



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
Region 20

901 Market Street, Suite 400  
San Francisco, California 94103-1735

Telephone: 415/356-5154  
FAX: 415/356-5156  
Website: [www.nlrb.gov](http://www.nlrb.gov)

August 16, 2013

HEATHER CANDY, Deputy General Counsel  
VSP VISION CARE  
3188 Zinfandel Drive  
Rancho Cordova, CA 95670

ART RAMZY  
STATIONARY ENGINEERS LOCAL 39  
1620 N Market Blvd  
Sacramento, CA 95834-1958

ROBERT L. REDIGER, Esq.  
REDIGER, MCHUGH & OWENSBY, LLP  
555 Capitol Mall Ste 1240  
Sacramento, CA 95814-4603

**Re:** Vision Service Plan  
Case 20-RC-108858

Dear Ms. Candy, Mr. Ramzy, and Mr. Rediger:

Enclosed please find a Decision and Direction of Election in the above-entitled case. In a subsequent mailing you will receive copies of the Notice of Election. Upon receipt of these Notices, please post these Notices immediately in a conspicuous place or places, easily accessible to all employees involved. Pursuant to Board Rule 103.20, these Notices must be posted at least 3 full working days prior to 12:01 a.m. of the day of the election.

Very truly yours,

Jill Coffman  
Acting Regional Director

dg  
Enclosure

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**  
**REGION 20**

**VSP GLOBAL**

**Employer**

**and**

**Case 20-RC-108858**

**STATIONARY ENGINEERS, LOCAL 39**

**Petitioner**

**DECISION AND DIRECTION OF ELECTION**

VSP Global (Employer)<sup>1</sup> is a not-for-profit corporation with a place of business located in Rancho Cordova, California, engaged in providing vision care products and services. By its amended petition, Stationary Engineers, Local 39 (Petitioner) seeks to represent a three-person unit comprised of all full-time and regular part-time maintenance mechanics and maintenance representatives employed at the Employer's Rancho Cordova facility; excluding all other employees, managers, guards and supervisors as defined by the Act. The Employer contends that in order to be an appropriate unit, the petitioned-for unit must include four additional employees in the following classifications: move coordinator/CAD, move coordinator, and facilities service representative. Petitioner takes a contrary position. For the reasons discussed below, I find that the petitioned-for unit is an appropriate unit and I shall direct an election among the employees in that unit.

**FACTS**

The Employer employs about 3,000 employees at its Rancho Cordova facility. The petitioned-for unit includes two maintenance mechanics and one maintenance

---

<sup>1</sup> The Employer's name is in accord with the stipulation of the parties.

representative who work on a “maintenance team” within the facilities department. These are the only employees who perform skilled maintenance work for the Employer.<sup>2</sup> The four employees whom the Employer contends must be included in the unit are on a separate “move team” within the facilities department and are responsible for the movement of employees into work spaces. Facilities Supervisor Christina Carlson supervises both teams and testified that the Employer created the two separate teams more than nine years ago because one team “is responsible for . . . certain things, and the other team is responsible for other things.”<sup>3</sup>

The two building maintenance mechanics perform carpentry, electrical, HVAC,<sup>4</sup> plumbing and painting work under minimal direction. They perform inspections and regular preventative maintenance, installation, and the maintenance and repair of doors, windows and other building structures, plumbing fixtures, lighting fixtures and other electrical apparatus, circulator and sump pumps, refrigeration units, auxiliary diesel generators, fans, bearings, and other universal joints and similar mechanical equipment. They also fulfill emergency and other repair orders and they estimate the time and materials needed to perform their work. Although the maintenance team utilizes some common tools with the move team,<sup>5</sup> the move team does not use the maintenance team’s specialized tools unique to the various building-trades work.<sup>6</sup> Qualifications for the maintenance mechanic position include five years of general maintenance or carpentry experience; MET<sup>7</sup> and EPA refrigerant certifications; knowledge of the proper use of tools and safety equipment; and knowledge of OSHA and safety standards. The maintenance mechanics are paid an hourly wage that grosses annual earnings in the range of \$31,000 to \$56,000 a year.

---

<sup>2</sup> The Employer contracts out any skilled maintenance work that these employees do not perform.

