

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

DREAMCLINIC INCORPORATED

Employer

and

Case 19-RC-364048

**UNITED FOOD AND COMMERCIAL WORKERS
LOCAL 3000**

Petitioner

DECISION AND DIRECTION OF ELECTION

The Employer, Dreamclinic Incorporated, operates three massage therapy and acupuncture wellness clinics. The Petitioner, United Food and Commercial Workers Local 3000, seeks to represent a bargaining unit of all licensed massage therapists and acupuncturists, approximately 46 employees, employed by the Employer at its three facilities located in Seattle and Redmond, WA. The Employer filed a statement of position and did appear in the April 28, 2025, hearing in this matter, which was held before a Hearing Officer of the National Labor Relations Board. At the opening of the hearing, the Employer objected to the introduction of Board Exhibit 1 and the holding of the hearing. The Employer stated its position that the Regional Director did not have authority to hold a hearing under §§ 3 and 9 of the Act because the National Labor Relations Board lacked a quorum. The Hearing Officer overruled the objection, and the Employer subsequently left the hearing.

The Employer's objection was properly overruled for the reasons set forth below. By way of background, President Donald J. Trump removed Board Member Gwynne A. Wilcox from her position on January 27, 2025, leaving Chairman Marvin E. Kaplan and Member David A. Prouty as the only two members of the Board. On March 6, the District Court for the District of Columbia held that the removal of Member Wilcox violated the removal protections for Board members set forth in § 3(a) of the Act and enjoined the removal of Member Wilcox in *Wilcox v. Trump*, Case 1:25-cv-00334-BAH. On March 28, a panel of the United States Court of Appeals for the D.C. Circuit granted an emergency motion to stay the District Court's order, once again leaving the Board without a quorum. On April 7, the D.C. Circuit granted motions for en banc reconsideration of the matter, vacated the March 28 order granting a stay pending appeal, and denied the government's motions for a stay pending appeal, thus renewing the District Court's reinstatement of Member Wilcox. On April 9, 2025, Chief Justice John G. Roberts, Jr. of the United States Supreme Court stayed the District Court's order "pending further order of the undersigned or of the Court." *Trump v. Wilcox*, — S.Ct. —, 2025 WL 1063917 (Mem). Most recently, on May 22, 2025, the United States Supreme Court granted the government's application for a stay of orders from the District Court for the District of Columbia. *Trump v. Wilcox*, 605 U.S. — (2025). In summary, during the time since the petition herein was filed on April 18, 2025, the Board has not had a quorum.

§ 3(b) of the Act authorizes the Board to delegate its powers in representation cases under § 9 of the Act to regional directors, including its powers to determine appropriate units for collective bargaining, determine whether a question concerning representation exists, direct an election, take a secret ballot, and certify the results thereof, subject to review by the Board if a request for review is filed. The Board delegated that authority to regional directors effective on May 15, 1961, and has never withdrawn it. 26 FR 3885, 3889, 3911 (May 4, 1961).

In addition, the Board's Rules and Regulations at "Subpart X — Special Procedures When the Board Lacks a Quorum" include the following relevant provisions:

- 29 CFR § 102.178 (76 FR 77700, December 14, 2011) states, "The policy of the National Labor Relations Board is that during any period when the Board lacks a quorum normal Agency operations should continue to the greatest extent permitted by law."
- 29 CFR § 102.182 (82 FR 11786, February 24, 2017) provides that when the Board lacks a quorum "to the extent practicable, all representation cases may continue to be processed and the appropriate certification should be issued by the Regional Director notwithstanding the pendency of a request for review, subject to revision or revocation by the Board pursuant to a request for review filed in accordance with this subpart."

