UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 01

THE MCLEAN HOSPITAL CORPORATION

Employer

and **Case 01-RD-394670**

MAURA ELIZABETH MCNEIL, AN INDIVIDUAL

Petitioner

and

AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES, COUNCIL 93, LOCAL 1115

Union

DECISION AND DIRECTION OF ELECTION

On September 11, 2026,[1] Maura Elizabeth McNeil (the Petitioner) filed a decertification petition under Section 9(c) of the National Labor Relations Act (the Act) seeking to remove American Federation of State, County & Municipal Employees, Counsel 93, Local 1115 (the Union) as the exclusive collective bargaining representative of approximately 359 employees employed by The McLean Hospital Corporation (the Employer). The Union and the Employer are parties to a collective bargaining agreement covering the unit described below, which is effective by its terms from January 6, 2024, to and including midnight, January 6, 2027.

On September 23, a hearing was held before a Hearing Officer of the National Labor Relations Board (the Board). The Petitioner, the Union, and the Employer (collectively, "the Parties") stipulated that the Union is a labor organization within the meaning of Section 2(5) of the Act; the Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the Act and is subject to the jurisdiction of the Board; and the appropriate unit within the meaning of Section 9(b) of the Act includes and excludes the following classifications (the Unit):

> **Included:** All full-time, regular part-time and per diem Registered Nurses including: Certified Nurse Practitioners; Clinical Research Coordinators, Registered Nurses; Clinical Coordinators; Clinical Nurses 1; Clinical Nurses 2; Clinical Nurses 3; Clinical Training Specialists; Nursing Professional Development Specialists; Nurse Practitioners in Charge; Psychiatric Clinical Nurse Specialist,

[1] All dates are in 2026 unless otherwise specified.

Prescribers; Research Nurses; Research Nurse Practitioners; and Staff Nurses, Resource Team employed by the Employer at its facility at 115 Mill Street, Belmont MA.

Excluded: All other employees, physicians, managers, confidential employees, temporary employees, guards, skilled maintenance employees, business office clerical employees, all other professional employees, and supervisors as defined in the Act.

The sole issue presented at the hearing is whether a contract bar exists which precludes processing the petition in the above-captioned matter. The Parties were provided with the opportunity to call, examine, and cross-examine witnesses; to introduce into the record evidence of the significant facts to support their contentions; to orally argue their respective positions prior to the close of the hearing; and to file post-hearing briefs.[2]

The Petitioner contends that the Employer is a health care institution for which the window period runs from more than 90 days but less than 120 days before the expiration date of the collective bargaining agreement. Therefore, the petition was not barred, but timely filed and the petition should be processed.

The Union contends that the Employer is a psychiatric hospital, and that the applicable window period runs from more than 60 days but less than 90 days before the expiration of the collective bargaining agreement. Therefore, the petition was not filed during the window period and should be dismissed as untimely. The Union asserts that the Employer's exclusion as a psychiatric hospital from the Board's Health Care Rule 29 CFR § 103.30(a) (the Health Care Rule) requires a finding that psychiatric institutions do not qualify as health care institutions under Section 2(14) of the Act. The Union contends that the Employer cannot be a health care institution under Section 2(14) as contemplated by Congress in the 1974 Health Care Amendments to the Act because Congress's concern was the proliferation of bargaining units in the health care industry and the Employer does not provide patient care for the physically ill, registered nurses are not the primary facilitators of health care in psychiatric institutions, and psychiatric hospitals have Medicare certification requirements. Consequently, the Union argues that the non-health care 60-to-90-day open period before the contract's expiration applies, and not the 90-to-120-day open period that applies to health care institutions.

The Employer asserts that it operates a psychiatric hospital which constitutes a "health care institution" under Section 2(14) of the Act and the 90-to-120-day window period applicable to health care institutions controls. The Employer contends that the Petitioner timely filed the petition on September 11; 118 days before the collective bargaining agreement is set to expire. The Employer further argues that the Union misconstrues the statutory and regulatory text by conflating the definition of "health care institution" with "acute care hospital."

Under Section 3(b) of the Act, I have the authority to hear and decide the matter on behalf of the Board. I have carefully considered the Parties' arguments, the post-hearing briefs, and

[2] The Employer and the Union submitted post-hearing briefs, and the Petitioner did not.

relevant Board law. For the reasons discussed below, I find that the instant petition is timely filed and subject to processing, and I am directing an election in the appropriate Unit.