<sup>3</sup> Carlson asserted that she has worked for the Employer for approximately nine years, and has been the Facilities Department Supervisor for about the last six months.

<sup>4</sup> HVAC refers to heating, ventilation and air conditioning systems.

<sup>5</sup> These include such tools as drills, hammers, buckets, carts and ladders.

<sup>6</sup> These include electrical, plumbing and carpentry tools. As just one example, Carlson stated that maintenance team employees use temperature gauges when performing HVAC work.

<sup>7</sup> I take administrative notice that MET refers to electrical testing and certification.

The maintenance representative performs “non-technical” maintenance and repair work, involving carpentry, electrical, and plumbing work. He is responsible for inspections, daily readings, routine work orders, and preventative maintenance work, which includes maintaining building systems, equipment, parts, supplies and tools within designated storage areas. The maintenance representative is required to have two years of related building-maintenance experience and is paid an hourly wage in the range of \$21,600 to \$38,000 a year. Carlson testified that the maintenance representative is required to have similar skills and to perform similar work as that of the maintenance mechanics, but to a lesser degree.<sup>8</sup>

The four move team employees that the Employer seeks to include in the unit are in the classifications of move coordinator/CAD, move coordinator, and service representative. They do not typically perform the building-trades work for which the maintenance team is responsible.

The two *move coordinator/CADs* are responsible for using specialized computer software to design work space and coordinate employee relocations on a corporate and regional level. They are the only employees required to utilize such software and to be proficient in MS Word, Excel and Access.<sup>9</sup> They also coordinate the purchase and/or rental of furniture for employee relocations. The move coordinator/CADs are paid an hourly wage in the same range as the maintenance mechanics.

The *move coordinator* handles the actual physical installations, reconfigurations and moves of employees and is required to have one year of experience in installing system furniture.

The *service representative* schedules and reserves conference rooms, and assembles and disassembles those conference rooms. The job description provides that the service representative use the conference-room-reservation and work-order system in handling conference-room requests. Supervisor Carlson affirmed that the

---

<sup>8</sup> For example, Carlson testified that the maintenance representative must be capable of performing minor electrical and mechanical-systems work, and be able to identify a leak and do caulking or adjusting of faucet flow, but he does not perform major tasks like replacing pipes.

<sup>9</sup> According to Carlson, the only computer skill required across the board of other maintenance and move team employees is the ability to use email.

service representative sets up conference rooms “all day long.” According to the job description, the service representative is responsible for completing work requests involving general clean up and other unskilled maintenance duties, such as hanging pictures, painting, light-bulb replacement, ordering and maintaining inventory items, scheduling vehicles for maintenance, maintaining vehicle repair records, arranging pick up and delivery of vehicles; and handling pickup and delivery of lobby displays. No prior experience is required for the service representative position. Both the move coordinator and the service representative are paid a wage rate in the same range as that of the maintenance representative.

As indicated above, the maintenance team and the move team work under Supervisor Carlson’s supervision in the facilities department.<sup>10</sup> Carlson discusses work plans with both teams simultaneously during 15-30 minute daily briefings. Both teams occupy adjacent partitioned cubicles, share a common break room, and have keys to the same general supply room. However, employees on both teams work individually, away from their cubicles, and throughout the Employer’s five-building facility. The maintenance team routinely works outside inspecting, maintaining and repairing building exteriors, roofs and grounds, whereas the move team works inside. The job descriptions for all but the move coordinator/CADs have a lifting requirement of either 65 or 75 pounds. Both teams are required to wear similar attire, consisting of polo shirts and jeans. They use the same online timecard system and work similar hours, from about 7 a.m. to 3 or 4 p.m. With the exception of the service representative, both teams are required to be available for rotating on-call responsibilities. Employees on both teams are eligible for similar fringe benefits.

Carlson testified that the work of the two teams does not overlap, the teams do not perform one another’s work, and with one exception, the Employer does not cross-train employees on one team to learn the work of the other team.<sup>11</sup> However, according

---

<sup>10</sup> The record shows that there are several other classifications in the facilities department, none of which are at issue in this proceeding, including space planner, facilities system analyst, business coordinator, and the vacant classifications of building operations and building engineer. Carlson testified that the Employer intended to imminently hire an outside contractor to fill the building engineer position.

