

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 9**

**QUICKWAY TRANSPORTATION, INC.**

**Employer**

**and**

**Case 09-RC-257491**

**GENERAL DRIVERS, WAREHOUSEMEN AND  
HELPERS, LOCAL UNION NO. 89 AFFILIATED  
WITH THE INTERNATIONAL BROTHERHOOD  
OF TEAMSTERS**

**Petitioner**

**DECISION AND DIRECTION OF ELECTION**

**I. INTRODUCTION**

General Drivers, Warehousemen and Helpers, Local Union No. 89 Affiliated with the International Brotherhood of Teamsters (Petitioner) seeks to represent a unit of all full-time and regular part-time drivers employed by Quickway Transportation, Inc. (Employer) at the Employer's 2827 S. English Station Road, Louisville, Kentucky facility and its sub-terminals located in Versailles and Franklin, Kentucky, excluding all office clerical employees, temporary employees, professional employees, guards and supervisors, as defined by the National Labor Relations Act (Act). There are approximately 73 employees in the petitioned-for unit. The parties have stipulated, and I find, that the agreed upon unit set forth above is appropriate for the purposes of collective-bargaining within the meaning of Section 9(b) of the Act. <sup>1/</sup>

A hearing was held telephonically on May 1, 2020 <sup>2/</sup> before a hearing officer of the National Labor Relations Board (Board). The only issue presented in this matter, as discussed in more detail below, is whether the election should be held manually-in person-or by way of mail ballot. Election voting method is not a litigable issue at a pre-election hearing, but the parties were permitted to orally argue their positions as it relates to the mechanics of this election. I have carefully considered the positions and arguments presented by the parties on this single issue. For the reasons discussed below, I find that a prompt mail ballot election is appropriate given the extraordinary circumstances presented by the COVID-19 pandemic.

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<sup>1/</sup> The parties' stipulated unit description as described above does not specifically exclude the Employer's dispatchers that work at the referenced Employer locations. However, record evidence is clear, and I find, that the parties have agreed to exclude dispatchers from the petitioned-for unit.

<sup>2/</sup> Hereinafter, all dates occurred in 2020 unless otherwise noted.

## II. FACTS

To begin with, I take administrative notice of the pandemic health situation that exists in the United States, and continues to affect the way that individuals, businesses, organizations, and governments conduct their daily operations. On March 11, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization. The Centers for Disease Control and Prevention (CDC), an agency of the United States Government, has issued guidance and recommendations as it pertains to the ongoing COVID-19 pandemic, and I take administrative notice of the same. According to the CDC:

[t]he virus that causes COVID-19 is thought to spread mainly from person to person, mainly through respiratory droplets produced when an infected person coughs or sneezes. These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. Spread is more likely when people are in close contact with one another (within about 6 feet). <sup>3/</sup>

Importantly, “[m]ore recently the virus has also been detected in asymptomatic persons.” *Id.*

To combat the spread of the virus, the CDC has issued recommendations including avoidance of gatherings of more than ten people, the use of face coverings and social distancing, among other recommendations. The CDC further states:

[a]lthough the virus can survive for a short period on some surfaces, it is unlikely to be spread from domestic or international mail, products or packaging. However, it may be possible that people can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes, but this is not thought to be the main way the virus spreads. <sup>4/</sup>

In order to avoid the unlikely possibility of contracting COVID-19 through the mail, the CDC simply advises the public to “wash your hands with soap and water for at least 20 seconds or use a hand sanitizer with at least 60 percent alcohol” after collecting mail from a post office or home mailbox. <sup>5/</sup>

Kentucky Governor Andy Beshear has issued a number of directives applicable to businesses and residents of the Commonwealth of Kentucky and those that might consider traveling throughout the Commonwealth. On March 6, Governor Beshear issued a State of Emergency (Executive Order 2020-215) in response to the developing COVID-19 crisis in the United States and the Commonwealth. Thereafter, on March 17, Governor Beshear ordered the closing of all public-facing businesses that encourage public congregation or could not comply with CDC guidelines concerning social distancing. Further restricting the movement of

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<sup>3/</sup> <https://www.cdc.gov/coronavirus/2019-ncov/faq.html#Coronavirus-Disease-2019-Basics>