FACTS AND ANALYSIS

Under the Board's long-standing contract-bar doctrine, a collective-bargaining agreement serves as a bar to an election for the first three years during the life of the contract. *General Cable Corp*., 139 NLRB 1123, 1125 (1962); *General Dynamics Corp*., 175 NLRB 1035 (1969). A well-settled exception to the contract-bar doctrine is the "open period" just prior to a collective-bargaining agreement's expiration during which an election petition may be filed and processed notwithstanding the existing contract. *Leonard Wholesale Meats, Inc.*, 136 NLRB 1000, 1001 (1962). The open period for health care institutions within the meaning of Section 2(14) of the Act is between 120-to-90 days before a contract with a duration of three years or less expires. *Trinity Lutheran Hospital,* 218 NLRB 199 (1975). In 1974, Congress enacted Section 2(14) to give the Board jurisdiction over "health care institutions." Section 2(14) of the Act states:

> (14) The term "health care institution" shall include ***any hospital***, convalescent hospital, health maintenance organization, health clinic, nursing home, extended care facility, or other institution devoted to the care of sick, infirm, or aged person. 29 U.S. Code § 152 (14) (emphasis added)

The relevant facts of this case are undisputed. The Employer operates a psychiatric hospital, and the collective bargaining agreement is for a term of three years effective January 6, 2024, to and including midnight, January 6, 2027. The instant decertification petition was filed on September 11.

While I have found no Board cases in which this precise issue has been decided, the Board has construed the term "health care institution" broadly, consistent with the intent of Congress. *Kirksville College*, 274 NLRB 794, 796 (1985); see also *Beverly Farm Foundation, Inc.*, 218 NLRB 1275, 1276 (1975) (finding that "an examination of the legislative history of the [1974] amendment clearly reveals that Congress … intended that the Board's jurisdiction be extended to the entire patient-oriented health care industry"). Indeed, the Board has applied the statutory definition to a variety of institutions that are not expressly identified in Section 2(14), including outpatient hemodialysis units (*Bio-Medical Applications of San Diego, Inc.*, 216 NLRB 631 (1975)); family planning clinics (*Planned Parenthood Assn.*, 217 NLRB 1098 (1975)); facilities for the care and treatment of the mentally disabled (*Beverly Farm Foundation*, supra); doctors' offices (*Private Medical Group of New Rochelle*, 218 NLRB 1315 (1975)); dentists' offices (*Jack L. Williams, DDS*, 219 NLRB 1045 (1975)); and blood banks that performs some patient-related functions (*Syracuse Region Blood Center*, 302 NLRB 72 (1991)).

Contrary to the Union's contentions, I find that the Employer is a health care institution under the Act. Section 2(14) of the Act defines "health care institution" to include "*any* hospital . . . . or other institution devoted to the care of sick, infirm or aged person[s]." That definition is broad enough to encompass the Employer because a psychiatric hospital is still a "hospital," and in any event is an institution devoted to the care of persons who are "sick" or "infirm" within the

meaning of Section 2(14).[3] Therefore, the 120-to-90-day open period before the contract's expiration applies to the instant petition. *Trinity Lutheran Hospital,* 218 NLRB at 199. The Petitioner could file and the petition may be processed, notwithstanding the effective contract, between September 8 and October 7. Accordingly, the Petitioner timely filed the petition within the open period on September 11.[4]

The Health Care Rule establishes appropriate bargaining units applicable to acute care hospitals and explicitly defines the term "[p]sychiatric hospital" *for purposes of [the] rule* in 29 CFR § 103.30(f)(3). The instant petition presents no question regarding the appropriateness of the Unit. Thus, the Employer's exclusion from the Health Care Rule as a psychiatric hospital is not relevant for the purpose of determining the open period for health care institutions under the contract-bar doctrine.

CONCLUSION

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.

[3] This conclusion is further reinforced by post-amendment Board decisions recognizing psychiatric hospitals as being part of the patient-oriented health care industry, including several issued following the Health Care Rule's enactment. In *Park Manor Care Center*, 305 NLRB 872, 875 (1991), for example, the Board addressed the standard to be used in determining appropriate units in non-acute health care facilities based in part on factors considered relevant during Health Care Rulemaking and prior cases involving either the type of facility in dispute or the type of unit sought. The Board subsequently clarified, in a case involving this very Employer, that *Park Manor* applied to all health care facilities not covered by the Health Care Rule, "including nonacute care psychiatric hospitals." *McLean Hospital Corp.*, 309 NLRB 564, 564 fn. 1 (1992); see also *Holliswood Hospital*, 312 NLRB 1185, 1195 (1993); and *Virtua Health, Inc.*, 344 NLRB 604, 606 (2005). *Park Manor* was thus applied to psychiatric hospitals in *McLean Hospital*, supra; *Brattleboro Retreat*, 310 NLRB 615 (1993); *McLean Hospital Corp.*, 311 NLRB 1100 (1993); and *Charter Hospital of Orlando South*, 313 NLRB 951 (1994). While none of these cases are dispositive insofar as they do not categorially find all psychiatric hospitals to be health care institutions, they cut against the Union's unsupported proposition that the Board's exclusion of psychiatric hospitals from the Health Care Rule placed them beyond the scope of Section 2(14).