<sup>11</sup> Carlson testified that the maintenance representative has been cross-trained to perform the duties of the service representative and has filled in on a short-term basis, but the record

to Carlson, the maintenance team has assisted with moving or installing furniture when the department was “very short-staffed” or there was a “specialty need.” She described two examples of a specialty need: one occasion when the teams worked together to set up an outdoor meeting and a recent project involving preparation for occupancy of a new building. With regard to preparing the new building for occupancy, however, Carlson testified that the maintenance team was performing inspections and maintenance checks while the move team was designing the new space and working on move issues. In sum, while the teams were working on the same building, each performed its own traditional work.

The record includes evidence of two permanent transfers from the move team to the maintenance team. One involved a move coordinator becoming a maintenance mechanic, and the other involved a service representative becoming a maintenance representative. The timing and other details of the transfer (e.g., training and certifications obtained) of the move coordinator are not disclosed in the record. The transfer involving the service representative appears to have occurred about six months prior to the hearing, but there is likewise nothing in the record to explain what circumstances led to the transfer, such as the building-maintenance experience or skills that the employee obtained to make the transfer.

There is no history of collective bargaining and no evidence of an area practice. No labor organization seeks to represent employees in a larger unit.<sup>12</sup>

### **ANALYSIS**

Petitioner seeks to represent a unit comprised of the maintenance mechanics and the maintenance representative, and the Employer contends that in order to constitute an appropriate unit, it must also include the four move team employees. Based on the record evidence, and for the reasons that follow, I find that the petitioned-for unit is an appropriate collective-bargaining unit.

---

does not show how (in)frequently this occurred. The service representative has not performed, or been trained to perform, the work of the maintenance representative.

<sup>12</sup> Petitioner indicated at the hearing that it does not wish to proceed to an election in a unit other than the petitioned-for unit.

In *Specialty Healthcare and Rehabilitation Center of Mobile*, 357 NLRB No. 83 (2011); enfd. *Kindred Nursing Ctrs. E. LLC v. NLRB*, 6th Cir., No. 12-1027 (August 15, 2013), the Board set forth the allocation of evidentiary burdens in cases where, as here, a party contends that the smallest appropriate bargaining unit must include additional employees (or job classifications) beyond those in the petitioned-for unit. First, the petitioner must show that the unit sought is an identifiable group and that it is *an appropriate unit* under the Board's traditional community-of-interest principles. *Id.*, slip op. at 8-9. The Board set forth criteria to consider in determining whether the petitioner has satisfied its burden. The criteria include whether the petitioned-for employees: 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; are organized into a separate department; are separately supervised; whether there is collective-bargaining history in a particular unit; and the extent of organization. *Id.* slip op. at 8-9; *United Operations, Inc.*, 338 NLRB 123, 123 (2002); *Odwalla, Inc.*, 357 NLRB No. 132 slip op at 5 and fn 28 (Dec. 9, 2011). The Board does not require that the petitioned-for unit be *the most appropriate unit*, but rather, only that it be *an appropriate unit*. *Overnite Transportation Co.*, 322 NLRB 723, 723 (1996).

Once the petitioner makes that showing, the burden shifts to the proponent of a larger unit to demonstrate that the petitioned-for unit shares an "overwhelming" community of interest with additional employees that it seeks to include, such that there "is no legitimate basis upon which to exclude certain employees from" the larger unit because the traditional community-of-interest factors "overlap almost completely." *Specialty Healthcare*, supra, slip op. at 11-13, and fn. 28, quoting *Blue Man Vegas, LLC v. NLRB*, 529 F. 3d 417, 421, 422 (D.C. Cir. 2008). See also *Guide Dogs for the Blind, Inc.*, 359 NLRB No. 151 (July 3, 2013); *Fraser Engineering Company, Inc.*, 359 NLRB No. 80 (March 20, 2013); *DTG Operations, Inc.*, 357 NLRB No. 175 (Dec. 30, 2011); *Northrop Grumman Shipbuilding, Inc.*, 357 NLRB No. 163 (Dec. 30, 2011); *Odwalla*, supra.

