

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD<sup>1</sup>  
REGION 20

ESKATON VILLAGE GRASS VALLEY

Employer

and

Case 20-RC-126208

SERVICE EMPLOYEES INTERNATIONAL  
UNION, UNITED LONG TERM CARE WORKERS

Petitioner

**DECISION AND DIRECTION OF ELECTION**<sup>2</sup>

By its Petition, and as amended by stipulation during the hearing in the matter, Service Employees International Union, United Long Term Care Workers (Petitioner) seeks to represent for the purpose of collective bargaining a unit (Unit) of medical technicians, resident care assistants, receptionists in the business office; cooks (including line cooks, prep cooks and lead cooks), dishwashers, lead waitstaff and waitstaff, bakers, maintenance workers, housekeepers, campus patrollers, activities staff, (including activities assistants and activities coordinators), and sales counselors employed by Eskaton Village Grass Valley (Employer). Specifically excluded from the Unit are all other employees, including managers, guards, and supervisors as defined by the Act.

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<sup>1</sup> Also referred to as Board.

<sup>2</sup> The parties agreed that, to the extent that any formal documents failed to include the proper names of the Petitioner and the Employer, all such documents were to be considered amended so as to reflect their correct respective names.

The parties stipulated, and I shall find below, that Petitioner is a labor organization within the meaning of the Act; the Employer is engaged in commerce within the meaning of the Act; and no collective-bargaining agreement covering the employees within the Unit sought exists or serves to bar processing of the Petition.

The issue presented in this matter is whether approximately five employees in the position of campus patrollers should be included in the Unit. The Employer argues that the campus patrollers should be excluded under two theories. First, it posits that they constitute guards thus must be excluded under the terms of Section 9(b)(3) of the Act. Second, the Employer urges that campus patrollers do not share a community of interest with the other employees in the Unit as proposed. Petitioner disputes both of the Employer's theories and argues that campus patrollers should be included in the Unit.

Testifying at the hearing were Senior Vice President and Chief Operating Officer of Eskaton Properties, Elizabeth Donovan; campus patrollers, Wade Miller and Larry King; and maintenance assistant, Mark Lossman.

I find that the employees employed in the position of campus patrollers are guards within the meaning of Section 9(b)(3) of the Act and thus must be excluded from the Unit. This finding renders moot the Employer's contention that campus patrollers lack a community of interest with other Unit employees. I shall nevertheless address that argument briefly below.

### **FACTS**

Operational Background: Eskaton Properties, Inc., owns the Employer, Eskaton Village Grass Valley, which is separately incorporated. The Employer's operations are organized into several departments – assisted living, independent living, pre-memory care, environmental services, dining, resident services, nursing department, clinical care, and the business office. The Executive Director, Steve Harms, is the highest ranking person present at the Employer's location and the director of each department reports to him.

The Employer's facility sits on a fenced-off, 40-acre plot of land where there are 130 privately-owned residences, an Employer-owned lodge with 137 apartments, and common recreational areas. At the lodge, the Employer administers assisted living, independent living,

and pre-memory care services to its residents. The village is secured by two gates. The primary gate opens at daylight and closes at dark; the secondary gate is used only in case of emergency. Access to the village is unrestricted during the day when the primary gate is open, but becomes restricted when that gate closes at dark. Private residents who return after dark may gain entry through the primary gate by use of a keypad. There are traffic and parking rules within the village, including a speed limit, stop signs, and no-parking red zones.

The private homeowners are members of a homeowners' association, whereby they receive services in exchange for fees. They do not own any part of the Employer's business entity. The lodge is also a member of the homeowners' association and, accordingly, it is provided with services. The private residents have access to the lodge. Some of the lodge services, such as meals and salon appointments, require separate payment by private residents. The private residents pay for their home and their homeowners' association dues, and do not pay Eskaton to live on the campus.

Campus patrol is among the services that the homeowners' association must provide to residents. The Employer employs the campus patrollers but bills the homeowners' association for the campus patrol hours. The campus patrollers are part of Environmental Services, along with the maintenance staff and housekeepers. All three job categories report to the Environmental Service Director, Richard Parkman, who reports to the Executive Director. The campus patrollers patrol the entire campus around-the-clock but also perform work for both the private residents and at the lodge. The maintenance staff and housekeeping departments do not operate around-the-clock but, rather, on day and evening shifts. The maintenance staff also provides some services to private residents, as well as for apartment residents in the lodge.

