

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 10**

SERVICE ELECTRIC COMPANY

Employer

and

Case 10-RC-391380

**INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL 175**

Petitioner

DECISION AND DIRECTION OF ELECTION

On July 23, 2026, the International Brotherhood of Electrical Workers Local 175 (Petitioner) filed a petition seeking to represent a unit of Field Safety Coordinators employed by Service Electric Company (Employer). The parties agreed that the appropriate petitioned-for unit included six (6) Field Safety Coordinators in the Employer's central region. There is no issue concerning community of interest in this matter.

The Employer maintains that the unit sought by the Petitioner is inappropriate and that the petition should be dismissed because the Field Safety Coordinators are supervisors as defined in Section 2(11) of the Act, 29 U.S.C. §152(11), and therefore fall outside the protection of the Act. Specifically, the Employer argues that the Field Safety Coordinators perform several of the supervisory functions detailed in Section 2(11), including the ability to assign and responsibly direct work, discipline, reward, evaluate, and adjust the grievances of the employees.

On August 5, 2026, a hearing officer held a hearing regarding the supervisory status of the Field Safety Coordinators. The parties later filed post-hearing briefs detailing their respective positions. Having fully considered the entire record, and applicable Board precedent, I find that the Employer has failed to meet its burden of proof that the Field Safety Coordinators possess any of the Section 2(11) indicia of supervisory status. Accordingly, I find that a unit comprised of the Field Safety Coordinators in the Employer's central region is an appropriate unit and direct that an election be held to determine whether the Field Safety Coordinators wish to be represented by the Petitioner.

I. BACKGROUND FACTS

The Employer is engaged in the business of erecting, installing, altering, repairing, servicing, and maintaining overhead and underground electrical transmission or distribution systems, and communication and signal systems for privately owned utility companies and other clients throughout the state of Tennessee and elsewhere.

The Petitioner and Employer have an established collective-bargaining agreement that covers employees working on installation and construction projects for the Employer.

Field Safety Coordinators inspect and evaluate multiple electrical installation /construction crews for safety related compliance and deficiencies. The Field Safety Coordinators work independently and set their own schedules. They typically begin their workday from their personal homes and then drive company vehicles to worksites to check for safety related compliance. They have the independent autonomy to choose when to visit a crew for a check-in, and which crew to visit. They also provide safety-related training to new hires during orientation. Field Safety Coordinators do not have direct report employees.

II. LEGAL STANDARD

Section 2(11) of the Act defines a supervisor as any individual with the authority to hire, transfer, suspend, layoff, 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.

Pursuant to this definition, individuals are statutory supervisors if they hold the authority to engage in any one of the twelve supervisory functions listed in Section 2(11); their "exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment" and, their authority is held "in the interest of the employer." Supervisory status may be shown by demonstrating that the putative supervisor has the authority either to perform a supervisory function or to effectively recommend the same. See *Oakwood Healthcare, Inc.*, 348 NLRB 686, 687 (2006). 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).

Congress emphasized its intention that only supervisory personnel vested with "genuine management prerogatives" should be considered supervisors, as opposed to "straw bosses, leadmen, set-up men and other minor supervisory employees." *Chicago Metallic Corp.*, 273 NLRB 1677, 1688 (1985). Thus, the ability to give "some instructions or minor orders to other employees" does not confer supervisory status. *Id.* at 1689. Indeed, such "minor supervisory duties" should not be used to deprive such individual of the benefits of the Act. *NLRB v. Bell Aerospace Co.*, 416 U.S. 267, 280-81 (1974) (quoting Sen. Rep. No. 105, 80th Cong. 1st Sess., at

4). In this regard, it is noted that the Board has frequently warned against construing supervisory status too broadly because an individual deemed to be a supervisor loses the protections of the Act. *Chevron Shipping Co.*, 317 NLRB 379, 381 (1995); *Oakwood*, 348 NLRB at 688.