<sup>4/</sup> <https://www.cdc.gov/coronavirus/2019-ncov/faq.html#How-to-Protect-Yourself>

<sup>5/</sup> <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/essential-goods-services.html>

individuals within the Commonwealth of Kentucky, Governor Beshear issued Executive Order 2020-257 where: (1) all non-life-sustaining business were ordered to close by March 26 at 8:00 p.m.; and (2) all Commonwealth residents were encouraged to remain at home. On March 30, Governor Beshear issued Executive Order 2020-258 directing residents of the Commonwealth of Kentucky to refrain from traveling to other states, with limited exceptions. That order was expanded on April 2 to include certain restrictions of out-of-state movement into the Commonwealth of Kentucky.

Governor Beshear has also adopted certain CDC recommendations for combating the spread of the virus. On April 4, he adopted the CDC recommendations that people wear cloth face masks while continuing to engage in social distancing when outside of the home and in situations where social distancing is difficult to maintain. Governor Beshear continues to adopt the CDC's guidance on cloth face coverings and avoiding large gatherings.

On May 11, the Commonwealth of Kentucky will begin reopening sectors of the economy that were closed due to the COVID-19 pandemic.<sup>6/</sup> In order for businesses to reopen and comply with Governor Beshear's Healthy at Work order, those businesses must meet certain Minimum Requirements in addition to sector specific guidance, including enforcing social distancing, limiting face-to-face interaction, encouraging the use of PPE, restricting common areas, and conducting daily temperature/health checks, among other requirements. The Minimum Requirements also apply to businesses who have remained open as essential operations.

The Employer in this case is engaged in the interstate transportation of goods and material. Its drivers are directly involved in the transportation of goods across state lines. As a transporter of goods and material, the Employer has remained open throughout the emerging crisis as a critical and essential business, and its drivers have continued to report to the Employer's facilities notwithstanding the Commonwealth of Kentucky's shelter-in-place orders. The Employer's main facility is located in Jefferson County, Kentucky, which has reported over 25 percent of all confirmed cases of COVID-19 in the Commonwealth.<sup>7/</sup>

### **III. POSITION OF THE PARTIES**

Petitioner argues that a mail ballot election should be directed. Due to orders and recommendations of the Federal Government and the Commonwealth, including those cited above, Petitioner contends that a mail ballot election is the safest and only appropriate method for conducting an election during this pandemic. Petitioner requests a voting period that does not last longer than 21-days, with ballots to be counted immediately after the voting period has ended.

The Employer asserts that a manual election should be directed. According to the Employer, the proposed manual election location-the Employer's trailer shop-has two large bays

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<sup>6/</sup> <https://govstatus.egov.com/ky-healthy-at-work>

<sup>7/</sup> See: <https://kygeonet.maps.arcgis.com/apps/opsdashboard/index.html#/543ac64bc40445918cf8bc34dc40e334>.

with two large overhead doors and a standard entrance with ingress and egress. Because the Employer has been operating throughout the Commonwealth's stay-at-home order, the Employer argues that it has learned how to create a safe environment for its employees, which can be utilized to run a safe manual election at its facilities. The Employer further asserts that the trailer shop can be deep cleaned before an election, is well-ventilated, allows for physical distancing, and the Employer would make sure there is access to proper personal protective equipment like masks, hand sanitizer, gloves, etc. The Employer asserts that there are safety hazards inherent to the mail ballot process. Those voting will be required to handle mail that not only has been touched by other individuals, but may also have been orally sealed, thus transferring saliva to the envelope and potentially creating a safety risk for all those who come into contact with the envelope. Finally, in support of its position on this issue, the Employer cites the Board's policy favoring manual elections, argues that there is a potential for abuses without Board agent oversight of the election process, and further questions the reliability of the United States mail service at this time.