As to other job classifications in the petitioned-for Unit, medical technicians prepare medications per physician's orders for residents of the lodge. Resident care assistants provide daily care, assistance with daily living, and oversight to the residents of the lodge as needed. Both medical technicians and resident care assistants are staffed around-the-clock. Neither the medical technicians nor the resident care assistants provide any services to the private residents. In each position, they report directly to the head of their respective departments and those managers report to the Executive Director.

The lodge's cooks, dishwashers, lead waitstaff, waitstaff, and bakers provide food service exclusively in the lodge. Those job categories report to the Director of Dining Services who reports to the Executive Director. No part of food service operates 24-hours a day; food service employees work on day and evening shifts.

The lodge also employs activities coordinators and activities assistants. They report to the Resident Services Manager who reports to the Executive Director. The activities staff does not work around the clock, but their shifts tend to last into the early evening.

The lodge contains a business office, which operates Monday-Friday, 8:00 a.m.-5:00 p.m. The lodge's receptionists report to the Business Manger who reports to the Executive Director. Upon receipt, receptionists forward emergency calls from private residents to a campus patroller, although testimony indicates that the call might be directed to, e.g., a maintenance employee if that person is closer to the resident in need.

Finally, the lodge employs sales counselors, who report directly to the Executive Director.

The Employer has a common hiring procedure for all of its Unit employees. Prior to hiring, all of the employees are fingerprinted and a background check is conducted by the Department of Justice. All employees are drug tested prior to hiring and their physical capabilities are tested. Once hired, there is a common employee handbook that applies to all the job categories at issue.

All of the employees clock in and clock out by scanning their handprint with a bio-scan device. Each job category has a separate ten-step pay scale. All of the employees in the proposed Unit have a common pay day.

All employees face the same requirements to receive Employer-provided benefits, which are health care, vision, and dental. Contracted employees do not have access to benefits but all full-time, part-time, and half-time employees qualify for benefits. The cost of the benefit plan to the employee is commensurate with his level of employment (i.e. the Employer pays the most towards the benefit packages for full-time employees). The Employer also provides an Employee Assistance Program (EAP) and a wellness program to all of its employees.

Evaluations of employees are done by each of the department managers but, before they are given to the employees, the evaluations are reviewed by the Executive Director. Routine discipline in all departments is typically handled by the department manager. Discipline for more serious matters may reach the Executive Director of the facility. Any demotion, suspension, or discharge is implemented jointly by the Executive Director and the Director of Human Resources.

**The Duties of the Campus Patrollers:**

Someone serving in the capacity of campus patrol is always on duty. While no job description was submitted into evidence, the testimony as a whole establishes that the campus patrollers monitor the entire campus for safety and security and respond to emergencies in both the private residences and the lodge. The campus patrollers also shuttle private residents around the village and serve as helping hands when private residents need assistance with activities such as moving a heavy item or carrying groceries. Campus patrollers monitor compliance with safety rules by everyone on the campus, including private residents, visitors, vendors, and staff. Testimony varied about how patrollers deal with perceived non-compliance, but at a minimum, they make notes about infractions that they observe and report them to the Director of Environmental Services, who handles such issues through the chain of command. The record is clear that the campus patrollers also assist in maintenance tasks in the lodge when their patrol duties permit.

Campus patrollers assigned to the day shift work from 8:00 a.m. until 4:00 p.m. Evening shift campus patrollers work from 4:00 p.m. until midnight, and those assigned to the nightshift work from midnight until 8:00 a.m.

**Authority and Training:**

Campus patrollers do not wear a uniform that is distinct from the attire of other employees. They do sport a name tag that identifies them as campus patrol. Campus patrollers carry radios to facilitate communication throughout the village as do other job categories, such as the maintenance staff, the medical technicians, and the resident care coordinators.

Campus patrollers do not train with law enforcement and are not required to have a background in security. They are trained for their position by the Director of Environmental Services. Campus patrollers do not have authority to issue tickets and they may not detain anyone. They do not carry any sort of weapon. They are neither trained nor expected to chase and subdue suspected criminals. Campus patrollers do not frisk or pat down employees, vendors, or residents.

The campus patrollers, along with the Executive Director and the Director of Environmental Services, have universal access to all areas of Eskaton Village Grass Valley, such as the village center, recreation center, the maintenance building, and lodge offices. It is unclear from the record whether campus patrollers have access to the business office where personnel records are stored. Previously, campus controllers had access to the office where financial documents were stored. Within a month or so prior to the hearing, access to that office was restricted because it appeared that items had been disturbed.