The burden of proof rests with the party asserting supervisory status. *Oakwood*, 348 NLRB at 687, citing *NLRB v. Kentucky River Community Care*, 532 U.S. 706, 710-12 (2001). "[W]henver the evidence is in conflict or otherwise inconclusive on particular indicia of supervisory authority, [the Board] will find that supervisory status has not been established, at least on the basis of those indicia." *Phelps Community Medical Center*, 295 NLRB 486, 490 (1989). Because the party asserting statutory supervisory status bears the burden of proof, the Board holds against that party any lack of evidence on an element necessary to establish that status. See, e.g., *Dean & Deluca New York, Inc.*, 338 NLRB 1046, 1048 (2003); *Elmhurst Extended Care Facilities*, 329 NLRB 535, 536 n. 8 (1999). Likewise, mere inferences or conclusory statements, without detailed specific evidence, are insufficient to establish supervisory authority. *Golden Crest Healthcare Center*, 348 NLRB 727, 731 (2006) (recognizing that "purely conclusory evidence is not sufficient to establish supervisory status," and pointing out that the Board "requires evidence that the employee actually possesses the Section 2(11) authority at issue"); *Lynwood Manor*, 350 NLRB 489, 490 (2007); see also *Avante at Wilson, Inc.*, 348 NLRB 1056, 1057 (2006) (employer failed to present specific evidence showing that classifications were statutory supervisors). Thus, it is well established that generalized and self-serving evidence cannot suffice to prove Section 2(11) supervisory authority. See *NLRB v. Res-Care, Inc.*, 705 F.2d 1461, 1467 (7th Cir. 1983) (evidence "limited very largely to the administrator's general assertions" not sufficient to establish supervisory authority); *G4S Regulated Security Solutions*, 358 NLRB 1701, 1701-2 (2012) (senior manager's testimony discounted as conclusory and nonspecific), reaffirmed and incorporated by reference in *G4S Regulated Security Solutions, A Div. of G4S Secure Solutions (USA) Inc.*, 362 NLRB 1072 (2015).

Importantly, supervisory status is determined by the duties performed and not the title of job classification. Thus, whether an individual is a supervisor is to be determined in light of the individual's actual authority, responsibility, and relationship to management. See *Phillips v. Kennedy*, 542 F.2d 52, 55 (8th Cir. 1976). The Act requires "evidence of actual supervisory authority visibly demonstrated by tangible examples to establish the existence of such authority." *Oil Workers v. NLRB*, 445 F.2d 237, 243 (D.C. Cir. 1971). Thus, any written description suggesting the presence of supervisory authority is not given any controlling weight by the Board. *Avante at Wilson*, 348 NLRB at 1057; *Training School at Vineland*, 332 NLRB 1412, 1416 (2000) (Board insists on evidence supporting a finding of actual as opposed to mere paper authority). See also *Heritage Hall, EPI Corp.*, 333 NLRB 458, 458-59 (2001) ("It is well settled that employees cannot be transformed into statutory supervisors merely by vesting them with the title or job description of supervisor") citing *Schnurmacher Nursing Home v. NLRB*, 214 F.3d 260, 266 (2d Cir. 2000); *T.K. Harvin & Sons*, 316 NLRB 510, 530 (1995).

III. ANALYSIS

As noted above, the Employer asserts that Field Safety Coordinators have the ability to assign work, responsibly direct work, discipline, reward, evaluate, and adjust the grievances of the employees. The following sections will review the relevant facts, evidence, and legal standards for each of these factors.

A. Assign/Direct Work

As previously noted, for purposes of determining supervisory status, an employee has the supervisory authority to “assign” work if the employee is authorized to designate an employee “to a place (such as a location, department, or wing) . . . or giving significant overall duties, i.e., tasks, to an employee.” *Oakwood Healthcare*, 348 NLRB at 689. Elaborating on this definition, the Board stated that “assignment of an employee to a certain department (e.g., housewares) or to a certain shift (e.g., night), or to certain significant overall tasks (e.g., restocking shelves) would generally qualify as ‘assign’ . . . However, choosing the order in which the employee will perform discrete tasks within those assignments (e.g., restocking toasters before coffeemakers) would not be indicative of” assignment authority. *Id.* Assignment of work in a merely routine, clerical, or perfunctory manner, where there is only one self-evident choice, or solely based on equalizing workloads does not require independent judgment. *Id.* at 693.

