

**OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management**

MEMORANDUM OM 25-10

September 30, 2025

TO: All Regional Directors, Regional Attorneys, Assistants to the Regional Directors, and Officers-in-Charge

FROM: Joan A. Sullivan, Associate General Counsel

SUBJECT: Contingency Plan in the Event of a Lapse in Agency Funding

The purpose of this memorandum is to provide contingency instructions in the event of a government-wide shutdown. While we hope that an appropriations measure will be passed and approved without any interruption in Agency funding, we must prepare for the possibility that it will not. In that event, the Agency's goal is to conduct an orderly shutdown of operations with the least possible adverse effect on Agency employees and the public they serve.

Shutdown Preparation

Each office should take the following preparatory actions:

1. Prepare lists of all elections and hearings scheduled to take place on or after October 1, 2025.
2. Determine what equipment and/or materials must be secured in the event of a shutdown.
3. Assemble shutdown document packages to distribute to all employees consisting of:
 - a. Updated employees' personal telephone and other contact information;
 - b. Instructions to employees regarding how and when the office will maintain regular contact with them;
 - c. Other miscellaneous information (Official Public Notice, recall procedures, etc.).

Shutdown (Wednesday October 1, 2025)

The Agency's ***Contingency Plan for Shutdown in the Absence of Appropriations*** describes the Agency's overall plan for managing a shutdown in operations. Briefly stated, all employees should report for work on Wednesday October 1, 2025, as regularly scheduled. Employees in leave status do not need to report to work, as well as employees who were **previously** approved for situational telework. Should funding for

the Agency lapse, the Agency will issue an official shutdown notice to all employees via Agency email.

Once a shutdown is announced, the Agency is prohibited from incurring any financial obligations other than those strictly to effectuate the shutdown or for the protection of life and property. No funds may be disbursed. All events occurring on or after Wednesday October 1, 2025, with few exceptions, will be postponed until funding is restored.

After reporting to work on Wednesday, October 1, 2025, and receiving a shutdown notification, employees (or their supervisors or managers if they are in leave status), should take the following steps, to be completed within four hours of their start time:

1. Alert witnesses, parties, and court reporters that hearings, elections, and affidavits scheduled on or after October 1, 2025, are postponed pending reinstatement of funding.
2. Record the attached message on individual voicemail.

Regional Directors should ensure the following is completed within four hours from start time on Wednesday, October 1, 2025:

1. Record the attached message on the office voicemail.
2. Post the attached notice on the office door in English and Spanish.
3. Contact post office to stop the delivery of mail during the shutdown or work with your building management to hold mail delivery, as appropriate, for your office.
4. Distribute "shutdown" packages to all employees.
5. Ensure that all employees know how and when the office intends to maintain contact.
6. Ensure that upon departure, all Agency equipment, including computers, is turned off. All faxes are electronic and are sent to the shared fax line mailbox associated to each office.

In the event of a shutdown, employees are not permitted to conduct business unless there is an emergency situation that involves an imminent threat to human life or the protection of property. In such a situation, employees will be contacted and "excepted" for that limited purpose. Employees are not permitted to "volunteer" to work for the Agency during the shutdown. On October 1, 2025, Agency personnel should be engaging in orderly shutdown of operations. If an appropriations or a continuing resolution is passed and signed by the President before the end of the four-hour shutdown efforts on October 1, 2025, then Regional personnel must resume regular operations.

During the shutdown, Board Members, Executive Secretary, Acting General Counsel, and Acting Deputy General Counsel are designated, along with a few others, as "essential" personnel in order to maintain a necessary Agency presence to facilitate a response to emergency situations. These individuals may call upon other agency

personnel to serve on an as needed basis for that purpose. If that is necessary, individuals will be contacted via personal contact information and advised that they are “excepted”. The “excepted” employee will then need to account for their start time and end time each day that they are excepted by communicating with the Acting Deputy General Counsel at the start and end time with the individual that excepted them.

We expect each Region to maintain regular contact with all employees via their personal contact information provided. We urge all employees to stay informed by checking the Agency’s website for updates or calling the Agency Information Number (202-273-2255).

If you have questions concerning this memorandum, please contact your Assistant General Counsel.

/s/
J.A.S.

Attachments

cc: NLRBU