

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

MULTICARE d/b/a CAPITAL MEDICAL CENTER

Employer

and

Case 19-RC-365924

**UNITED FOOD AND COMMERCIAL WORKERS
LOCAL 3000, affiliated with UNITED FOOD AND
COMMERCIAL WORKERS INTERNATIONAL UNION
AFL-CIO**

Petitioner

DECISION AND DIRECTION OF ELECTION

MultiCare d/b/a Capital Medical Center (“Employer”) operates an acute care hospital located at 3900 Capital Mall Drive Southwest, Olympia, Washington. United Food and Commercial Workers Local 3000, affiliated with United Food and Commercial Workers International Union AFL-CIO (“Union”) filed the petition in the instant case seeking to add, through an *Armour-Globe* self-determination election, six employees in the classification of registered nurse case manager employed at its facility to its existing bargaining unit composed of registered nurses and registered charge nurses. The parties agree that the petitioned-for employees constitute a distinct and identifiable group for the purposes of a self-determination election, but in an attempt to reach a stipulation, the parties did not agree as to whether the petitioned-for employees were supervisors and/or agents of the Employer.

A hearing officer of the Board held a hearing in this matter and the parties were given the opportunity to orally argue their respective positions prior to the close of the hearing. Based on the record as a whole, I find that the Employer has failed to meet its burden to prove that the registered nurse case managers are supervisors. I also conclude that they share a community of interest with the employees in the existing unit represented by Petitioner. The voting group is therefore appropriate for the purposes of a self-determination election, and I hereby direct an election accordingly.

I. RECORD EVIDENCE

A. The Employer's Operation

The Employer operates an acute care hospital in Olympia, Washington. While the record is sparse as to the Employer's overall operations, these operations are generally overseen by the Employer's Chief Officers, including a chief executive officer ("CEO") and chief financial officer ("CFO"). Reporting to the CFO is, among other positions, the registered nurse case management director. The registered nurse case management director supervises all of the registered nurse case managers. Reporting to the CEO and CFO is also the nursing director. The nursing director oversees the nursing department and the unit managers. Nursing unit managers oversee the nurse supervisors, registered charge nurses and registered nurses in their particular unit.

The Employer has multiple break rooms within its facility. The break rooms are open to all employees but are generally frequented by the employees who work in the nearby vicinity. There is a break room in the office space designated for Case Management, as well as one shared by the ICU (Intensive Care Unit) and the Progressive Care Unit, and one for the Medical Surgical Unit, among others. Employees who do not work near a specific break room are still able to utilize different break rooms.

Registered nurses and registered charge nurses are represented by Petitioner in a bargaining unit. The record does not contain information about the size of this bargaining unit.

The registered nurses ("RNs") represented by Petitioner are in charge of direct patient care, which includes delivering medication, direct patient treatments, wound care, and other responsibilities depending on the particular unit the RNs work in. RNs work in a particular unit. While there is the potential for permanent transfer between units, each unit requires specific onboarding and training. RNs are typically assigned a certain number of patients in their unit and are responsible for providing direct care to those patients for the duration of their shift. Some of the direct care, like orders for medication, is assigned to the RN by a physician. Other aspects of direct care decision-making are done in collaboration with the care team, which can include the RN, the RN charge nurse, physicians, and the registered nurse case manager.

RNs work 12-hour shifts, which start and stop at regular times. RNs are required to wear scrubs, the color of which identifies the type of direct care that the employee provides. RNs receive healthcare and retirement benefits from the Employer and are paid hourly. RNs are required to have an active RN license and certification in basic life support. Certain units require additional certifications or licenses. RNs utilize the Employer's electronic medical records software, Epic, as well as Microsoft Outlook and Teams, in their daily work.

Charge nurses are also RNs and are required to hold an active RN license. Charge nurses are responsible for the overall flow of the unit during their shift, including assigning patient caseloads to RNs and scheduling RNs' breaks and lunches, and are also responsible for communicating issues that occur on the shift to supervisors. If a unit is very busy, a charge nurse will take on a patient load themselves. Charge nurses lead the shift reports - meetings before the start of each shift to coordinate care and planning for the upcoming shift. Additionally, charge nurses participate in an additional meeting each shift with the nursing supervisor to coordinate the

flow of the hospital for the day. Charge nurses work 12-hour shifts, are eligible for the same benefits as RNs, and use the same software and communication systems.

B. Registered Nurse Case Managers

The Employer currently employs six registered nurse case managers at its facility. Registered nurse case managers are responsible for handling discharge planning and discharge disposition at the hospital. This includes determining post-discharge patient care requirements, including the need for home health care, rehabilitative care, or nursing home care, depending on the particular circumstances of a patient. The registered nurse case managers work with patients, RNs, doctors, third party agencies and insurance companies to complete the discharge plan.

In performing their jobs, registered nurse case managers have extensive daily interactions with RNs both in patient care areas and via Microsoft Teams messaging. These daily interactions concern ongoing patient care and frequently involve interdisciplinary meetings with staff nurses and other medical professionals to review patient status. These daily interactions also include discussions with RNs about the clinical conditions of the patients in order for the registered nurse case manager to handle care coordination. Once patient discharge is contemplated, the registered nurse case managers discuss and coordinate post discharge planning with the RNs. The relationship between RNs and registered nurse case managers is “symbiotic”.