Thus, for Field Safety Coordinators to be found statutory supervisors, the Employer must show through specific detailed evidence that they assign employees to a place, time, or significant overall duties and how such assignments are made using independent judgment, including the nonroutine or nonobvious factors they consider.

The record evidence did not establish that Field Safety Coordinators have the authority to effectively assign or direct employees to work. Field Safety Coordinators have limited authority to instruct employees regarding safety related issues, edit written safety related guidance materials, and to stop work when there is an imminent safety related issue. They do not have direct reports and do not operate as direct supervisors of any employees.

The examples provided by witnesses during hearing are not sufficient to warrant a finding that Field Safety Coordinators are supervisors under the Act. For instance, Ray Burton testified that he assigned employees to light duty work when appropriate. The record did not establish that this was a regular part of his job or that any other Field Safety Coordinator had ever done this. In fact, two other witnesses testified that from their experience the Field Safety Coordinators were uninvolved with light duty assignments. Burton’s role and independent judgment in this process is also not entirely clear. He testified that after a nurse or doctor gives an employee a medical restriction, he assigns the injured employee to work in the shop/office. However, he also testified that he does not oversee the employee in anyway after communicating to the shop foreman that he is sending over a light duty employee. Burton testified that a light duty employee is “always” placed in the shop, and that he is not involved with that employee’s work assignments after communicating to the shop foreman that a light duty employee is being transferred. He has never assigned any other form of light duty work.

This example is not sufficient to establish supervisory status for Ray Burton or any of the other Field Safety Coordinators. The role appears limited in frequency, is limited to just one Field Safety Coordinator (Ray Burton), and even he does not appear to make any independent judgment concerning the light duty work assignment (it is “always” the shop/office).

Additionally, Field Safety Coordinators do not effectively assign or direct work because they have the authority to stop work. The record indicates that issuing a stop work order is not exclusive to Field Safety Coordinators. Multiple witnesses testified that other employees, including non-supervisors, could call for work to stop when there is a potential safety hazard. The only distinction noted in the record is that in certain cases a Field Safety Coordinator may be the only employee who can lift a stop work order. The Employer did not establish that this authority to lift a stop work was a substantial part of the Field Safety Coordinator position. Ultimately, making a determination that a worksite is safe or unsafe to continue work is not the same as assigning or directing employees to work. This example also fails to establish supervisory status.

Finally, instructing bargaining unit employees on how to safely complete discrete tasks and operations – like wearing proper gloves, safely removing or setting a pole, or containing a spill – is not enough to establish supervisory status. The Field Safety Coordinators do not assign employees with tasks such as removal or setting of poles. Their role appears to be noting when such tasks are being done unsafely, and providing guidance on how to do it properly. These instructions do not qualify as substantial work assignments under the *Oakwood Healthcare* standard.

As such, the Employer did not meet its burden of showing that Field Safety Coordinators have statutory authority to assign or effectively direct the work of other employees.

B. Discipline

Field Safety Coordinators have no direct authority to issue discipline, and they do not discipline employees directly.¹ However, in certain circumstances, Field Safety Coordinators do make recommendations to management regarding employee discipline.

“To confer [supervisory] status, the exercise of disciplinary statutory authority must lead to personnel action, without the independent investigation or review of other management personnel.” *Lucky Cab Co.*, 360 NLRB 271, 271 (2014), *enforced*, 621 F. App’x 9 (D.C. Cir. 2015) (per curiam). The authority to effectively recommend discipline generally means that the “recommended action is taken without independent investigation by superiors, not simply that the recommendation is ultimately followed.” *Children’s Farm Home*, 324 NLRB 61, 61 (1997).

Here, the record clearly shows that other members of management review and/or investigate the recommended discipline prior to issuing formal discipline. Field Safety Coordinator Ray Burton initially claimed that management “took his word for it” regarding

¹ Field Safety Coordinator William Capps testified that he gave verbal warnings to employees concerning safety violations. From his testimony, these appear informal and unrelated to the progressive disciplinary policy.

certain disciplinary recommendations, but then later admitted that management “verified the facts” and “questioned the crew” directly about the underlying circumstances. Furthermore, he testified that management did not always follow his recommendations.

