS: If your eligibility to vote is challenged, you will be allowed to vote a challenged ballot. Although you may believe you are eligible to vote, the polling area is not the place to resolve the issue. Give the Board agent your name and any other information you are asked to provide. After you receive a ballot, go to the voting booth, mark your ballot and fold it so as to keep the mark secret. **DO NOT SIGN YOUR BALLOT.** Return to the Board agent who will ask you to place your ballot in a challenge envelope, seal the envelope, place it in the ballot box, and leave the polling area. Your eligibility will be resolved later, if necessary.

AUTHORIZED OBSERVERS: Each party may designate an equal number of observers, this number to be determined by the NLRB. These observers (a) act as checkers at the voting place and at the counting of ballots; (b) assist in identifying voters; (c) challenge voters and ballots; and (d) otherwise assist the NLRB.



**United States of America
National Labor Relations Board
NOTICE OF ELECTION**



VOTING UNIT

EMPLOYEES ELIGIBLE TO VOTE:

Those eligible to vote are: All full-time and regular part-time employees, including sales service representatives, installers, route supervisors, rebuilders, office administrator, and outside sales representative employed by the Employer during the payroll period ending immediately preceding February 28, 2025.



EMPLOYEES NOT ELIGIBLE TO VOTE:

Those not eligible to vote are: Production and production supervisor and all managers, confidential employees, and guards and supervisors as defined by the Act.

DATE, TIME AND PLACE OF ELECTION

Wednesday, March 26, 2025	7:00 AM to 9:30 AM	The Employer's facility located at 4315 7th Ave. S, Seattle, WA
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EMPLOYEES ARE FREE TO VOTE AT ANY TIME THE POLLS ARE OPEN.

	UNITED STATES OF AMERICA National Labor Relations Board 19-RC-357182 OFFICIAL SECRET BALLOT For certain employees of AUTO-CHLOR SYSTEM OF WASHINGTON, INC.	
Do you wish to be represented for purposes of collective bargaining by INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL UNION NO. 46, AFL-CIO?		
MARK AN "X" IN THE SQUARE OF YOUR CHOICE		
YES <input type="checkbox"/>		NO <input type="checkbox"/>
DO NOT SIGN OR WRITE YOUR NAME OR INCLUDE OTHER MARKINGS THAT WOULD REVEAL YOUR IDENTITY. MARK AN "X" IN THE SQUARE OF YOUR CHOICE ONLY. If you make markings inside, or anywhere around, more than one square, return your ballot to the Board Agent and ask for a new ballot. If you submit a ballot with markings inside, or anywhere around, more than one square, your ballot will not be counted. <small>The National Labor Relations Board does not endorse any choice in this election. Any markings that you may see on any sample ballot have not been put there by the National Labor Relations Board.</small>		

WARNING: This is the only official notice of this election and must not be defaced by anyone. Any markings that you may see on any sample ballot or anywhere on this notice have been made by someone other than the National Labor Relations Board, and have not been put there by the National Labor Relations Board. The National Labor Relations Board is an agency of the United States Government, and does not endorse any choice in the election.



United States of America
National Labor Relations Board
NOTICE OF ELECTION



RIGHTS OF EMPLOYEES - FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union
- Choose representatives to bargain with your employer on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities
- In a State where such agreements are permitted, the Union and Employer may enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the Union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the Union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).

It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.

The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both Employers and Unions to know what is expected of them when it holds an election.

If agents of either Unions or Employers interfere with your right to a free, fair, and honest election the election can be set aside by the Board. When appropriate, the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

The following are examples of conduct that interfere with the rights of employees and may result in setting aside of the election:

- Threatening loss of jobs or benefits by an Employer or a Union
- Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises
- An Employer firing employees to discourage or encourage union activity or a Union causing them to be fired to encourage union activity
- Making campaign speeches to assembled groups of employees on company time, where attendance is mandatory, within the 24-hour period before the polls for the election first open or the mail ballots are dispatched in a mail ballot election
- Incitement by either an Employer or a Union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a Union or an Employer to influence their votes

The National Labor Relations Board protects your right to a free choice.

Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law.

Anyone with a question about the election may contact the NLRB Office at (206)220-6300 or visit the NLRB website www.nlr.gov for assistance.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
INSTRUCTIONS TO ELECTION OBSERVERS

The role of observers in an NLRB election is an important one. You are here to see that the election is conducted in a fair and impartial manner, so that each eligible voter has a fair and equal opportunity to express him or herself freely and in secret. As official representatives of the parties in this election, you should undertake your role with a fair and open mind. Conduct yourself so that no one can find fault with your actions during the election. The NLRB appreciates your assistance in this democratic process.

PRINCIPAL FUNCTIONS

- Monitor the election process.
- Help identify voters.
- Challenge voters and ballots.
- Assist Board Agent in the conduct of election.

DUTIES

- BE ON TIME: Observers should report one-half hour before the polls open.
- Identify voters.
- Check off the name of the person seeking to vote. One check before the voter's name is made by one party's observer. One check after the name is made by the other party's observer.
- See that only one voter occupies a booth at any one time.
- See that each voter deposits the ballot in the ballot box.
- See that each voter leaves the voting area immediately after depositing the ballot.
- Report any conflict regarding an individual's right to vote to the Board Agent at your table before the individual votes.
- Challenge of Voters: An observer has the right to challenge a voter for cause. A Board Agent may also question the eligibility of a voter. Any challenge must be made before the voter's ballot has been placed in the ballot box.
- Report any unusual activity to the Board Agent as soon as you notice it.
- Wear your observer badge at all times during the election.
- Remain in the voting place until all ballots are counted in order to check on the fairness of the count. If the ballots are not counted immediately after the polls close, you will be informed as to when and where the ballots will be counted.

DO NOT

- Keep any list of individuals who have or have not voted.
- Talk to any voter waiting in line to vote, except as instructed by the Board Agent. (Greeting voters as they approach to vote is acceptable.)

- Give any help to any voter. Only a Board Agent can assist the voter.
- Electioneer at any place during the hours of the election.
- Discuss or argue about the election.
- Leave the election area without the Board Agent's permission.
- Use any electronic device including cell phones, laptop computers, personal digital assistants (PDAs), mobile e-mail devices, wired or wireless data transmission and recording devices, etc. (Please turn off or disable these devices before entering the polling area).