[4] The Board, however, will not dismiss a petition, even though prematurely filed, if a hearing is directed despite the prematurity of the petition and the decision issues after the 90th day preceding the expiration date of the contract. See *Deluxe Metal Furniture Co*., 121 NLRB 995, 999 (1958); *Crown Cola Bottling Co.*, 150 NLRB 1624 (1964); *General Time Corp*., 195 NLRB 1107 (1972); *Maramount Corp.*, 310 NLRB 508, 512 (1993). Thus, even assuming the Employer is not a health care institution under the Act, I would still direct an election in this matter because the petition remained pending during the 60-to-90-day window applicable to non-health care contracts.

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.[5]

3. The Employer is a health care institution within the meaning of Section 2(14) of the Act.

4. The Union is a labor organization within the meaning of Section 2(5) of the Act and claims to represent certain employees of the Employer.

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. The following employees of the Employer constitute an appropriate unit for the purpose of collective bargaining within the meaning of Section 9(b) of the Act:

   Included: All full-time, regular part-time and per diem Registered Nurses including: Certified Nurse Practitioners; Clinical Research Coordinators, Registered Nurses; Clinical Coordinators; Clinical Nurses 1; Clinical Nurses 2; Clinical Nurses 3; Clinical Training Specialists; Nursing Professional Development Specialists; Nurse Practitioners in Charge; Psychiatric Clinical Nurse Specialist, Prescribers; Research Nurses; Research Nurse Practitioners; and Staff Nurses, Resource Team employed by the Employer at its facility at 115 Mill Street, Belmont MA.

   Excluded: All other employees, physicians, managers, confidential employees, temporary employees, guards, skilled maintenance employees, business office clerical employees, all other professional employees, and supervisors as defined in 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 American Federation of State, County & Municipal Employees, Counsel 93, Local 1115.

A. Election Details

[5] The Employer, The McLean Hospital Corporation, is a Massachusetts corporation with an office and place of business located in Belmont, Massachusetts, engaged in the operation of a psychiatric hospital. During the past 12 months, the Employer has derived gross revenues in excess of $250,000 and purchased and received goods valued in excess of $5,000 at its Belmont, Massachusetts facility, shipped directly from points located outside the Commonwealth of Massachusetts.

The election will be held on Wednesday, December 9, 2026, from 6:30 a.m. to 8:30 a.m. and 2:00 p.m. to 4:00 p.m. at the de Marneffe Building, Room 132 at the Employer's facility, 115 Mill Street, Belmont, MA 02478.

B. Voting Eligibility

Eligible to vote are those in the unit who were employed during the payroll period ending **Sunday, November 22, 2026**, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. 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 **Friday, November 27, 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.**

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.nlrb.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.nlrb.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.

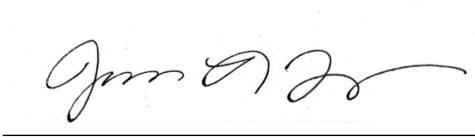
RIGHT TO REQUEST REVIEW

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.nlrb.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: November 24, 2026



Jessica L. Foley, Regional Director
National Labor Relations Board, Region 01
Thomas P. O'Neill Jr. Federal Building
10 Causeway St, Room 1002
Boston, MA 02222-1001

Attachment: Notice of Election

Form NLRB-707
(4-2015)

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.

Form NLRB-707
(4-2015)

United States of America
National Labor Relations Board
NOTICE OF ELECTION

VOTING UNIT

EMPLOYEES ELIGIBLE TO VOTE:

All full-time, regular part-time and per diem Registered Nurses including: Certified Nurse Practitioners; Clinical Research Coordinators, Registered Nurses; Clinical Coordinators; Clinical Nurses 1; Clinical Nurses 2; Clinical Nurses 3; Clinical Training Specialists; Nursing Professional Development Specialists; Nurse Practitioners in Charge; Psychiatric Clinical Nurse Specialist, Prescribers; Research Nurses; Research Nurse Practitioners; and Staff Nurses, Resource Team employed by the Employer at its facility at 115 Mill Street, Belmont MA, who were employed during the payroll period ending November 22, 2026.

EMPLOYEES NOT ELIGIBLE TO VOTE:

All other employees, physicians, managers, confidential employees, temporary employees, guards, skilled maintenance employees, business office clerical employees, all other professional employees, and supervisors as defined in the Act.

DATE, TIMES AND PLACE OF ELECTION

Wednesday, December 9, 2026	**6:30 a.m. to 8:30 a.m. and 2:00 p.m. to 4:00 p.m.**	**de Marneffe Building, Room 132 115 Mill Street Belmont MA**

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

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.

Form NLRB-707
(4-2015)

United States of America
National Labor Relations Board
NOTICE OF ELECTION

UNITED STATES OF AMERICA

National Labor Relations Board

01-RD-394670

OFFICIAL SECRET BALLOT

For certain employees of

THE MCLEAN HOSPITAL

Do you wish to be represented for purposes of collective bargaining by

AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES, COUNCIL 93, LOCAL 1115?

MARK AN "X" IN THE SQUARE OF YOUR CHOICE

YES	NO
☐	☐

Sample

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.

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.

Form NLRB-707
(4-2015)

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 (617)565-6700 or visit the NLRB website www.nlrb.gov for assistance.

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.