In the instant case, I find that the employees in the petitioned-for unit are readily identifiable as a distinct group and share a substantial community of interest with each other so as to constitute an appropriate unit. Initially, I note that the Employer has historically recognized (for at least nine years) the distinct identity of the petitioned-for employees by its placement of them on a separate “maintenance team” within the facilities department. As Supervisor Carlson frankly elucidated, the maintenance team’s separate identity from the move team derives from the fact that one team “is responsible for . . . certain things, and the other team is responsible for other things.” Thus, Petitioner has carried its burden of showing that the petitioned-for unit of employees is identifiable as a distinct group.

Turning to the maintenance team employees’ common interests, they are solely responsible for performing maintenance tasks that require traditional building-trade skills and some experience in the building trades (i.e., five years of general maintenance or carpentry experience for the maintenance mechanics and two years of related building-maintenance work experience for the maintenance representative). Additionally, the maintenance mechanics are required to have, among other specialized knowledge, certifications in MET and EPA refrigerant.<sup>13</sup> The maintenance team works with its own tools of the trade, often outside, performing work of the same nature.

In addition to the above common interests, the petitioned-for employees are offered the same benefits, are subject to the same dress code, and share a common supervisor, team, department, work situs, break room, time-card system and work schedule.<sup>14</sup> Finally, there is no evidence of a history of collective bargaining supporting

---

<sup>13</sup> Although Carlson testified that the maintenance mechanics are not “journeymen craftsmen,” I note that the Board has often relied on the level of experience required to perform the work in finding that employees are journeymen, even in the absence of apprenticeship programs. See e.g., *Mirage Casino Hotel*, 338 NLRB 529, 532-533 (2002) (an employer requirement of two to five years of carpentry experience was sufficient to show that carpentry employees were skilled journeymen craftsmen, despite the employer’s lack of an apprenticeship program or ongoing training requirements.); see also *Wal-Mart Stores*, 328 NLRB 904, 907 (1999); and *Anheuser Busch, Inc.* 170 NLRB 46 (1968) (finding craft status where electricians were hired with three to four years of experience.)

<sup>14</sup> In finding that the petitioned-for unit is an appropriate unit, I do not rely on the wage ranges of employees provided by the Employer. The wage ranges vary widely and substantially overlap with one another, and absent more specific evidence, they have little evidentiary value. Considering only the wage ceilings for each classification, it’s clear that the two

a different unit, and no labor organization seeks to represent employees in a different unit.<sup>15</sup> Petitioner has satisfied its burden of showing that the petitioned-for employees constitute an appropriate unit.

Petitioner having thus shifted the burden to the Employer, I find that the Employer has failed to show that the move team employees share such an “overwhelming community of interest” with the petitioned-for maintenance team employees that there “is no legitimate basis upon which to exclude” them. Although the petitioned-for employees are in the same department and have much in common with the move team (supervision, department, work situs, hours of work, break room, dress code, benefits and time-card system), the community-of-interest factors do not “overlap almost completely.” *Specialty Healthcare; Odwalla; Guide Dogs for the Blind*, supra. Indeed, as the Employer has recognized over many years, and as the record evidence demonstrates, the distinct nature of the experience, skills, certifications and day-to-day craft work of the employees in the petitioned-for unit warrant their separate identity and grouping.

In addition to the above factors that distinguish and separate the two teams, the intermittent contact and the absence of interchange between them also weigh against inclusion of the move team employees. While employees on both teams have some regular contact because their cubicles are in the same area and they attend the same daily staff meetings, both teams spend the majority of their time away from the cubicles, and the daily meeting constitutes but 2-5% of the work day. The record reflects that the two teams work independently of one another, often in different buildings, and the

---

classifications requiring the most skill and training (i.e. the maintenance mechanic and move coordinator/CAD positions) have the highest earning potential. However, the record does not disclose what these employees actually earn. Even assuming for the sake of this analysis that they earn equal pay, the evidence shows that the types of skills and training required of employees in these two classifications are entirely different (i.e., building trades skills versus use of specialized computer program skills).