If a mail ballot election is directed, the Employer argues for a 21-day period between the issuance of this Decision and Direction of Election and when the ballots are mailed, a 21-day voting period and, thereafter, an additional seven-day grace period before the ballots are counted to ensure that all ballots mailed prior to the end of the voting period have sufficient time to reach the Regional office. <sup>8/</sup>

#### IV. ANALYSIS

It is longstanding Board practice that Regional Directors are afforded discretion in determining the method of balloting for representation elections. See, *Halliburton Services*, 265 NLRB 1154 (1982); see also, *Manchester Knitted Fashions*, 108 NLRB 1366 (1954) (stating that the Regional Director has the discretion to determine the time and place for an election). Specific to instances where mail or mixed manual-mail ballot elections are being contemplated, the Board has stated:

[w]hen deciding whether to conduct a mail ballot election or a mixed manual-mail ballot election, the Regional Director should take into consideration at least the following situations that normally suggest the propriety of using mail ballots: (1) where eligible voters are 'scattered' because of their job duties over a wide geographic area; (2) where eligible voters are 'scattered' in the sense that their work schedules vary significantly, so that they are not present at a common location at common times; and (3) where there is a strike, a lockout or picketing in progress.

*San Diego Gas & Electric*, 325 NLRB 1143, 1145 (1998). A Regional Director's exercise of the broad discretion afforded by the Board in selecting the appropriate mechanics for an election will

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<sup>8/</sup> The Employer also noted on the record that if a manual election is directed for a date other than its proposed June 16 and June 17 election, a mixed manual-mail ballot election may be appropriate because several of the employees within the petitioned-for unit report to the Employer's sub-terminals in Versailles and Franklin, Kentucky.

not be overturned “unless a clear abuse of discretion is shown.” *Nouveau Elevator Industries*, 326 NLRB 470, 471 (1998), citing *San Diego Gas & Electric*, 325 NLRB at 1144, fn. 4. Although the Board expects Regional Directors to exercise their discretion within the bounds outlined above, it recognizes that deviation from those guidelines may occur in extraordinary circumstances. *San Diego Gas & Electric*, 325 NLRB at 1145; see also NLRB Casehandling Manual (Part Two), Representation Proceedings, Section 11301.2.

The Board has already had occasion to apply those guidelines that were outlined in *San Diego Gas & Electric* to the current pandemic, specifically as it pertains to the “extraordinary circumstances” language of that decision. In *Atlas Pacific Engineering Company*, 27-RC-258742 (May 8, 2020), the Regional Director for Region 27 directed a mail ballot election notwithstanding the Employer’s argument that a manual election could be safely conducted at its facility. The Employer requested review of the Regional Director’s Decision and Direction of Election, and sought an emergency stay of the directed election. On May 1, the Board granted the emergency stay and stayed the election in order to give the Board time to consider the issues presented by the Regional Director’s Decision.

Thereafter on May 8, the Board denied the Employer’s request for review and lifted the stay of the election. According to the Board:

[i]n finding that a mail-ballot election is warranted in this case, we rely on the extraordinary federal, state, and local government directives that have limited nonessential travel, required the closure of nonessential businesses, and resulted in a determination that the regional office charged with conducting this election should remain on mandatory telework. Mandatory telework in the regional office is based on the Agency’s assessment of current COVID-19 pandemic conditions in the local area. Under all of the foregoing circumstances, we are satisfied that the Regional Director did not abuse her discretion in ordering a mail-ballot election here.

*Atlas Pacific Engineering Company*, 27-RC-258742, fn.1 (May 8, 2020). Accordingly, due to the current environment caused by the pandemic, the Board found that the Regional Director for Region 27 did not abuse her discretion in relying on the “extraordinary circumstances” language of the Board’s decision in *San Diego Gas & Electric* to order a mail ballot.

Given the extraordinary circumstances caused by the spread of COVID-19 that still face the Commonwealth of Kentucky and the entirety of the United States, I find it appropriate to exercise my discretion to direct a mail ballot, the details of which are provided below. Not only do I derive such discretion from extant case law, the Board has specifically emphasized Regional Director’s discretion in directing elections during these unprecedented times. On April 1, the Board, through the Office of Public Affairs, issued a press release indicating that beginning April 6, Board-conducted elections would resume after a two-week suspension. NLRB Resumes Representation Elections (2020), <https://www.nlr.gov/news-outreach/news-story/nlr-resumes-representation-elections>, (last visited May 6, 2020). “The General Counsel now has advised that appropriate measures are available to permit elections to resume in a safe and effective manner,

which will be determined by the Regional Directors.” *Id.* Accordingly, in weighing the propriety of resuming elections—a “core” function “to the NLRB’s mission”—during these extraordinary and unpredictable times, the Board concluded, with input from the Board’s General Counsel, that elections should resume, subject to individual Regional Director’s discretion. *Id.* As such, the Board, with the General Counsel’s input, has afforded to Regional Directors the discretion, specific to the COVID-19 pandemic, to resume elections in a safe and effective manner, and I choose to appropriately exercise that discretion in this instance.