Registered nurse case managers have a designated office area that they work in, although they also conduct work within the patient care areas of the hospital. Registered nurse case managers generally work 10-hour day shifts and can either wear business casual clothing or colored scrubs, the color of which designates them as a registered nurse case manager. Registered nurse case managers are paid hourly and are eligible for the same benefits as the RNs and charge nurses. Registered nurse case managers are required to have an active RN license and must have at least five years of acute clinical experience.¹ There are no additional certifications necessary for the position.

The record contains no evidence that registered nurse case managers have any authority to hire, fire, direct, discipline, promote, assign, transfer, lay off, reward, or recommend such actions. Registered nurse case managers are involved in the training of new case managers, consisting of having new hires shadow them while they work. Registered nurse case managers do routinely inspect the work of other employees to ensure that all forms are correct before sending it off to coordinate post-discharge care. This inspection does not involve discipline. Registered nurse case managers do not direct the work of employees or formulate policies or training manuals for the Employer, nor do they make any decisions regarding the Employer’s overall functioning. The reference to “manager” in the title refers to their role in managing patient discharge planning and disposition.

¹ There are also social work case managers, who do not handle medically complex discharges. These social work case managers typically work with patients who have non-medical issues to be addressed in their discharge. Therefore, these social work case managers typically tend to work with the labor and delivery unit in addition to other non-medically complex discharges. Neither the Petitioner nor the Employer have sought to include the social work case managers in the bargaining unit.

II. ANALYSIS

A. Supervisory Status

Supervisory status under the Act depends upon whether an individual possesses authority to act in the interest of the employer in the matters and in the manner specified in Section 2(11) of the Act. The Act defines supervisor as:

“any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.”

Possession of any one of these authorities is sufficient to confer supervisory status if the authority is exercised with independent judgment and not in a routine manner. *Oakwood Healthcare, Inc.*, 348 NLRB 686 (2006); *NLRB v. Kentucky River Community Care, Inc.*, 532 U.S. 706, 711 (2001). As the Board explained in *Oakwood*, “to exercise independent judgment an individual must at a minimum act, or effectively recommend action, free of control of others and form an opinion or evaluation by discerning and comparing data.” *Oakwood* at 692. In addition to the factors identified in the Act, the Board also considers secondary indicia that can provide support for a supervisory finding but are not sufficient alone to establish supervisory status. *Training School at Vineland*, 332 NLRB 1412, 1412 fn. 3 (2000). Secondary indicia may include factors such as a higher rate of pay, or an employer holding out the employee as a supervisor. *American Commercial Barge Line Co.*, 337 NLRB 1070, 1072 (2002); *Carlisle Engineered Products*, 330 NLRB 1359, 1360 (2000).

The burden of establishing supervisory status rests on the party asserting that status. *Croft Metals, Inc.*, 348 NLRB 717, 721. (2006). Supervisory status cannot be established by record evidence which is inconclusive or otherwise in conflict. *Phelps Community Medical Center*, 295 NLRB 486, 490 (1989). Mere inferences or conclusory statements, without detailed, specific evidence, are insufficient to establish supervisory authority. *Lynwood Manor*, 350 NLRB 489, 490 (2007); *Golden Crest Healthcare Center*, 348 NLRB 727, 731 (2006). Any lack of evidence in the record on an element necessary to establish supervisory status is construed against the party asserting supervisory status. *Dean & DeLuca New York, Inc.*, 338 NLRB 1046, 1048 (2003). The Board looks to evidence of supervisory authority in practice, not simply paper authority; job descriptions or other documents suggesting the presence of supervisory authority are not given controlling weight. See *Golden Crest Healthcare Center*, 348 NLRB at 731, citing *Training School at Vineland*, 332 NLRB at 1416.

There is no record evidence or argument that registered nurse case managers have any of the above-listed indicia of supervisory status. Therefore, the record evidence fails to establish that registered nurse care managers are supervisors within the meaning of Section 2(11) of the Act and/or agents within the meaning of Section 2(13) of the Act.

B. Community of Interest

When determining an appropriate unit, the Board delineates the grouping of employees within which freedom of choice may be given collective expression. At the same time, it creates the context within which the process of collective bargaining must function. Therefore, each unit

determination must foster efficient and stable collective bargaining. *Gustave Fisher, Inc.*, 256 NLRB 1069 (1981). On the other hand, the Board has also made clear that the unit sought for collective bargaining need only be an appropriate unit. Thus, the unit sought need not be the ultimate, or the only, or even the most appropriate unit. *Overnite Transportation Co.*, 322 NLRB 723, at 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).