The Board has rejected the arguments raised in the Employer's objection. Regarding the lack of a Board quorum, see *Brentwood Assisted Living Community*, 355 NLRB No. 149, slip op. at 1, fn.2 (2010), *enfd.* 675 F.3d 999 (6th Cir. 2012) (finding that the Regional Director properly processed a representation case pursuant to the authority delegated to him notwithstanding the fact that the Board lacked a quorum); see also, *UC Health v. NLRB*, 803 F.3d 669 (DC Cir. 2015); *NLRB v. Bluefield Hospital Co., LLC*, 821 F.3d 534 (4th Cir. 2016); *Overstreet v. El Paso Disposal LP*, 625 F.3d 844, 853 (5th Cir. 2010); *Osthus v. Whitesell Corp.*, 639 F.3d 841, 844 (8th Cir. 2011); *Frankl v. HTH Corp.*, 650 F.3d 1334, 1354 (9th Cir. 2011). In *New Process Steel, L.P. v. NLRB*, 560 U.S. 674 (2010), the Supreme Court found that the Board's loss of a 3-member quorum did not cast doubt on Board delegations of authority to nongroup members, such as the regional directors or the general counsel, that preceded the loss of a Board quorum, and the Court did not address that question. 560 U.S. at 684, fn. 4. As such, the Employer's objection was properly overruled, and the hearing was lawfully held under my authority as the Regional Director for Region 19.

I. EMPLOYER'S OPERATIONS

The Employer operates three massage therapy and acupuncture wellness clinics located at 916 NE 65th Street, Seattle, WA 98115; 15436 Bel Red Road, Redmond, WA 98052; and 160 Roy Street, Seattle, WA 98109. All clinics offer both massage therapy and acupuncture. The Employer advertises the clinics through social media and other online advertisements. The clinics are open from 9:00 a.m. to 9:00 p.m. The clinics have a front desk and reception area, treatment rooms, and a break room for employees. Each clinic has a manager, assistant manager, customer service specialists, massage therapists, and acupuncturists. Massage therapists and acupuncturists report to the clinic manager who reports to the CEO and founder Larisa Goldin. Customer service specialists report to the assistant clinic manager. The facility located at 916 NE 65th Street ("Roosevelt clinic") also employs administrative staff who do the billing for all three locations.

There are also administrative staff who work on insurance and payroll. The administrative staff report directly to Goldin.

Massage therapists work in six-hour shifts, four times per week. In a single shift, a massage therapist can see at most four clients; although, usually, they will see three clients. Massage therapists are paid per session with a client, and clients are assigned by the Employer. Massage therapists are permitted to pick up shifts at any of the three facilities. The record is silent as to the workflow of acupuncturists. Customer service specialists work from 8:00 AM to 4:00 PM and are paid hourly. They cannot pick up shifts at other facilities. The administrative staff do not work in six-hour shifts, and they are paid hourly.

Massage therapists must have a license to practice massage therapy in the state and are licensed through the Department of Health. To maintain their license, they must receive a minimum amount of continuing education hours every two years. The record is silent as to licensing requirements for acupuncturists. Customer service specialists do not need a license. Administrative staff may need a license or other qualification, but it is not the same license or qualifications as the massage therapists. Massage therapists and acupuncturists receive medical, vision, and dental benefits through the Employer with United Healthcare, a State of Washington corporation with a principal mailing address in the State of Minnesota, and Delta Dental, a State of Washington corporation. The Employer pays between \$100 to \$180 per month for each massage therapist's and acupuncturist's benefits. There are two pay periods per month for employees, the 1st through 15th and then the 16th through the end of the month.

The Employer purchases linens, emollients, laundry supplies, and cleaning supplies from Amazon and Office Depot. The linens and emollients are used with every client. Amazon is an online marketplace, incorporated in the State of Washington; however, some products shipped by Amazon originate outside the State of Washington. Office Depot is incorporated in the State of Delaware, and some of its products originate from outside the State of Washington. The Employer accepts payment by credit and debit cards at its clinics. Clients can pay with Visa, Mastercard, or American Express cards. The Employer banks with Banner Bank, incorporated in the State of Washington.

Approximately 1-2% of clients are from outside the State of Washington. Clients can use the online appointment scheduler, run by Full Slate, to make appointments regardless of whether they are located within or outside of the State of Washington. Some clients are referred to the Employer through their medical insurance. A one-hour massage is \$140.

