

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

FP HOLDINGS, L.P, d/b/a PALMS	)	
CASINO RESORT	)	
Petitioner/Cross-Respondent	)	
	)	
v.	)	Nos. 19-1105
	)	19-1126
NATIONAL LABOR RELATIONS BOARD	)	
Respondent/Cross-Petitioner	)	
	)	
and	)	
	)	Board Case No. 28-
LOCAL JOINT EXECUTIVE BOARD OF LAS	)	CA-224729
VEGAS, AFFILIATED WITH UNITE HERE	)	
INTERNATIONAL UNION, AFL-CIO	)	
Intervenor	)	
	)	
	)	

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**UNOPPOSED JOINT MOTION FOR ENTRY OF A CONSENT  
JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD**

To the Honorable, the Judges of the United States  
Court of Appeals for the D.C. Circuit:

The National Labor Relations Board, FP Holdings, L.P, d/b/a Palms Casino Resort (“the Company”), and Local Joint Executive Board of Las Vegas, affiliated with UNITE HERE International Union, AFL-CIO (“the Union”) respectfully move this Court for entry of a consent judgment enforcing the Board’s order against the Company. In support, they show as follows:

1. On May 13, 2019, the Board issued its Decision and Order against the Company, reported at 367 NLRB No. 127.
2. The Company filed a petition for review of the Board's Order (Case No. 19-1105), and the Board filed a cross-application for enforcement of its Order (Case No. 19-1126). The Union intervened on the Board's side in Case No. 19-1126.
3. As part of a resolution of the case, the parties have agreed to entry of a consent judgment, which will obviate the need for any further proceedings in this matter.
4. Each party is to bear its own costs.
5. Counsel for the Company and counsel for the Union have authorized counsel for the Board to file this motion on their behalf.

WHEREFORE, the Board, the Company, and the Union respectfully request that the Court enter a consent judgment enforcing the Board's Order in full. A copy of the proposed consent judgment is attached.

Respectfully submitted,

/s/ Stanley Panikowski  
Stanley J. Panikowski  
DLA Piper LLP  
401 B Street, Suite 1700  
San Diego, CA 92101

/s/ David Habenstreit  
David Habenstreit  
Assistant General Counsel  
National Labor Relations Board  
1015 Half St SE  
Washington, DC 20570

/s/ Eric B. Myers

Eric B. Myers

McCracken, Stemerman

& Holsberry, LLP

595 Market St., Ste 800

San Francisco, CA 94105

Dated at Washington, DC  
this 11th day of May, 2020

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

FP HOLDINGS, L.P., D/B/A PALMS CASINO RESORT )

Petitioner/Cross-Respondent, )

v. )

NATIONAL LABOR RELATIONS BOARD )

Respondent/Cross-Petitioner, )

and )

LOCAL JOINT EXECUTIVE BOARD OF LAS VEGAS, )

AFFILIATED WITH UNITE HERE INTERNATIONAL )

UNION, AFL-CIO )

Intervenor )

Nos. 19-1105  
19-1126

**CERTIFICATE OF COMPLIANCE**

Pursuant to Federal Rule of Appellate Procedure 27(d)(1) - (2), the Board certifies that this motion contains 381 words of proportionally-spaced, 14-point type, and the word processing system used was Microsoft Word 2016.

/s/ David Habenstreit  
David Habenstreit  
Assistant General Counsel  
National Labor Relations Board  
1015 Half Street, SE  
Washington, DC 20570  
(202) 273-2960

Dated at Washington, D.C.  
this 11th day of May, 2020

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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FP HOLDINGS, L.P., D/B/A PALMS CASINO RESORT )  
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 Petitioner/Cross-Respondent, )  
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 Respondent/Cross-Petitioner, )  
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 LOCAL JOINT EXECUTIVE BOARD OF LAS VEGAS, )  
 AFFILIATED WITH UNITE HERE INTERNATIONAL )  
 UNION, AFL-CIO )  
 )  
 Intervenor )  
 )

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Nos. 19-1105  
19-1126

**CERTIFICATE OF SERVICE**

I hereby certify that on May 11, 2020, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the CM/ECF system. I further certify that the foregoing document was served on all parties or their counsel of record through the appellate CM/ECF system.

/s/ David Habenstreit  
David Habenstreit  
Assistant General Counsel  
National Labor Relations Board  
1015 Half Street, SE  
Washington, DC 20570  
(202) 273-2960

Dated at Washington, D.C.  
this 11<sup>th</sup> day of May, 2020

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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FP HOLDINGS, L.P., D/B/A PALMS CASINO RESORT )  
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 LOCAL JOINT EXECUTIVE BOARD OF LAS VEGAS, )  
 AFFILIATED WITH UNITE HERE INTERNATIONAL )  
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 )  
 Intervenor )  
 )

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Nos. 19-1105  
19-1126

**CONSENT JUDGMENT**

THIS CAUSE came to be heard upon a petition for review by FP Holdings, L.P. d/b/a Palms Casino Resort and a cross application for enforcement filed by the National Labor Relations Board in Board Case No. 28-CA-224729, dated May 13, 2019, reported at 367 NLRB No. 127; and the parties having advised this Court of their desire to dispose of this matter by entry of a consent judgment enforcing the Board’s Order;

IT IS HEREBY ORDERED AND ADJUDGED by the Court that the said Order of the National Labor Relations Board is hereby enforced and that FP Holdings, L.P. d/b/a Palms Casino Resort, its officers, agents, successors, and assigns, shall abide by and perform the directions of the Board set forth in its Order. (See attached Order and Appendix)

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Judge, United States Court of Appeals  
for the District of Columbia Circuit

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Judge, United States Court of Appeals  
for the District of Columbia Circuit

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Judge, United States Court of Appeals  
for the District of Columbia Circuit

ENTERED:

## NATIONAL LABOR RELATIONS BOARD

v.

