

OFFICE OF THE GENERAL COUNSEL

MEMORANDUM GC 20-05

April 2, 2020

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

FROM: Peter B. Robb, General Counsel

SUBJECT: Electronic Issuance of Complaints and Compliance Specifications

In [Memorandum GC 20-03](#), I directed Regions to issue deferral, dismissal, and withdrawal letters, as well as letters accepting unilateral settlements, to the parties electronically. That program has yielded significant cost savings and efficiency gains to the Agency and delivered important correspondence more promptly to parties.

The Board's Rules and Regulations §102.4 provides, in relevant part:

- (a) *Method of service for certain Agency-issued documents.* Complaints and compliance specifications (including accompanying notices of hearing, and amendments to either complaints or to compliance specifications), final orders of the Board in unfair labor practice cases and Administrative Law Judges' decisions must be served upon all parties personally, by registered or certified mail, by leaving a copy at the principal office or place of business of the person required to be served, **by email as appropriate**, or by any other method of service authorized by law. (emphasis added).

Due to the overwhelming success of email initiative announced in GC 20-03, effective immediately, complaints and compliance specifications (including accompanying notices of hearing, and amendments to either complaints or to compliance specifications) will also be issued electronically to parties who have provided their e-mail addresses. This method of service is consistent with the Board's Rules and Regulations §102.4.

Docket letter templates will be modified to include the following language:

Parties will be notified of the Regional Director's decision by email, if an email address has been provided. Please ensure that the agent handling your case has your current email address.

Parties will be e-mailed a link to the electronically issued document(s) being served or delivered in their case. This will constitute formal service or delivery of the electronically issued document(s) – physical copies of the document(s) will not be delivered to parties. Documents that are not electronically issued by the Agency will continue to be served or delivered in hard copy via customary means. Parties should designate GovDelivery.com and e-Service@nlrb.gov as approved senders in their spam filter configuration. Agency

documents sent to the email address provided that are rejected by the recipient's spam filter will be regarded as having been served or delivered.

This expanded use of E-issuance, in a manner already contemplated by the Board's Rules and Regulations, will produce additional cost savings and efficiency gains for the Agency and will accomplish more expeditious delivery of pleadings to affected parties.

/s/

P.B.R.