<sup>15</sup> I would alternatively find that the petitioned-for employees constitute an appropriate unit under a craft analysis given that they constitute a skilled, distinct and homogeneous group of skilled journeymen craftsmen, who together with helpers or apprentices, are primarily engaged in the performance of tasks which are not performed by other employees and which require the use of substantial craft skills and specialized tools and equipment. See *Burns & Roe Services Corp.*, 313 NLRB 1307, 1308 (1994); *E. I. du Pont & Co.*, 162 NLRB 413, 417 (1966); *Mirage Casino-Hotel*, supra, and cases cited therein.

division of duties typically requires the maintenance team to work outdoors, while the move team remains inside. Further, the evidence of temporary interchange is infrequent and one-way; consisting only of maintenance employees occasionally helping to move furniture when the facilities department is short-staffed,<sup>16</sup> and of the maintenance representative filling in temporarily for the service representative.<sup>17</sup> The move team employees do not reciprocate, and Carlson testified that the Employer does not cross-train employees to learn the building-trades skills necessary to perform the work of the maintenance team.

Finally, I have carefully considered the evidence that there have been two permanent transfers of move team employees into maintenance team positions, as described above, and I recognize that this is not an insignificant number given the small size of the unit. However, I do not find that these transfers outweigh the evidence supporting my finding that the petitioned-for unit is an appropriate unit, particularly where the Employer failed to explain the circumstances of those transfers. Whatever the particulars, I note that the Board accords less significance to evidence of permanent transfers than to evidence of temporary interchange in assessing community of interest. See *Mirage Casino-Hotel*, 338 NLRB 529, 534 (2002); *Ore-Ida Foods, Inc.*, 313 NLRB 1016, 1021 fn 4 (1994).

In sum, I find that the Employer has failed to carry its burden of showing the existence of an “overwhelming” community of interest between the petitioned-for unit of employees and the employees it contends must be included in the unit. To be sure, there are stark and substantial differences between the maintenance team and the move team; to wit, in work experience, skills, certifications, assigned work areas, duties, and tools. I also take into account the Employer’s historical recognition of the distinct

---

<sup>16</sup> I do not find that the lone instance of both teams’ simultaneous work on setting up an outdoor meeting, as described above, to evince a history of interchange or integration. Nor does the fact that the two teams worked to prepare a new building for occupancy sufficient evidence of interchange or integration, particularly in light of the fact that each team performed its own separate and regular work.

<sup>17</sup> In this regard, I note that an overlap of work involving lesser-skilled duties does not typically destroy the appropriateness of a unit of skilled maintenance employees. See *Schaus Roofing & Mechanical Contractors, Inc.*, 323 NLRB 781 (1997); *Burns & Roe Services Corp.*, *supra* at 1307; *E. I. du Pont & Co.*, *supra*, 162 NLRB at 413.

function and identity of the petitioned-for employees by designating them a separate team, the lack of evidence of significant temporary interchange, the absence of collective-bargaining history in a different unit, and the fact that no labor organization seeks to represent employees in a unit other than the petitioned-for unit. All of the above factors form a rational basis for excluding the move team employees from the petitioned-for unit.

In conclusion, I find that the petitioned-for employees are readily identifiable as a distinct group of maintenance employees, that they possess a substantial community of interest, and that they constitute an appropriate unit. I further find that the Employer has failed to show that an overwhelming community of interest exists between the move team employees and the petitioned-for maintenance employees which would require inclusion of the move team employees in the unit. Accordingly, I am ordering an election in the petitioned-for unit.<sup>18</sup>

### **CONCLUSIONS AND FINDINGS**

Based upon the record, I conclude and find as follows:

1) The Hearing Officer's rulings made at the hearing are free from prejudicial error and are affirmed.

2) The parties stipulated, and I find, that the Employer is an employer as defined in Section 2(2) of the Act, and is engaged in commerce within the meaning of Sections 2(6) and (7) of the Act, and it will effectuate the purposes of the Act to assert jurisdiction in this case.

3) The parties stipulated, and I find, that the Petitioner is a labor organization within the meaning of the Act.

4) A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Sections 2(6) and (7) of the Act.<sup>19</sup>

---

<sup>18</sup> In reaching this conclusion, I have carefully considered the positions and arguments of the parties. To the extent they are at odds with my findings and are not discussed herein, I find them unavailing and discussion of them unwarranted.

