



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 5
BANK OF AMERICA CENTER, TOWER II
100 S. CHARLES STREET, STE 600
BALTIMORE, MD 21201

Agency Website: www.nlr.gov
Telephone: (410)962-2822
Fax: (410)962-2198

March 10, 2016



Re: Frontline Security Services LLC
Case 05-RD-170721

Dear [REDACTED]:

The above-captioned case, petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, has been carefully investigated and considered.

Decision to Dismiss: As a result of the investigation, I find that further proceedings are unwarranted, and I am dismissing your petition for the following reasons.

On February 29, 2016, you filed a petition seeking to decertify the International Union, Security, Police, and Fire Professionals of America (SPFPA) Local 555 as the collective-bargaining representative of a unit of employees of Frontline Security Services, LLC (the Employer). During the Region's investigation of the petition, the Region received a copy of a collective-bargaining agreement executed by the SPFPA Local 555 and the Employer, which covers the unit covered by the instant petition. This agreement on its face provides that it is effective from June 1, 2014, through May 31, 2017. On March 3, 2016, I issued a Notice to Show Cause as to why the petition should not be dismissed as barred by the "contract bar" doctrine as set out in *Appalachian Shale Products Co.*, 121 NLRB 1160 (1958). Your response to that Notice did not include evidence or legal argument sufficient to conclude that your petition should be processed. Rather, it appears that the collective-bargaining agreement covers the employees involved in your petition; contains substantial terms and conditions of employment; and was reached, reduced to writing, and signed by all parties before you filed your petition. In accordance with the Board's contract bar doctrine, I have determined that it is appropriate to bar processing of your petition as untimely filed.

Accordingly, I am, hereby, dismissing the petition in this matter.

Right to Request Review: Pursuant to Section 102.67 of the National Labor Relations Board's Rules and Regulations, you may obtain a review of this action by filing a request with the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, DC 20570-0001. The request for review must contain a complete statement of the facts and reasons on which it is based.

Procedures for Filing Request for Review: A request for review must be received by the Executive Secretary of the Board in Washington, DC, by close of business (5 p.m. Eastern

Time) on March 24, 2016, unless filed electronically. If filed electronically, it will be considered timely if the transmission of the entire document through the Agency's website is **accomplished by no later than 11:59 p.m. Eastern Time on March 24, 2016**.

Consistent with the Agency's E-Government initiative, parties are encouraged, but not required, to file a request for review electronically. Section 102.114 of the Board's Rules do not permit a request for review to be filed by facsimile transmission. A copy of the request for review must be served on each of the other parties to the proceeding, as well as on the undersigned, in accordance with the requirements of the Board's Rules and Regulations.

Filing a request for review electronically may be accomplished by using the Efiling system on the Agency's website at www.nlr.gov. Once the website is accessed, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt of the request for review rests exclusively with the sender. A failure to timely file the request for review will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off line or unavailable for some other reason, absent a determination of technical failure of the site, with notice of such posted on the website.

Upon good cause shown, the Board may grant special permission for a longer period within which to file a request for review. A request for extension of time, which may also be filed electronically, should be submitted to the Executive Secretary in Washington, and a copy of such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. A request for an extension of time must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding in the same manner or a faster manner as that utilized in filing the request with the Board.

Very truly yours,

/s/ Charles L. Posner

Charles L. Posner
Regional Director

cc: See Page 3

cc: Office of the Executive Secretary (by e-mail)

[REDACTED]
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