On a typical day, a massage therapist arrives at the clinic and first checks to see how many clients they have. They pull the client files for the day and assign themselves to a treatment room. The massage therapist prepares the treatment room by turning on the table, putting on music, setting lights, and adjusting the heat. Then, they wait in the break room for the client to arrive. Once the client arrives, the massage therapist greets them and performs intake in the treatment room. Intake discusses the issues bringing them to treatment that day, any symptoms the client is experiencing, and the treatment plan. While the client prepares for treatment, the massage therapist fills out the client file with notes about the client's issues, symptoms, and treatment plan. After the massage therapist treats the client, they discuss with the client how they are feeling, any feedback,

recommendations for them to get the best results from their treatment, and when to return to the clinic. After the client leaves, the massage therapist cleans the room and sets up for the next client.

II. JURISDICTION

A representative of the Petitioner served the petition in the instant matter via e-mail to the Employer's owner. The Region subsequently e-mailed a docketing letter containing a notice of hearing to the owner, and the Region's letter requested that the Employer complete and return a commerce questionnaire.

In *Tropicana Products*, 122 NLRB 121, 123 (1958), the Board held that it may assert jurisdiction in any case in which an employer has refused, upon reasonable request by Board agents, to provide information relevant to the Board's jurisdictional determinations, where the record developed at a hearing, duly noticed, scheduled, and held, demonstrates the Board's statutory jurisdiction, irrespective of whether the record demonstrates that the Employer's operations satisfy the Board's discretionary jurisdictional standards.

Here, the Notice of Hearing and the Board's initial request for certain commerce information was served on the Employer via email. Accordingly, the Employer's failure to respond to the request for commerce information, or to present evidence at the hearing despite adequate notice, constitutes a refusal to provide information sufficient to invoke the *Tropicana* rule. *See also Continental Packaging Corp.*, 327 NLRB 400 (1998).

Despite the Employer's failure to present evidence, the record evidence demonstrates that the Board has statutory jurisdiction over the Employer. The Board's jurisdiction has been construed to extend to all such conduct as might constitutionally be regulated under the commerce clause, subject only to the rule of de minimis. *NLRB v. Fainblatt*, 306 U.S. 601, 606 607 (1939). In *Marty Levitt*, 171 NLRB 739 (1968), the Board found that \$1,500 in out-of-state activities is more than de minimis. The testimony revealed that the Employer pays insurance premiums to United Healthcare, a national insurance corporation, for about 46 of its employees in the amount of \$100 to \$180 per month. Taking the lower end of the range, the Employer pays \$4,600 per month, \$55,200 per year, to United Healthcare which provides insurance nationally. This exceeds the de minimis standard, and the Board has exercised jurisdiction over employers who remit money exceeding the de minimis standard across state lines. *See United Brotherhood of Carpenters*, 195 NLRB 799, 801 (1972).

While the record is not conclusive regarding whether the Employer's operations satisfy the Board's discretionary jurisdictional standards, under the *Tropicana* rule, I need not make that finding as the record demonstrates that the Board has statutory jurisdiction over the Employer. Accordingly, I find that the Employer is engaged in interstate commerce within the meaning of the Act, and it will effectuate the purposes of the Act to assert jurisdiction herein.

III. LABOR ORGANIZATION STATUS

An organizer employed by Petitioner testified at the hearing. They explained that the Petitioner exists, at least in part, for the purposes of dealing with employers concerning wages,

hours, and working conditions. Employees may participate in the organization by attending membership meetings, voting in Union elections, and participating in votes on agreements, contracts, and bylaw changes.

§ 2(5) of the Act defines a "labor organization" as "any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work." See *Polaroid Corp.*, 329 NLRB 424 (1999); *Alto Plastics Mfg. Corp.*, 136 NLRB 850, 851-52 (1962).

Here, the evidence establishes that Petitioner is an organization in which employees participate and that it exists, in whole or in part, for the purposes of dealing with employers concerning conditions of work. The Board has repeatedly reached the same conclusion. See *Teamsters Local 578 (Uscp-Wesco)*, 280 NLRB 818 (1986), *In re Strack and Van Til Supermarkets*, 340 NLRB 1410 (2004), and *United Food and Commercial Workers Union, Local 135, AFL-CIO*, 373 NLRB No. 77 (2024). Accordingly, I find that Petitioner is a labor organization within the meaning of § 2(5) of the Act and claims to represent certain employees of the Employer.