After the gate closes at sundown, campus patrollers have some authority over access to the village. If a private resident does not recall the code to open the gate, the resident may call campus patrol to arrange for entry. Campus patrollers may deny access after dark to someone who does not have the code and cannot state a valid reason for being on the premises. There are no examples in the record of anyone ever being denied access by the campus patrollers.

Patrolling:

The Employer expects campus patrollers to perform a perimeter walk – their “rounds” – at least every two hours around-the-clock. The patrollers are tasked to note anything that is out of the ordinary on the grounds or around the private residences, to check that the fencing around the property is secure, and to look for any unsafe conditions or rule infractions. They document anything that falls into these categories in an investigation or incident report. Director of Environmental Services Parkman maintains logs of such reports. Campus patroller Miller testified that he spends about 25% of his working time filling out incident reports.

No other employee in the proposed Unit is involved in monitoring the safety and security of the premises outside the lodge.<sup>3</sup>

Traffic and Parking Enforcement:

According to the testimony of Donovan and Miller, the campus patrollers bear some responsibility to ensure compliance with traffic rules on the grounds, including speed limits and stop signs. They agreed that the campus patrollers were responsible for taking note of traffic infractions and reporting them to the Director of Environmental Services, but disagreed about the level of intervention of the campus patroller in such a situation.

Donovan testified that if a vendor visiting the facility violates a traffic rule, the campus patroller who observes it will likely approach the driver to inform him of the infraction and notify the Director of Environmental Services and the Executive Director. Campus patroller Miller, on the other hand, testified that he does not approach individuals who are speeding. Rather, Miller testified that he merely makes note of the vehicle and reports it to the Director of Environmental Services.

Donovan also testified that the traffic rules are violated most often by employees. It was Donovan's position that, if a campus patroller observes an employee committing a traffic infraction, he would approach the employee to notify him about the infraction. If an employee is a repeat offender, the problem would be reported to the employee's supervisor. Donovan noted that traffic infractions in the village by employees are considered to be job performance matters. Miller testified that during his three years as a campus patroller, he had never witnessed another employee violating a traffic rule. Miller stated that if he did make such an observation, he would indeed inform the Director of Environmental Services.

Campus patrollers are also responsible to enforce parking rules around the grounds and to monitor activities in parked cars. In her testimony, Donovan stated campus patrollers have the responsibility to investigate abandoned vehicles; to remove vehicles parked in red zones, either by locating the owner so that he will move it or by having it towed; and to investigate inappropriate activity. Donovan gave an example of campus patrol having received a tip from

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<sup>3</sup> The campus patrollers' obligation to monitor is distinct from the duty to report elder abuse. The Employer requires everyone who works on the campus to report actual or suspected elder abuse.

an employee who had witnessed other employees in a parked car from which smoke emanated. Subsequently, campus patrol determined that the car had remained overnight at the facility, found identification and drug paraphernalia in it, and reported the incident up through the chain of command. One employee involved in the smoking incident failed a drug test and was terminated; the other employee resigned without being tested.

Emergency Response:

Campus patrollers are also responsible for responding to emergencies. Campus patroller Miller testified that they are trained to understand that emergency alerts have the highest priority among their job duties.

The private residents and the apartment residents in the lodge can alert others to an emergency by activating a "pendant" in their homes. When a pendant is activated by a resident in need, the alert shows up on a computer at the receptionist's desk in the lodge. If the alert registers during regular business hours, the receptionist typically pages campus patrol. During non-business hours, a campus patroller normally covers the reception desk and thus receives the alert directly. Additionally, when alerted to an emergency in the lodge, the campus patroller attends to it.

The campus patrollers are neither trained for nor expected to provide emergency medical attention. Campus patroller Miller testified that, in a medical emergency, the campus patrollers are to check on the resident's well-being, comfort them, and call 9-1-1. If a campus patroller receives notification about a medical emergency in the lodge, he contacts the care staff housed in the lodge rather than call for outside assistance.

Donovan's testimony disagrees with Miller's and maintenance assistant Lossman's testimony regarding the responsibility to respond to pendant alerts that originate in private residences. Donovan testified that only campus patrol responds to the pendant alerts in a private resident's home. Miller and Lossman testified, however, that those emergency alerts can and should be responded to by whoever is closest, including on occasion a member of the maintenance staff. Lossman testified that, in his position as maintenance assistant, he has responded to such emergencies. Miller testified that anyone in any job category should respond to a pendant alert if he is close by.