Field Safety Coordinator Bryan Burris testified that he recommended discipline in two circumstances, but noted that he did not recommend any specific form of discipline. He testified that he observed employees engaging in unsafe behavior and contacted management regarding what he observed, and recommended “discipline needed to take place.” These are not examples of specific disciplinary recommendations that management then implemented without further review.

The Employer did not meet the burden of showing that Field Safety Coordinators have statutory authority to issue or effectively recommend discipline, and I find that Field Safety Coordinators should not be classified as statutory supervisors on that basis.

C. Reward

Field Safety Coordinator witnesses testified that they occasionally take crews out for lunch and pay for the lunch with a credit or debit card provided by the Employer. The criteria for taking a crew out to lunch is not entirely clear from the record. The lunches seem largely correlated with a “good catch program” where crews catch a potential safety hazard. The specifics of this program are unclear from the record. However, witnesses testified that they could take a crew out for lunch after the crew has “submitted a good catch” or “turned in” a good catch. Field Safety Coordinator Ray Burton testified that it was up to his discretion regarding these lunches. However, Field Safety Coordinator William Capps testified specifically that he was instructed by management to take a crew out for lunch after the crew had a good catch. The record evidence does not establish how frequently the Field Safety Coordinators take crews out for lunch. Capps testified that he did it sporadically.

Multiple witnesses also testified that they have given out hats and other “swag” to employees in response to good safety practices. The frequency of the swag gifts is also not clear.

The Board has held that an infrequent or isolated reward issued by a putative supervisor is not sufficient to establish supervisory status under the Act. See *Veolia Transportation Services (Veolia II)*, 363 NLRB 1879, 1887-88 (2016). The lack of evidence concerning the frequency of these “rewards” weakens the Employer’s contention that the Field Safety Coordinators are statutory supervisors based on this criterion.

Furthermore, the Employer’s position that the Field Safety Coordinators had independent authority to take employees to lunch is undercut by the clear connection to an established good catch reporting system. While certain witnesses testified that they had complete discretion to take a crew out for lunch, it was clear from the record that these lunches were often tied to a safety reporting program that management reviewed. The record does not fully establish that Field Safety Coordinators used independent judgment outside of the good catch program when taking employees out for lunch. This too prevents a finding that the Field Safety Coordinators have supervisory status. See *Veolia Transportation*, 363 NLRB 1879, 1887-1888 (2016) (Even

assuming distribution of \$25 gift cards could constitute reward, evidence did not establish this was more than sporadic or involved independent judgment), enfd. sub nom. *Transdev Services, Inc. v. NLRB*, 991 F.3d 889 (8th Cir. 2021); *Veolia Transportation Services*, 363 NLRB 902, 912 (2016) (assuming one-time \$100 award is sufficient to establish authority to reward, supervisory status not shown due to lack of evidence as to how frequently purported recommendation resulted in award, or as to who determined award or how determination was made).

I find that the Employer has not met its burden in showing that Field Safety Coordinators are supervisors under the Act based on the lunch and swag rewards. The record evidence does not sufficiently establish the frequency of the rewards, or the independent discretion of the Field Safety Coordinators when granting these rewards.

D. Adjust Grievances

The Employer also took the position that Field Safety Coordinators qualify as supervisors under the Act because they adjust informal grievances. The Employer cited to the Third Circuit's decision in *Passavant Retirement & Health Center v. NLRB*, 149 F.3d 243 (3rd Cir. 1998), in support of its position. However, in the underlying decision the Board does not consider resolving informal problems between employees to rise to the level of adjusting grievances under the Act.²

There is no record evidence that the Field Safety Coordinators have any role in resolving or adjusting formal grievances related to the parties' collective-bargaining agreement. Therefore, I do not find that Field Safety Coordinators are supervisors under the Act based on their capacity to adjust grievances.

E. Evaluations/Training

There is insufficient record evidence to establish that Field Safety Coordinators evaluate employees in any substantial way that could qualify them as supervisors under the Act. Witness testimony established that Field Safety Coordinators lead safety related training. Field Safety Coordinator witnesses stated that they could require employees "redo" or continue with training if necessary. Conducting safety training is not the same as evaluating employees for any substantive purpose, and this job duty does not rise to the level of supervisory activity. Therefore, I do not find that Field Safety Coordinators should be classified as statutory supervisors on this basis.

CONCLUSION AND FINDINGS

² See *Ohio Masonic Home, Inc.*, 295 NLRB 390, 394 (1989) ("[T]he fact that the charge nurses sometimes rely on their personal relationship with employees to resolve minor complaints regarding workload, the scheduling of lunches and breaks, or personality conflicts is insufficient to establish supervisory status."); *Beverly Manor Convalescent Ctrs.*, 275 NLRB 943, 946 (1985) ("The LPNs rely on their personal relationship to the employees to resolve problems informally.... This facet is insufficient to elevate them to supervisory status."); see also *Illinois Veterans Home at Anna, L.P.*, 323 NLRB 890 (1997) (requiring role in formal grievance procedure). *Passavant Retirement & Health Center* at 248.

In conclusion, I find that the Employer failed to meet its burden, and the record is insufficient to prove that Field Safety Coordinators are supervisors within the definition of Section 2(11) of the Act. In the absence of evidence of supervisory status, the petitioned for unit is appropriate, and an election will be directed.

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

1. I find that the rulings made by the Hearing Officer at the hearing are free from prejudicial error and hereby are 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.

The Employer, Service Electric Company, is a Delaware corporation with an office and place of business located at 1631 E 25th Street, Chattanooga, Tennessee 37404, where it is engaged in providing electric contractor services. During the past calendar year, a representative period, the Employer in the course and conduct of its business operations, performed services valued in excess of \$50,000 directly to points outside the state of Tennessee.

3. The Petitioner is a labor organization within the meaning of Section 2(5) of the National Labor Relations Act.
4. There is no collective-bargaining agreement covering any of the employees in the unit sought and there is no contract or other bar in existence that would preclude the processing of the petition.
5. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.
6. I find that the following employees constitute a unit appropriate for the purposes of collective bargaining:

Included: All Field Safety Coordinators who are employed by Service Electric Company in its central region.

Excluded: All other employees, all managerial employees, guards, and supervisors 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 International Brotherhood of Electrical Workers Local 175.

A. Election Details

The election will be held on **Wednesday, September 16, 2026,³ from 9:00a.m. to 10:00a.m.**, at the Employer's facility located at 1631 E 25th Street, Chattanooga, Tennessee 37404.

B. Voting Eligibility

Eligible to vote are those in the unit who were employed during the payroll period ending **Sunday, September 6, 2026**, 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(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 **Friday, September 11, 2026**. The list must be accompanied by a certificate of service showing service on all parties. **The region will no longer serve the voter list.**

³ The Petitioner signed the waiver form (Form NLRB-4483) waiving its right to have the voter list for the full 10 days before the election.

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. In this case, the notices must be posted and distributed before 12:01 a.m. on **Friday, September 11, 2026**. Failure to follow the posting requirements set forth above will be grounds for setting aside the election if proper and timely objections are filed. 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.

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: September 9, 2026



Matthew Turner
Regional Director
National Labor Relations Board, Region 10
401 W. Peachtree Street, NW, Suite 2201
Atlanta, Georgia 30308



United States of America
National Labor Relations Board
NOTICE OF ELECTION



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.

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:

All Field Safety Coordinators who are employed by Service Electric Company in its central region, who were employed by the Employer during the payroll period ending Sunday, September 6, 2026.

EMPLOYEES NOT ELIGIBLE TO VOTE:

All other employees, all managerial employees, guards, and supervisors as defined by the Act.

DATE, TIME AND PLACE OF ELECTION

DATE: Wednesday, September 16, 2026

TIME: 9:00AM to 10:00AM

PLACE: The Employer's facility located at 1631 E 25th Street, Chattanooga, Tennessee 37404

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



United States of America
National Labor Relations Board
NOTICE OF ELECTION



UNITED STATES OF AMERICA
National Labor Relations Board

10-RC-391380

OFFICIAL SECRET BALLOT

For certain employees of
SERVICE ELECTRIC COMPANY



Do you wish to be represented for purposes of collective bargaining by
INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 175?

MARK AN "X" IN THE SQUARE OF YOUR CHOICE

YES

☐

NO

☐

**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.**

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.



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 (404) 331-2896 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).

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.