



**UNITED SECURITY & POLICE  
OFFICERS OF AMERICA (USPOA)**

**Assane B. Faye**  
*Executive Director*

Wayne R. Gold, Regional Director

National Labor Relations Board, Region 5

103 S. Gay Street

Baltimore, MD 21202

Re: Case 5-RC-16458

**REQUEST FOR REVIEW**

Date: July 8, 2010

Dear Mr. Gold

I would like to request a review of Case 5-R16458 involving the Employer Watkins Security Agency of DC, the Petitioner United Security & Police Officers of America (USPOA), the Intervenor International Union, Security, Police and Fire Professionals of America (SPFPA), and National Association of Special Police And Security Officers (NASPSO).

On or about May 15, 2010, USPOA was solicited by several security officers employed at the Department of Labor on 200 Constitution Avenue, in Washington DC. The purpose of these phone calls was to decertify the current union SPFPA and seek representation from USPOA.

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However, in view of the fact that there were two employers on the contract, it became extremely difficult for the USPOA officials to find accurate information relative to the size of the unit. The Employer (Watkins and Covenant) had the same employee names appearing twice on the Employer rosters, in addition to names of former employees who had already left the company. On the day of the hearing, Evelyn the bookkeeper stated that she knew very little about the composure of the workforce – and as soon as she received the list of the employees (correct or incorrect list), the Board was requesting, she forwarded it without taking full knowledge of the content. The Board Agent, Mr. Daniel Heltzer seemed to have worked extra time to establish a final list, and in the end the discrepancy arose again from the number of employees currently employed by Watkins. This dilemma made all the parties involved share a common problem – the absence of an accurate employee roster. Therefore, USPOA and the employees who wish to elect another union should not be penalized for the administrative errors or inaccurate bookkeeping of the Employer. Upon several attempts to find the right count from the Employer, USPOA officials were given an approximate count of 135 employees with a margin of error.

Following my review of the Board's ruling I concluded that the decision was merely based on the discrepancy within the size of the unit. Since USPOA was not the incumbent union, and had no access to any payroll record, or information pertaining to the size of the unit, it could only use the information received from the employees and managers.

Please review the decision, and consider the fact that many employees will miss the chance to exercise their right to vote for the union of their choice. It is not their fault if the Employer did not keep an accurate count of the employees, and USPOA was not privy to such information either. The Board's decision seems to insinuate that even if USPOA provided 125 showing of interest cards, which would have represented one hundred percent (100 %) of the bargaining unit based on the information we received, the decision would still be the same as

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long as the Employer failed to provide an accurate count or makes a mistake on the size of the unit somewhere along the line.

On behalf of the union members who are looking for an opportunity to exercise their rights, please reconsider your position and allow the election to go on.

Sincerely

Assane B. Faye

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