I have considered the Employer’s proffered plan to safely run a manual election at its facility, and while I acknowledge the careful consideration paid to this issue by the Employer, it simply cannot guarantee the safety of all those involved in a manual election. A manual election necessarily involves the face-to-face interaction of numerous people. At the pre-election conference, the Board Agent must meet with Employer and Petitioner representatives, attorneys who may be present, and election observers. During the election, the Board Agent and observers must check-in nearly 75 potential voters using the same voting list and sharing the same space. The voters must stand in line in order to obtain a ballot to vote, which will be distributed by the Board Agent, and will be required to use the same ballot booth as every other voter. Voters will ultimately place their ballots in the same ballot box. That ballot box will need to be opened, shown for inspection to all observers at the vote count to ensure no votes were left in the box, and the Board Agent will need to read each vote and tally the ballots with assistance from the observers.

While the above offers a simplified explanation of the processes involved in conducting a manual election, it is offered to show the volume of unavoidable face-to-face interactions made during the course of a manual election, especially in an election such as this that will likely involve nearly 80 individuals, possibly more. Given the current information from the CDC that asymptomatic individuals can be a source of transmission of the virus, just one failure to maintain proper social distancing or the use of appropriate personal protective equipment could jeopardize the safety of many individuals, through no fault of their own. Adding to the number of potential person-to-person contacts involved in this case—of which the CDC and the Commonwealth of Kentucky still recommends limiting as much as possible—thus increasing the risk of COVID-19 spread, is the fact that the petitioned-for unit involves interstate drivers who necessarily travel throughout the Commonwealth of Kentucky and across state lines, interacting daily with other individuals and businesses. The countless safety hazards involved with conducting a manual election are simply not present with an election conducted by mail, thus making it the safer method of voting at this time. <sup>9/</sup>

A mail ballot election is also well-suited during these difficult times to further effectuating the core purposes and policies of the Act. Processing representation petitions and timely conducting elections is central to the Board’s mission. The Employer’s arguments against the efficacy of mail ballot elections are unavailing. “From the earliest days of the Act, the Board has permitted eligible voters in appropriate circumstances to cast their ballots by mail.” See,

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<sup>9/</sup> Like the Region 27 office, the Region 9 office charged with conducting the election in this matter remains on mandatory telework due to spread of COVID-19 within its jurisdiction. See, the Board’s rationale cited in *Atlas Pacific Engineering*, supra.

*London Farm Dairy*, 323 NLRB 1057 (1997) (internal citations omitted). Indeed, the Board has previously rejected arguments that mail ballot elections are inherently less secure, and that they would likely result in voter coercion or reduced voter participation. See, *San Diego Gas & Electric*, 325 NLRB at 1146; *London Farm Dairy*, 323 NLRB at 1058. While long-standing Board policy favors manual elections, mail ballot elections continue to be an often utilized voting method and continue to have their place in circumstances where manual elections are prohibitively challenging, including the extraordinary circumstances caused by this global pandemic.

Finally, I find unavailing the Employer's argument that a mail ballot election will pose safety hazards to those involved in the process. There is no evidence that mail ballot elections will endanger public health or that people have been infected with the novel coronavirus by the handling of mail. To the contrary, as noted above, the CDC's guidance states that the novel coronavirus "is unlikely to be spread from domestic or international mail, products or packaging." Furthermore, the necessary precautions to avoid potentially being infected by the virus through the mail-hand-washing for 20 seconds or the use of hand sanitizer-are much more manageable than the litany of precautions that would need to be taken to ensure the safety of all participants in a manual election.

For the foregoing reasons, I direct a mail ballot election to be conducted in accordance with the election details discussed below.