Interchange Among Job Categories:

While Donovan described the campus patrollers as specifically serving the private residents and the homeowners' association, the patrollers' activities clearly extend to the lodge.<sup>4</sup> Miller testified that the campus patrollers do more than monitor the lodge for security and safety. They also assist with various lodge maintenance tasks, such as taking out garbage and shampooing rugs, when their services as campus patrollers, such as making their rounds, are not needed. Donovan concurred that patrollers pitch in to help at the lodge when available.

Donovan testified that all employees except campus patrollers perform their work exclusively in the lodge and that the campus patrollers are the only employees who spend any time on the job in the private residences. This testimony was controverted by Miller and Lossman, who both testified that maintenance employees may respond to emergency alerts in the private residences. Although he was not specific, Miller also testified that, on a weekly basis, the maintenance workers actually perform work in the private residences.

Maintenance assistant Mark Lossman testified that he has worked in his position for about nine years. His maintenance assistant position involves primarily painting and repairing apartments in the lodge for new residents. He added that since about January 2014, he has filled in as campus patroller on Saturdays. When Lossman works on Saturdays, he fits in his normal work on the apartments to the extent that his campus patroller duties permit.

Like the other campus patrollers, Lossman has performed the campus patroller's rounds every two hours and has completed a log. He has not been required to fill out any incident reports as a result of his patrolling.<sup>5</sup> During his time as a campus patroller, Lossman has responded to calls for assistance from residents for maintenance issues, repairs, and moving things.

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<sup>4</sup> As noted above, the lodge is also a part of the homeowners' association. Donovan explained, however, that if the lodge were a "stand alone," there would be no campus patrol, as a patrol is not required or utilized for locations where the Eskaton operation consists of a lodge without surrounding residences.

<sup>5</sup> Lossman referred to an "event report," but the nature of the document remained undefined in the record, and Lossman allowed that had never had occasion to prepare such a report. It is also unclear from the record whether the Employer distinguishes between investigation and incident reports.

As for emergency calls, Lossman testified that it is his job to respond to emergency calls from residents and that this has always been the case, even when he was not assigned to campus patrol. Lossman testified that any maintenance worker who is close may and should respond to an emergency call, and that this is true regardless of whether the alert comes from the private residents or the lodge.

According to campus patroller Wade Miller, he typically spends between 25% and 50% of his day responding to private residents' general requests for assistance. There are days that he spends 100% of his time on such requests but those days are rare.

Miller testified that he too shampoos rugs in the lodge. Other campus patrollers as well as the maintenance staff shampoo the lodge rugs, an activity that varies from week to week. Miller also vacuums in the lodge and, during a typical week, spends 20% to 25% of his time vacuuming. Miller recalled in his testimony that, just prior to the hearing, he volunteered to assist with dishwashing during his shift because that department was shorthanded. While he has never cooked or served meals, he has assisted in the set up of tables and chairs for special events. This activity takes only approximately two hours on per week, when there is an event that requires set up. Employees such as kitchen staff and maintenance also perform this function. Such special events, by Miller's estimation occur, twenty times a year.

### **ANALYSIS**

#### **Campus Controllers are Guards:**

Section 9(b)(3) of the Act reads:

... the Board shall not ... decide that any unit is appropriate for such purposes if it includes, together with other employees, any individual employed as a guard to enforce against employees and other persons rules to protect property of the employer or to protect the safety of persons on the employer's premises ...

Thus, employees who make plant rounds, attempt to prevent unauthorized personnel from entering the employer's grounds, and regularly perform security functions requiring them to enforce rules against patrons and staff alike in order to protect an employer's facility and its

visitors are “guards” as defined by the Act. *Allen Services Co.*, 314 NLRB 1060, 1062 (1994); *Rhode Island Hospital*, 313 NLRB 343, 346 (1993); *A. W. Schlesinger Geriatric Center*, 267 NLRB 1363 (1983); *Jakel Motors*, 228 NLRB 730, 742-743 (1988). The lack of specialized training, weapons, security badges or uniforms, and the exercise of law enforcement-type authority, does not detract from their status as guards. *Allen Services Co.*; *A. W. Schlesinger Geriatric Center*, *supra*.

When an employee regularly performs work as a guard, and irrespective of any other non-guard duties with which s/he is also tasked, the Board deems the employee a guard. *Jakel Motors*, *supra* at 742-743; *A. W. Schlesinger Geriatric Center*, *supra* (maintenance employees that also observe and report security breaches and infractions to supervisors or police found to be guards). It is the nature of the duties performed by the guards and not the percentage of time performing such duties that is controlling. *Id.*; See also e.g., *Blue Grass Industries, Inc.*, 287 NLRB 274 (1987) (guard status found despite less than nine percent of total man hours devoted by watchmen employees to security activities); *Rhode Island Hospital*, *supra*, citing *Walterboro Mfg. Co.* 106 NLRB 1383 (1953); *Wells Fargo Alarm Services*, 289 NLRB 562 (1988).<sup>6</sup>

Here, the record contains conflicting testimony which might reflect some differences between the Employer’s expectations and the employees’ actual performance of their respective roles as campus patrol and/or maintenance assistants. For example, while Donovan testified that only campus patrol should respond to private residents’ emergency alerts, Maintenance Assistant Lossman averred that he has responded at least once in that role when he was the nearest to the scene. It also appears that, contrary to Donovan’s testimony, campus patrollers and maintenance assistants alike perform some work in private residences, in the lodge, and assist kitchen staff to prepare for special events. Finally, there was disagreement about whether campus patrollers engage or merely report wrongdoers on campus.

Notwithstanding these immaterial factual disputes, it is uncontroverted that the campus patrollers are responsible for monitoring the safety and security of the village by observing and reporting security and safety breaches and that no other job classification is tasked with that specific responsibility. The witnesses agree that campus patrol is required to patrol the village

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<sup>6</sup> Accordingly, status as guard also attaches to nominal maintenance assistant Mark Lossman, who currently works one shift per week as a campus patroller; like other campus patrollers, he will be excluded from the Unit.

at least every two hours, maintain a log of those patrols, and record and report unsafe conditions and infractions of village rules. In other words, the intended purpose of the campus patrollers' duties in that regard is to "protect the property of the employer or to protect the safety of persons on the employer's premises." See §9(b)(3) and *Allen Services Co., supra*. It matters not that the campus patrollers do not carry weapons, sport special uniforms, pursue, subdue or otherwise detain trespassers and transgressors; they are guards nonetheless under extant Board law.

### **CONCLUSIONS AND FINDINGS**<sup>7</sup>

Based on the entire record in this proceeding, 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 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) Service Employees International Union, United Long Term Care Workers, is a labor organization within the meaning of the Act.

4) A question affecting commerce exists within the meaning of Section 9(c)(1) and Sections 2(6) and (7) of the Act.

5) I find that the following unit is an appropriate unit for collective-bargaining purposes:

Medical technicians, resident care assistants, receptionists in the business office;  
cooks (including line cooks, prep cooks and lead cooks), dishwashers, lead

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<sup>7</sup> But for their status as guards, I would find it appropriate to include campus patrollers in the Unit because of their community of interest with other Unit employees. They have, inter alia, a common handbook, report to the same supervisor as Unit maintenance workers, sometimes perform the same duties as Unit maintenance workers, monitor the computer when the Unit receptionist is not on duty, and have frequent contact with those and other Unit employees by virtue of the fact that all are based in Employer-owned lodge. Additionally, for several months one maintenance worker has performed as campus patroller one day per week.

waitstaff and waitstaff, bakers, maintenance workers, housekeepers, activities staff (including activities assistants and activities coordinators), and sales counselors employed by Eskaton Village Grass Valley; **excluding** all other employees, including managers, supervisors, and guards 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. The employees will vote whether or not they wish to be represented for purposes of collective bargaining by Service Employees International Union, United Long Term Care Workers, or by no union. 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 ending immediately before 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 who worked an average of four or more hours per week during the calendar quarter preceding the end date of the above-referenced payroll period are eligible to vote. See *Davison-Paxon*, 185 NLRB 21 (1970). 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, employee engaged in such a 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 a 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, I hereby direct that within 7 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 May 13, 2014. 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>8</sup> by mail, or by facsimile at (415) 356-5156. The burden of establishing the timely filing and receipt of the list will continue to be place 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.

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<sup>8</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.

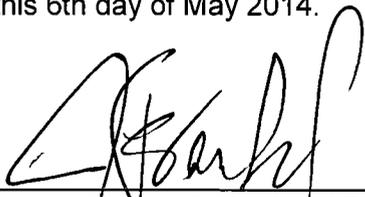
### **C. Notice of Posting Obligations**

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 3 working days 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 5 full working dates 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 objection based on non-posting 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 14<sup>th</sup> Street, N.W., Washington, DC 20570-0001. This request must be received by the Board in Washington on May 20, 2014. The request may be filed electronically through the Agency's web site, [www.nlr.gov](http://www.nlr.gov),<sup>9</sup> but may not be filed by facsimile.

DATED AT San Francisco, California this 6th day of May 2014.



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Joseph F. Frankl, Regional Director  
National Labor Relations Board, Region 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1735

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<sup>9</sup> To file the request for review 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.