IV. APPROPRIATE UNIT

A petitioner is not required to seek a bargaining unit that is the only appropriate unit or even the most appropriate unit. The Act merely requires that the unit sought by Petitioner be *an* appropriate unit. *Wheeling Island Gaming*, 355 NLRB 637, 637 fn. 2 (2010), citing *Overnite Transp. Co.*, 322 NLRB 723 (1996); *P.J. Dick Contracting*, 290 NLRB 150 (1988). The Board's procedure for determining an appropriate unit under § 9(b) is to examine first the petitioned-for unit. If that unit is appropriate, then the inquiry into the appropriate unit ends. 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). Factors evaluated by the Board in deciding whether a group of employees shares a community of interest include 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).

Here, testimony shows that massage therapists and acupuncturists work in the same facilities. Both classifications share treatment rooms and share the majority of supplies. Massage therapists and acupuncturists are jointly supervised by the clinic manager, and they are paid on the same schedule of pay periods. Finally, massage therapists and acupuncturists receive the same benefits through the Employer at the same cost to the Employer. Based on the foregoing, the record evidence demonstrates that both classifications share a community of interest. The petitioned-for unit therefore constitutes an appropriate unit for the purposes of collective bargaining.

V. METHOD OF ELECTION

The Board has held that the mechanics of an election, such as the date, time, and place, are left to the discretion of the Regional Director. *Ceva Logistics U.S., Inc.*, 357 NLRB 628, 628 (2011); *Manchester Knitted Fashions, Inc.*, 108 NLRB 1366, 1367 (1954). In addition, the Board has found that Regional Directors have the discretion to determine whether an election will be conducted manually or by mail ballot. *Nouveau Elevator Industries, Inc.*, 326 NLRB 470, 471 (1998). It is well established that the Board has a strong preference for conducting manual elections. NLRB Casehandling Manual (Part Two), Representation Proceedings, § 11301.2; *San Diego Gas & Electric*, 325 NLRB 1143, 1144 (1998). Yet, it also has a history of conducting elections by mail when necessary. This includes a few specific situations addressed by the Board, including where voters are “scattered” over a wide geographic area, “scattered” in time due to employee schedules, in strike situations, or other unspecified extraordinary circumstances. *San Diego Gas*, 325 NLRB at 1145.

Petitioner requested a manual election hosted at two of the facilities. Employees at the third facility would be expected to commute to one of the two facilities to vote. Based on the Employer’s objection to the Regional Director’s authority, there is no indication that the Employer would permit representatives from the Board to access its facilities for the purpose of conducting a manual election. Given these circumstances, I find that a mail ballot election is appropriate.

VI. CONCLUSION

Under § 3(b) of the Act, I have the authority to hear and decide this matter on behalf of the Board. Based on the foregoing and the record as a whole, I conclude 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.
3. The Petitioner is a labor organization within the meaning of § 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 § 9(c)(1) and §§ 2(6) and (7) of the Act.
5. The following employees of the Employer constitute a unit appropriate for the purposes of collective bargaining within the meaning of § 9(b) of the Act:

All full-time, regular part-time, piecemeal, and per diem Licensed Acupuncturists and Massage Therapists employed by the Employer at its Seattle, Washington and Redmond, Washington facilities; excluding all managerial employees, and guards and supervisors as defined by the Act.

There are approximately 46 employees in the Unit found appropriate.

VII. 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 Food and Commercial Workers Local 3000.

A. Election Details

The election will be conducted by United States mail.

On **Tuesday, June 17, 2025 at 4:30 p.m.**, the mail ballots will be mailed to voters by a designated official of the National Labor Relations Board, Region 19, 915 2nd Ave, Ste 2948, Seattle, WA 98174. Voters must sign the outside of the envelope in which the ballot is returned. Any ballot received in an envelope that is not signed will be automatically void.

Those employees who believe that they are eligible to vote and did not receive a ballot in the mail by **Tuesday, June 24, 2025**, as well as those employees who require a duplicate ballot, should communicate immediately with the National Labor Relations Board by either calling the Region 19 office at 206-220-6300 or our national toll-free line at 1-844-762-NLRB (1-844-762-6572).