## V. CONCLUSIONS AND FINDINGS

Based upon the entire record in this matter and in accordance with the discussion above, I conclude and find as follows:

1. The hearing officer's rulings made at the hearing are free from prejudicial error and are hereby affirmed.
2. The Employer is engaged in commerce within the meaning of the Act, as stipulated by the parties, and it will effectuate the purposes of the Act to assert jurisdiction in this case.<sup>10/</sup>
3. The Petitioner, a labor organization within the meaning of Section 2(5) of the Act, claims to represent certain employees of the Employer.
4. No collective-bargaining agreement covers the employees in the petitioned-for unit, and no other bar exists to conducting an election.

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<sup>10/</sup> The parties stipulated in Board Exhibit 2, and I find, that the Employer is a Kentucky corporation that is engaged in the interstate transportation of goods and material. During the most recent 12-month period, the Employer derived gross revenues in excess of \$50,000 from the transportation of goods and materials directly to points outside the Commonwealth of Kentucky.

5. A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.

6. The following employees of the Employer, as stipulated by the parties, constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All full-time and regular part-time drivers employed by the Employer at its facility located at 2827 S. English Station Road, Louisville, Kentucky 40299 and its Versailles, Kentucky and Franklin, Kentucky sub-terminals; but excluding all office clerical employees, temporary employees, professional employees, guards and supervisors, as defined in the Act.

### **DIRECTION OF ELECTION**

The National Labor Relations Board will conduct a secret ballot election among the employees in the unit found appropriate above. Employees will vote whether or not they wish to be represented for purposes of collective bargaining by GENERAL DRIVERS, WAREHOUSEMEN AND HELPERS, LOCAL UNION NO. 89 AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS.

#### **A. Election Details**

The election will be conducted by United States mail. The mail ballots will be mailed to employees employed in the appropriate collective bargaining unit. At 4:30 p.m. on May 22, 2020, ballots will be mailed to voters by the National Labor Relations Board, Region 9.<sup>11/</sup> Voters must sign the outside of the envelope in which the ballot is returned. Any ballot received in an envelope that is not signed will be automatically void.

Those employees who believe that they are eligible to vote and do not receive a ballot in the mail by June 2, 2020, should communicate immediately with the National Labor Relations Board by either calling the Region 9 Office at (513) 684-3686 or our national toll-free line at 1-866-667-NLRB (1-866-667-6572).

The ballots should be returned to the Regional Office by Friday, June 19, 2020. All ballots will be comingled and counted at the Region 9 office, John Weld Peck Federal Building,

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<sup>11/</sup> I deny the Employer's request to wait 21 days from the issuance of this Decision and Direction of Election before mailing the ballots and opening the voting window. I find that doing so would be an unjustifiable and unnecessary delay, especially in light of Petitioner's partial waiver of its right to have the voting list for 10 days before the voting period starts. Petitioner waived 8 days. Section 102.67(b) of the Board's Rules and Regulations that govern this case states, in relevant part, "[t]he Regional Director shall schedule the election for the earliest date practicable consistent with these Rules." I do not find that the Employer has proffered a sufficient reason to deviate from the Board's mandate.

National Labor Relations Board, 550 Main Street, Room 3-111, Cincinnati, Ohio on Monday, June 22, 2020, at 1:00p.m. <sup>12/</sup> In order to be valid and counted, the returned ballots must be received in the Region 9 office prior to the counting of the ballots. Due to the above-described extraordinary circumstances of the COVID-19 pandemic, I further direct that the ballot count will take place remotely through a video platform, such as iPhone, FaceTime or Skype, to be determined by the Acting Regional Director. Additionally, given our future uncertainty caused by the COVID-19 pandemic, and the often in-flux federal, state, and local government regulation of businesses, offices, and the movement of people, I further direct that the aforementioned ballot count date may be postponed should it become necessary to do so.

The parties have agreed, and I conclude, it is appropriate that the Notice of Election and ballots will be in English.

### **B. Voting Eligibility**

Eligible to vote are those in the unit who were employed during the payroll period ending May 9, 2020, including employees who did not work during that period because they were ill, on vacation, or temporarily laid off.

Employees engaged in an economic strike, who have retained their status as strikers and who have not been permanently replaced, are also eligible to vote. In addition, in an economic strike that commenced less than 12 months before the election date, employees engaged in such strike who have retained their status as strikers but who have been permanently replaced, as well as their replacements, are eligible to vote. Unit employees in the military services of the United States may vote if they appear in person at the polls.