<sup>19</sup> The parties stipulated, and I find, that no contract bar exists to this proceeding.

5) The following employees of the Employer constitute an appropriate unit for the purposes of collective-bargaining within the meaning of the Act:

All full-time and regular part-time maintenance mechanics and maintenance representatives employed by the Employer at its Rancho Cordova, California facility; excluding all other employees, managers, guards 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. The employees will vote whether or not they wish to be represented for purposes of collective bargaining by **Stationary Engineers Local 39**. The date, time and place of the election will be specified in the notice of election that the Board's Regional Office will issue subsequent to this Decision.

#### **A. Voting Eligibility**

Eligible to vote in the election are those in the unit who were employed during the payroll period that ended immediately prior to the date of this Decision, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off. Employees engaged in any 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 which 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; (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.

## **B. Employer to Submit List of Eligible Voters**

To ensure that all eligible voters may have the opportunity to be informed of the issues in the exercise of their statutory right to vote, all parties to the election should have access to a list of voters and their addresses, which may be used to communicate with them. *Excelsior Underwear, Inc.*, 156 NLRB 1236 (1966); *NLRB v. Wyman-Gordon Company*, 394 U.S. 759 (1969).

Accordingly, it is hereby directed that within seven days of the date of this Decision, the Employer must submit to the Regional Office an election eligibility list, containing the full names and addresses of all the eligible voters. *North Macon Health Care Facility*, 315 NLRB 359, 361 (1994). The list must be of sufficiently large type to be clearly legible. To speed both preliminary checking and the voting process, the names on the list should be alphabetized (overall or by department, etc.). This list may initially be used by me to assist in determining an adequate showing of interest. I shall, in turn, make the list available to all parties to the election. To be timely filed, the list must be received in the Regional Office, National Labor Relations Board, Region 20, 901 Market Street, Suite 400, San Francisco, CA 94103, **on or before August 23, 2013**. No extension of time to file this list will be granted except in extraordinary circumstances, nor will the filing of a request for review affect the requirement to file this list. Failure to comply with this requirement will be grounds for setting aside the election whenever proper objections are filed. The list may be submitted to the Regional Office by electronic filing through the Agency's website, [www.nlr.gov](http://www.nlr.gov),<sup>20</sup> by mail, or by facsimile transmission at (415) 356-5156. The burden of establishing the timely filing and receipt of the list will continue to be placed on the sending party.

Because the list will be made available to all parties to the election, please furnish a total of two copies of the list, unless the list is submitted by electronic filing, facsimile or e-mail, in which case no copies need be submitted. If you have any questions, please contact the Regional Office.

---

<sup>20</sup> To file the eligibility list electronically, go to the Agency's website at [www.nlr.gov](http://www.nlr.gov), select **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions.

### C. Notice of Posting Obligations

According to Section 103.20 of the Board's Rules and Regulations, the Employer must post the Notices to Election provided by the Board in areas conspicuous to potential voters for at least three full days, not including weekend days or holidays, prior to 12:01 a.m. of the day of the election. Failure to follow the posting requirement may result in additional litigation if proper objections to the election are filed. Section 103.20(c) requires an employer to notify the Board at least five full working days prior to 12:01 a.m. of the day of the election if it has not received copies of the election notice. *Club Demonstration Services*, 317 NLRB 349 (1995). Failure to do so estops employers from filing objections based on nonposting of the election notice.

### **RIGHT TO REQUEST REVIEW**

Under the provisions of Section 102.67 of the Board's Rules and Regulations, a request for review of this Decision may be filed with the National Labor Relations Board, addressed to the Executive Secretary, 1099 14th Street, N.W., Washington, DC 20570-0001. This request must be received by the Board in Washington by **August 30, 2013**. The request may be filed electronically through the Agency's web site, [www.nlr.gov](http://www.nlr.gov),<sup>21</sup> but may not be filed by facsimile.

DATED AT San Francisco, California, this 16<sup>th</sup> day of August 2013.



Jill H. Coffman, Acting Regional Director  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, California 94103-1735

---

<sup>21</sup> To file the request for review electronically, go to [www.nlr.gov](http://www.nlr.gov), select **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions.