

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 91- 55

July 15, 1991

TO : All Regional Directors, Officers-in-Charge
and Resident Officers

FROM : Joseph E. DeSio, Associate General Counsel

SUBJECT: R Case Hearing Procedures

It has recently come to our attention that court reporters may not be following a consistent practice with regard to whether microphones are allowed to remain active while the hearing officer has gone "off the record." Under the terms of our reporting contracts, the audio tapes of such proceedings are maintained by the court reporter subject to the control of the Agency for a period of 1 year following the hearing. In order to eliminate the possibility of the Agency becoming enmeshed in disputes over matters outside the official record of such hearings, the hearing officer is to ensure that the court reporter has turned off the audio recording equipment during all breaks in the hearing including off the record discussions.

Any questions concerning this memorandum should be directed to your Assistant General Counsel.

J. E. D.

cc: NLRBU

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