When deciding whether a group of employees shares a community of interest, the Board considers 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). Particularly important in considering whether the unit sought is appropriate are the organization of the plant and the utilization of skills. *Gustave Fisher, Inc.*, 256 NLRB 1069 at FN 5 (1981). With regard to organization of the plant, the Board has made 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 Marine*, 327 NLRB 556 (1999). However, *all* relevant factors must be weighed in determining community of interest. A certifiable unit, including the combined unit formed in an *Armour-Globe* case, need only be *an* appropriate unit, not the ultimate or the only or even the most appropriate unit. *International Bedding Co.*, 356 NLRB 1336, 1337 (2011) (citing *Morand Bros. Beverage Co.*, 91 NLRB 409, 418 (1950), *enfd.* 190 F.2d 576 (7th Cir. 1951)); see also *Overnite Transportation Co.*, 322 NLRB 723 (1996).

Finally, in the self-determination context, the petitioned-for voting group need not share a community of interest with every classification in the existing unit. Rather, it is only required that the petitioned-for employees have a community of interest with the currently represented employees more generally. *St. Vincent Charity Medical Center*, 357 NLRB 854; *Public Service Company of Colorado*, 365 NLRB No. 104 (2017); *Walt Disney Parks and Resorts*, 373 NLRB No. 99 (2024).

I find that most of the community of interest factors weigh in favor of including registered nurse case managers in a unit with RNs and charge nurses. First, both the registered nurse managers and the positions in the existing unit have common skills and training – all require an active RN license. Registered nurse case managers are required to have at least five years of acute care experience, meaning that the individuals in these positions have previously worked as RNs and have the possibility of working as RNs or charge nurses in the future, reflecting a high degree of permanent interchange. Moreover, there is a high level of contact and integration between the classifications. Registered nurse case managers work regularly and frequently with RNs regarding patient care and coordination. The classifications attend the same patient care meetings, are part of the same patient care team unit, and are functionally integrated into the Employer’s overall provision of patient care services. The positions are eligible for the same benefits offered by the Employer. I recognize that the registered nurse case managers have separate supervisor structures, different hours, and, to some extent, work areas. However, no one particular factor is

determinative, and the majority of relevant factors weigh in favor of including the two groups in a single bargaining unit.

CONCLUSION

Under Section 3(b) of the Act, I have the authority to hear and decide this matter on behalf of the Board. 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 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 Section 2(5) of the Act and claims to represent certain employees of the Employer.
4. For the reasons set forth above, registered nurse case managers are not supervisors within the meaning of Section 2(11) of the Act or agents within the meaning of Section 2(13) of the Act.
5. The following employees of the Employer constitute a voting group appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

Including: All regular full time, part time, and per diem registered nurse case managers employed by the Employer at its facility located at 3900 Capital Mall Dr SW, Olympia, WA 98502.

Excluding: All non-registered nurses, supervisors, guards, and confidential employees as defined by the Act.

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, affiliated with United Food and Commercial Workers International Union AFL-CIO.

A. Election Details

The election will be held on **Tuesday, July 8, 2025** from 12:30pm – 1:30pm at the Employer's facility located at 3900 Capital Mall Drive SW, Olympia, WA 98502.

B. Voting Eligibility

Eligible to vote are those in the unit who were employed during the payroll period ending **Saturday, June 14, 2025**, 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 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(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 **Monday, June 23, 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 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: June 18, 2025

A handwritten signature in black ink, reading "Ronald K. Hooks", is written over a horizontal line.

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-365924

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 GROUP 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.

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 GROUP

EMPLOYEES ELIGIBLE TO VOTE:

Those eligible to vote are: All regular full time, part time, and per diem registered nurse case managers employed by the Employer at its facility located at 3900 Capital Mall Dr SW, Olympia, WA 98502 who were employed during the payroll period ending June 14, 2025.

EMPLOYEES NOT ELIGIBLE TO VOTE:



Those not eligible to vote are: All non-registered nurses, supervisors, guards, and confidential employees as defined by the Act.

NOTE: If a majority of valid ballots are cast for the Petitioner, they will be taken to have indicated the employees' desire to be included in the existing registered nurses and registered charge nurses unit currently represented by the Petitioner. If a majority of valid ballots are not cast for representation, they will be taken to have indicated the employees' desire to remain unrepresented.

DATE, TIME AND PLACE OF ELECTION

Tuesday, July 8, 2025	12:30pm – 1:30pm	The Employer's facility located at: 3900 Capital Mall Drive SW, Olympia, WA 98502.
-----------------------	------------------	--

EMPLOYEES ARE FREE TO VOTE AT ANY TIME THE POLLS ARE OPEN.

	UNITED STATES OF AMERICA National Labor Relations Board 19-RC-365924	
OFFICIAL SECRET BALLOT For certain employees of MULTICARE D/B/A CAPITAL MEDICAL CENTER		
Do you wish to be represented for purposes of collective bargaining by UNITED FOOD AND COMMERCIAL WORKERS LOCAL 3000, AFFILIATED WITH UNITED FOOD AND COMMERCIAL WORKERS INTERNATIONAL UNION AFL-CIO?		
MARK AN "X" IN THE SQUARE OF YOUR CHOICE		
YES <input type="checkbox"/>	SAMPLE	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 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.