

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 92-3

January 15, 1992

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

FROM: William G. Stack, Deputy Associate General Counsel

SUBJECT: Section 102.114 of the Rules and Regulations
Regarding Facsimile Transmissions

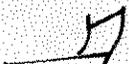
As you know, effective October 1, 1990, the Board revised Section 102.114 of the Rules And Regulations to permit facsimile transmission of requests for extensions of time without advance approval of the receiving office.

The Executive Secretary Office has noted that occasionally Regions are not following Section 102.114(e) of the Rules and Regulations which sets forth the requirements for service of copies on other parties when a document is served upon the Board by facsimile transmission. Section 102.114 states as follows:

- (e) Documents and other papers filed through facsimile transmission shall be served on all parties in the same or faster way as used to serve the office where filed, in conformance with Section 102.114(a). Thus, facsimile transmission shall be used for this purpose whenever possible. When a party cannot be served by this method, the party shall be notified personally or by telephone of the substance of the transmitted document and a copy of the document shall be served by personal service or overnight delivery service. [Emphasis supplied.]

Please remind your staff of the requirements of Section 102.114(e) and also remind them that when any document is filed by being faxed to the Board, the proof of service should indicate that a copy of the document (e.g., request for an extension of time) was faxed to the other parties to this case or, if facsimile transmission was not possible, how service was accomplished.

Any questions with respect to this memorandum, should be addressed to your Assistant General Counsel.


W. G. S.

cc: NLRBU

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