

**OFFICE OF THE GENERAL COUNSEL  
Division of Operations-Management**

**MEMORANDUM OM 95-96**

December 13, 1995

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

**FROM** : B. Allan Benson, Acting Associate General Counsel

**SUBJECT:** Contingency Operations During a Shutdown and  
Communications with the Public - December 18, 1995

By memorandum OM 95-88 dated November 9, 1995 you were advised of our contingency plans for a possible shutdown of operations as of November 14 in the event of a lapse in appropriations. That plan was implemented for the 4 days of shutdown that week. As the continuing resolution under which the Agency is operating will end on December 15, 1995 and as, at this writing, there has been no final action by the Congress and the President concerning funding thereafter, this memorandum is essentially a reissuance of memorandum OM 95-88 as our contingency plan for a possible shutdown of operations as of December 18 in the event of a lapse in appropriations. The contingency planning for management of the unfair labor practice trial calendar will again be announced separately. A notice was published in the Federal Register on September 29, 1995 alerting the public of our procedures in the event of such a shutdown. Should funding for the Agency actually lapse, an official shutdown notice will be transmitted to all Agency offices. Agency shutdown plans include provision for the continued employment of a limited number of "emergency" employees in a limited number of field offices to respond to true emergencies involving the imminent threat to human life or the protection of property.

This memorandum is to communicate instructions for the orderly shutdown of Agency business. Previously transmitted with OM 95-76 were Official notices, in English and Spanish, to be posted on the outside doors of all Agency offices to alert visitors of the shutdown in operations and a script for a telephone message, also in English and Spanish, to be recorded on a telephone answering machine or voice-mail device attached to the main office numbers.

Upon notification of an appropriation hiatus, Agency employees will be advised to report to work on December 18 to begin an immediate and orderly shutdown of Agency activities. The process of communicating the shutdown order, securing files and physical facilities, notifying parties of the cancellation of hearings, canceling court appearances and meetings will take approximately one-half workday. After completion of shutdown activities, employees who have not been designated "emergency" employees will be furloughed.

Prior to their furlough employees should complete Agency business previously scheduled for December 18 and which would cause serious disruption to the public if canceled without notice. Such business includes representation elections, trials, hearings and appearances in Federal court. Those employees will be authorized to complete such Agency business and return home by close of business on December 18, to assure that those essential services are performed.

Those employees designated "emergency" employees will be present to field emergency calls during a hiatus. If experience demonstrates that fewer "emergency" employees than necessary have been designated, then the emergency staff will be increased. In the event of a true emergency (e.g., uncontrolled violent strike activity), the General Counsel may decide what additional, if any, Agency personnel are called back to duty.

***Orderly Closedown Activities.***

- A. All materials of a confidential nature will be identified and secured.
- B. Incomplete projects will be listed, with priorities for the orderly resumption of activities upon the return to work.
- C. Emergency situations (e.g., current or imminent labor disputes which present an imminent threat to the safety of human life or the protection of property) requiring immediate attention, will be identified and brought to the attention of the appropriate management official.
- D. Telephone contacts will be made whenever required to advise parties in active cases, court personnel, contractors, and other members of the public of the Agency shutdown, and appropriate arrangements will be made for each situation. Incomplete contacts will be identified for follow-up by personnel remaining to conclude the orderly shutdown. Except for trials (see separate memorandum), scheduled activities

through December should be canceled on a week-to-week basis. That is, parties should be advised on December 18 that activities scheduled for the period December 19-22 are canceled; and that activities scheduled for the week of December 25 are canceled if there is no funding as of Friday, December 22. Telephone messages will be recorded at all office locations throughout the NLRB indicating to the public that the Agency is in a "temporary" shutdown mode.

- E. No obligations may be incurred unless strictly required to effect the shutdown or for protection of life and property. Although these obligations may be incurred, no funds may be disbursed.
- F. Equipment will be secured to the maximum extent possible.
- G. Supervisors will secure files and ensure all computer data will be backed up and computers turned off.
- H. Regions will establish a pyramid telephone communication system to be used by management and employees to disseminate information as needed, including the return to work. The system will include home (or alternate) telephone numbers.
- I. Local GSA Building Managers will be notified of the shutdown so that GSA may take appropriate action to secure facilities and discontinue all services.

One manager or supervisor in each of eight field offices has been designated as "emergency" staff. Those individuals will staff phones in their offices to handle telephone calls from members of the public who wish to report what they believe to be true emergencies involving the imminent threat to human life or the protection of property. In the event "emergency" employees believe a caller presents a situation where the Agency's intervention is necessary to prevent an imminent threat to human life or the protection of property, the immediate Office of the General Counsel should be called. While other personnel are not required to be on standby status, each Region should submit to their AGC the home phone numbers for each of their managers and supervisors, as it may be necessary to contact Regional management in order to call in emergency personnel.

The chart below lists the offices that will be staffed by one professional to respond to what we hope will be a limited number of calls. The chart also contains the addresses of those offices, phone numbers at

which “emergency” employees may be reached and a list of the Regions those offices will serve:

Region	Address	Phone No.	FAX No.	Referring Regions
1-Boston	10 Causeway St -6th Fl Boston, MA 02222-1072	617-565-6748	617-565-6725	3, 6, 34
2-Manhattan	26 Federal Plaza-Rm 3614 New York, NY 10278-0104	212-264-0330	212-264-8427	4, 22, 29
7-Detroit	477 Michigan Ave-Rm 300 Detroit, MI 48226-2569	313-226-3210	313-226-2090	8, 9, 25
10-Atlanta	101 Marietta St NW Atlanta, GA 30323-3301	404-331-2861	404-331-2858	5, 11, 12, 26
13-Chicago	200 West Adams St Chicago, IL 60606-5208	312-353-5564	312-886-1341	30, 33, 18
17-Kansas City	8600 Farley St-Suite 100 Overland Park, KS 66212-4677	913-236-3036	913-236-3010	14, 16, 15
19-Seattle	915 2nd Ave - Rm 2948 Seattle, WA 98174-1078	206-220-6310	206-220-6305	20, 32, 27
21-Los Angeles	888 S. Figueroa St-9th FL Los Angeles, CA 90017-5455	213-894-5184	213-894-2778	31, 28, 24

You should insert the information appropriate for your Region in the English language notice and in the English language telephone message that callers to your office will hear. All Spanish language notices and telephone messages will direct individuals to contact the Los Angeles, Region 21 Regional Office.

Since the only authorization for employees to work on Monday, December 18, would be for shutdown or emergency activities, Regional personnel should not process new matters, including mail and walk-in business. The referenced notice should be posted on the office door at the beginning of the day on December 18 and the recorded message should be activated by midday. We previously ensured that each office has either an answering machine or voice mail capability for the main office number. Arrangements should be made with your local post office as to the handling of mail during the hiatus.

Telephone messages at the main numbers of the Regions noted above in which “emergency” employees will be on duty will direct callers who believe they have true emergencies to the telephone number listed above for the “emergency” employee in that office.

If you have any question concerning this memorandum please contact me or your Assistant General Counsel.

B. A. B

cc: NLRBU

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