

EXHIBIT 3

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

NORTHWESTERN UNIVERSITY,)	
)	
Employer,)	
)	
and)	Case No. 13-RC-177943
)	
SERVICE EMPLOYEES INTERNATIONAL)	
UNION, LOCAL NO. 73,)	
)	
Petitioner.)	

DECLARATION OF JENNY GOLTZ

I, Jenny Goltz, state and affirm the following facts:

1. I am over 18 years of age and am otherwise competent to make this declaration. I make this declaration based upon my personal knowledge.

2. On May 2, 2017, Field Examiner Jana Prokop contacted me by phone to inform me that the Region would be requesting to schedule a time to count the 34 ballots that were the subject of the January 5, 2017 D&O that were not subject to the University’s pending Request for Review. Ms. Prokop acknowledged that the Request for Review was pending, and gave me the impression that the request to count the ballots had been initiated by Board headquarters in Washington, D.C.

3. Later that day, Ms. Prokop emailed me and my colleagues, Anna Wermuth and Alex Barbour, to request our availability for the count. According to Ms. Prokop’s email, the decision to schedule the count was made “in consultation with Headquarters.” This email is attached as Exhibit A to Ms. Wermuth’s declaration, filed concurrently herewith.

4. The ballot count was scheduled on May 12, 2017. I attended on behalf of the University along with my colleague, Anna Wermuth, and two in-house counsel from the

University. Two organizers from SEIU were present along with Petitioner's counsel, Dan Zapata.

5. At the ballot count, counsel for the petitioner asked to speak with Ms. Prokop privately, which she accommodated.

6. When all the parties subsequently convened in the hearing room with Ms. Prokop, a discussion ensued about the content of the stipulation. Ms. Wermuth requested that the stipulation contain an accounting of the 25 ballots that are subject to the University's request for review.

7. Counsel for the Petitioner argued that neither the stipulation nor the tally of ballots should include reference to the 25 challenged ballots, arguing that the Region's position was that those 25 ballots were cast by ineligible voters.

8. Ms. Wermuth explained repeatedly that because those 25 ballots could be determinative of the election, Respondent was not prepared to sign the stipulation or participate in the count, and that if the Region proceeded in the manner advocated for by the Petitioner, Respondent would seek emergency relief.

9. During this discussion, Ms. Prokop also informed the parties that headquarters in Washington, D.C. had requested the count of the 34 ballots to take place.

10. Ms. Prokop announced that she wanted to consult with the Acting Regional Director Daniel Nelson on the issue of the 25 ballots that are subject to the University's Request for Review, and left the hearing room.

11. When Ms. Prokop returned to the hearing room, she advised that the Region was prepared to make modifications to the stipulation to indicate that it pertained solely to the challenged ballots that were not pending Request for Review.

12. Ms. Prokop also advised that the Revised Tally of Ballots would include the 25 ballots subject to the Request for Review.

13. At no time did the Region advise Respondent that it would adopt the Petitioner's position that the 25 ballots were deemed "resolved" as a result of the D&O. On the contrary, the Second Revised Tally of Ballots was revised to specifically indicate, with a handwritten addition, that there remained 25 "unresolved challenged ballots."

14. The Second Revised Tally of Ballots also included the following statement: "The remaining unresolved challenged ballots, if any, shown in the Final Tally column are sufficient to affect the results of the election."

15. All parties and the Regional Director signed the Second Revised Tally of Ballots.

16. The first notice I received of the Supplemental Decision and Certification of Representative was on the afternoon of Friday May 26, 2017, before the Memorial Holiday weekend.

FURTHER DECLARANT SAYETH NOT.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.


Jenny Goltz

Executed on: May 26, 2017