Voters must return their mail ballots so that they will be received in the National Labor Relations Board, Region 19 office by **1:00 p.m. on Tuesday, July 8, 2025**. All ballots will be comingled and counted by an agent of Region 19 of the National Labor Relations Board on **Tuesday, July 8, 2025 at 1:00 p.m.**

B. Voting Eligibility

Eligible to vote are those in the unit who were employed during the **payroll period ending immediately preceding issuance of this Decision**, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Also eligible are part-time employees who regularly average 4 hours or more per week for the last quarter prior to the eligibility date. In a mail ballot election, employees are eligible to vote if they are in the 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 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 by mail as described above.

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 § 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 (that employees use at work), work locations, shifts, job classifications, and contact information (including home addresses, 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 **June 2, 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 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 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 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 § 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

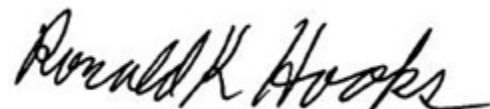
to employees in the unit found appropriate are customarily posted. The Notice must be posted so all pages of the Notice are simultaneously visible. In addition, if the Employer customarily communicates electronically with some or all of the employees in the unit found appropriate, the Employer must also 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 § 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 § 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: May 29, 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-364048

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. (See VOTING UNIT in this Notice of Election for description of eligible employees.) 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 carried out through the U.S. mail 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. Employees eligible to vote will receive in the mail *Instructions to Employees Voting by United States Mail*, a ballot, a blue envelope, and a yellow self-addressed envelope needing no postage.

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. In a mail ballot election, employees are eligible if they are in the VOTING UNIT during both the designated payroll period and on the date they mail in their ballots. 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, or, in a mail ballot election, before the date they mail in their ballots, are not eligible to vote.

CHALLENGE OF VOTERS: An agent of the Board or an authorized observer may question the eligibility of a voter. Such challenge must be made at the time the ballots are counted.

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 counting of ballots; (b) assist in identifying voters; (c) challenge voters and ballots; and (d) otherwise assist the NLRB

METHOD AND DATE OF ELECTION

The election will be conducted by United States mail. The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit. At 4:30 PM on June 17, 2025, ballots will be mailed to voters from the National Labor Relations Board, Region 19, 915 2nd Ave Ste 2948, Seattle, WA 98174-1006. Voters must sign the outside of the envelope in which the ballot is returned. Any ballot received in an envelope that is not signed will be automatically void.

Those employees who believe that they are eligible to vote and did not receive a ballot in the mail by June 24, 2025, should communicate immediately with the National Labor Relations Board by either calling the Region 19 Office at (206)220-6300 or our national toll-free line at 1-844-762-NLRB (1-844-762-6572).

All ballots will be commingled and counted at the Region 19 Office at 1:00 PM PT on Tuesday, July 8, 2025. In order to be valid and counted, the returned ballots must be received in the Region 19 Office, 2948 Jackson Federal Building, 915 Second Ave, Seattle, WA 98174-1009 by 1:00 p.m. PT on Tuesday, July 8, 2025.

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



VOTING UNIT



EMPLOYEES ELIGIBLE TO VOTE:

Those eligible to vote are: All full-time, regular part-time, piecemeal, and per diem Licensed Acupuncturists and Massage Therapists employed by the Employer at its Seattle, Washington and Redmond, Washington facilities who were employed by the Employer during the payroll period ending immediately preceding May 29, 2025.

Also eligible are part-time employees who regularly average 4 hours or more per week for the last quarter prior to the eligibility date.

EMPLOYEES NOT ELIGIBLE TO VOTE:

Those not eligible to vote are: all managerial employees, and guards and supervisors as defined by the Act.

	UNITED STATES OF AMERICA National Labor Relations Board 19-RC-364048 OFFICIAL SECRET BALLOT For certain employees of DREAMCLINIC INCORPORATED	
Do you wish to be represented for purposes of collective bargaining by UNITED FOOD AND COMMERCIAL WORKERS LOCAL 3000?		
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, you may request a new ballot by referring to the enclosed instructions. If you submit a ballot with markings inside, or anywhere around, more than one square, your ballot will not be counted. 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.		

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 mail ballots are dispatched
- 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.