Ineligible to vote are (1) employees who have quit or been discharged for cause since the designated payroll period; (2) striking employees who have been discharged for cause since the strike began and who have not been rehired or reinstated before the election date; and (3) employees who are engaged in an economic strike that began more than 12 months before the election date and who have been permanently replaced.

### **C. Voter List**

As required by Section 102.67(l) of the Board's Rules and Regulations, the Employer must provide the Acting Regional Director and parties named in this decision a list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available home and personal cell telephone numbers) of all eligible voters.

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<sup>12/</sup> I am directing a 28-day voting period which essentially accommodates the Employer's request for a 21-day voting period and an additional 7-day grace period between the end of the voting period and the ballot count. I am not persuaded that a 7-day period is needed between the end of the voting period and the ballot count, and will not direct the same.

To be timely filed and served, the list must be *received* by the Acting Regional Director and the parties by **June 15, 2020**. The list must be accompanied by a certificate of service showing service on all parties. **The Region will no longer serve the voter list.**

Unless the Employer certifies that it does not possess the capacity to produce the list in the required form, the list must be provided in a table in a Microsoft Word file (.doc or docx) or a file that is compatible with Microsoft Word (.doc or docx). The first column of the list must begin with each employee's last name and the list must be alphabetized (overall or by department) by last name. Because the list will be used during the election, the font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. A sample, optional form for the list is provided on the NLRB website at [www.nlr.gov/what-we-do/conduct-elections/representation-case-rules-effective-april-14-2015](http://www.nlr.gov/what-we-do/conduct-elections/representation-case-rules-effective-april-14-2015).

When feasible, the list shall be filed electronically with the Region and served electronically on the other parties named in this decision. The list may be electronically filed with the Region by using the E-filing system on the Agency's website at [www.nlr.gov](http://www.nlr.gov). Once the website is accessed, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions.

Failure to comply with the above requirements will be grounds for setting aside the election whenever proper and timely objections are filed. However, the Employer may not object to the failure to file or serve the list within the specified time or in the proper format if it is responsible for the failure.

No party shall use the voter list for purposes other than the representation proceeding, Board proceedings arising from it, and related matters.

#### **D. Posting of Notices of Election**

Pursuant to Section 102.67(k) of the Board's Rules, the Employer must post copies of the Notice of Election accompanying this Decision in conspicuous places, including all places where notices to employees in the unit found appropriate are customarily posted. The Notice must be posted so all pages of the Notice are simultaneously visible. In addition, if the Employer customarily communicates electronically with some or all of the employees in the unit found appropriate, the Employer must also distribute the Notice of Election electronically to those employees. The Employer must post copies of the Notice at least 3 full working days prior to 12:01 a.m. of the day of the election and copies must remain posted until the end of the election. For purposes of posting, working day means an entire 24-hour period excluding Saturdays, Sundays, and holidays. However, a party shall be estopped from objecting to the nonposting of notices if it is responsible for the nonposting, and likewise shall be estopped from objecting to the nondistribution of notices if it is responsible for the nondistribution. Failure to follow the posting requirements set forth above will be grounds for setting aside the election if proper and timely objections are filed.

### RIGHT TO REQUEST REVIEW

Pursuant to Section 102.67 of the Board's Rules and Regulations, a request for review may be filed with the Board at any time following the issuance of this Decision until 14 days after a final disposition of the proceeding by the Acting Regional Director. Accordingly, a party is not precluded from filing a request for review of this decision after the election on the grounds that it did not file a request for review of this Decision prior to the election. The request for review must conform to the requirements of Section 102.67 of the Board's Rules and Regulations.

A request for review may be E-Filed through the Agency's website but may not be filed by facsimile. To E-File the request for review, go to [www.nlr.gov](http://www.nlr.gov), select E-File Documents, enter the NLRB Case Number, and follow the detailed instructions. If not E-Filed, the request for review should be addressed to the Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001. A party filing a request for review must serve a copy of the request on the other parties and file a copy with the Acting Regional Director. A certificate of service must be filed with the Board together with the request for review.

Neither the filing of a request for review nor the Board's granting a request for review will stay the election in this matter unless specifically ordered by the Board.

Dated: May 15, 2020



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Patricia K. Nachand, Acting Regional Director  
National Labor Relations Board, Region 09  
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Cincinnati, OH 45202-3271