

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

Deborah S. Hunt  
Clerk

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Filed: January 11, 2019

Ms. Linda Dreeben  
National Labor Relations Board  
Appellate and Supreme Court Litigation Branch  
1015 Half Street, S.E.  
Washington, DC 20570

Ms. Laura M. Hagan  
Paragon Systems, Inc.  
13655 Dulles Technology Drive  
Suite 100  
Herndon, VA 20171

Re: Case No. 18-2403, *NLRB v. Paragon Systems, Inc.*  
Originating Case No. : 08-CA-184044

Dear Counsel:

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Karen S. Fultz  
Case Manager  
Direct Dial No. 513-564-7036

cc: Mr. Allen Binstock

Enclosure

Mandate to issue

No. 18-2403

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

**FILED**  
Jan 11, 2019  
DEBORAH S. HUNT, Clerk

NATIONAL LABOR RELATIONS BOARD, )  
)  
Petitioner, )  
)  
v. )  
)  
PARAGON SYSTEMS, INC., )  
)  
Respondent. )

J U D G M E N T

Before: COLE, Chief Judge; SILER and CLAY, Circuit Judges.

The National Labor Relations Board (the “Board”) seeks summary enforcement of its July 25, 2018 Order in Case No. 08-CA-184044 against Respondent Paragon Systems, Inc. The Respondent has not responded to the application for summary enforcement.

Upon review of the materials submitted, it is **ORDERED** and **ADJUDGED** that the Board’s July 25, 2018 Order in Case No. 08-CA-184044 is hereby **ENFORCED**, and Respondent Paragon Systems, Inc., its officers, agents, successors, and assigns, shall abide by and perform the directions of the Board set forth therein. (*See* attached Order and Appendix).

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

NATIONAL LABOR RELATIONS BOARD

v.

PARAGON SYSTEMS, INC.

**ORDER**

Paragon Systems, Inc., Herndon, Virginia, its officers, agents, successors, and assigns, shall

1. Cease and desist from

- (a) Maintaining the following unlawful work rules in its employee handbook:

Rules for Personal Conduct, Major Offenses:

Rule 23: Using personal radios, television sets, computers, cell phones, cards, games, or other items at the facility that may result in distraction from duties.

Rule 26: Participation in any activity that would adversely affect the reputation of the clients.

Rule 28: Failure to demonstrate the highest standards of integrity, personal, and moral conduct expected from Security professionals.

Rules for Personal Conduct, Minor Offenses:

Rule 4: Disparaging Company's client, whether this occurs on or off company property/time; and

Rule 13: Engaging in personal work or activities while on duty.

- (b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

2. Take the following affirmative action necessary to effectuate the policies of the Act.

- (a) To the extent it has not already done so, rescind Rules for Personal Conduct, Major Offenses, Rules 23, 26, and 28, and Rules for Personal Conduct, Minor Offenses, Rules 4 and 13.

- (b) Revise the employee handbook to delete the above unlawful rules and advise employees in writing that it has done so and that the unlawful rules will no longer be enforced.
- (c) Furnish all current employees with inserts for the employee handbook that (1) advise that the unlawful rules have been rescinded or (2) provide the language of lawful policies, or publish and distribute to all current employees a revised employee handbook that (1) does not contain the unlawful rules or (2) provides the language of lawful policies.
- (d) Within 14 days after service by the Region, post at its Cleveland, Ohio facility copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 8, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. If the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since March 12, 2016.
- (e) Within 21 days after service by the Region, file with the Regional Director for Region 8 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

## APPENDIX

### NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES  
COURT OF APPEALS ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

**FEDERAL LAW GIVES YOU THE RIGHT TO**

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT maintain unlawful rules in our employee handbook.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL, to the extent we have not already done so, rescind the following unlawful rules as they appear in our employee handbook:

**Rules for Personal Conduct, Major Offenses:**

Rule 23: Using personal radios, television sets, computers, cell phones, cards, games, or other items at the facility that may result in distraction from duties.

Rule 26: Participation in any activity that would adversely affect the reputation of the clients.

Rule 28: Failure to demonstrate the highest standards of integrity, personal, and moral conduct expected from Security professionals.

**Rules for Personal Conduct, Minor Offenses:**

Rule 4: Disparaging Company's client, whether this occurs on or off company property/time; and

Rule 13: Engaging in personal work or activities while on duty.

WE WILL revise the employee handbook to delete the above unlawful rules, and WE WILL advise employees in writing that we have done so and that the unlawful rules

will no longer be enforced.

WE WILL furnish all current employees with inserts for the employee handbook that (1) advise that the unlawful rules have been rescinded or (2) provide the language of lawful policies, or publish and distribute to all current employees a revised employee handbook that (1) does not contain the unlawful rules or (2) provides the language of lawful policies.

PARAGON SYSTEMS, INC.

The Board's decision can be found at <https://www.nlr.gov/case/08-CA-184044> or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