FP HOLDINGS, L.P. D/B/A PALMS CASINO RESORT

**ORDER**

FP Holdings, L.P. d/b/a Palms Casino Resort, Las Vegas, Nevada, its officers, agents, successors, and assigns, shall

1. Cease and desist from
  - (a) Failing and refusing to recognize and bargain with Local Joint Executive Board of Las Vegas a/w UNITE HERE International Union as the exclusive collective-bargaining representative of the employees in the bargaining unit.
  - (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) On request, bargain with the Union as the exclusive collective-bargaining representative of the employees in the following appropriate unit on terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

All full-time and regular part-time Banquet Servers, Bakers, Bar/Beverage Porters, Bartenders, Banquet Bartenders, Banquet Porters, Beverage Servers, Bus Persons, Cooks, Cooks Helpers, Food Servers, Assistant Food Servers, Guest Room Attendants, Host/Cashiers, House Persons, Kitchen Workers, Lead Porters, Lead Banquet Porters, Mini Bar Attendants, Porters, Room Runners, Service Bartenders, Sprinters, Status Board, Specialty Cooks, Stover Persons, Team Member Dining Room Attendants, Uniform Room Attendants, Utility Porters, VIP Bartenders, and VIP Bar Hosts employed by [Respondent] at its facility in Las Vegas, Nevada, excluding all other employees employed by [Respondent], including Bell Persons, Butlers, Valet Parkers, Housekeeping Supervisors, Gaming Employees (including, but not limited to Dealers, Slot Attendants, Cage, and Cashiers), Drivers, Front Desk Employees, Engineering and Maintenance Employees, Lifeguards, Spa & Salon



workers, Office Clerical Employees, Confidential Employees and all Guards, Managers, and Supervisors as defined by the [National Labor Relations Act (the Act)].

- (b) Within 14 days after service by the Region, post at its facility in Las Vegas, Nevada, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 28, 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 May 17, 2018.
- (c) Within 21 days after service by the Region, file with the Regional Director for Region 28 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 had 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 fail and refuse to recognize and bargain with the Local Joint Executive Board of Las Vegas a/w UNITE HERE International Union (the Union) as the exclusive collective-bargaining representative of our employees in the bargaining unit.

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, on request, bargain with the Union and put in writing and sign any agreement reached on terms and conditions of employment for our employees in the following appropriate bargaining unit:

All full-time and regular part-time Banquet Servers, Bakers, Bar/Beverage Porters, Bartenders, Banquet Bartenders, Banquet Porters, Beverage Servers, Bus Persons, Cooks, Cooks Helpers, Food Servers, Assistant Food Servers, Guest Room Attendants, Host/Cashiers, House Persons, Kitchen Workers, Lead Porters, Lead Banquet Porters, Mini Bar Attendants, Porters, Room Runners, Service Bartenders, Sprinters, Status Board, Specialty Cooks, Stover Persons, Team Member Dining Room Attendants, Uniform Room Attendants, Utility Porters, VIP Bartenders, and VIP Bar Hosts employed by us at our facility in Las Vegas, Nevada, excluding all other employees employed by us, including Bell Persons, Butlers, Valet Parkers, Housekeeping Supervisors, Gaming Employees (including, but not limited to Dealers, Slot Attendants, Cage, and Cashiers), Drivers, Front Desk Employees, Engineering and Maintenance Employees, Lifeguards, Spa & Salon workers, Office

Clerical Employees, Confidential Employees and all Guards, Managers, and Supervisors as defined by the [National Labor Relations Act (the Act)].

FP HOLDINGS, L.P. D/B/A PALMS CASINO RESORT

The Board's decision can be found at <https://www.nlr.gov/case/28-CA-224729> 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.



*NOTICE: This opinion is subject to formal revision before publication in the bound volumes of NLRB decisions. Readers are requested to notify the Executive Secretary, National Labor Relations Board, Washington, D.C. 20570, of any typographical or other formal errors so that corrections can be included in the bound volumes.*

**FP Holdings, L.P. d/b/a Palms Casino Resort and Local Joint Executive Board of Las Vegas a/w Unite Here International Union.** Case 28–CA–224729

May 13, 2019

DECISION AND ORDER

BY MEMBERS MCFERRAN, KAPLAN, AND EMANUEL

This is a refusal-to-bargain case in which the Respondent is contesting the Union's certification as bargaining representative in the underlying representation proceeding. Pursuant to a charge filed on August 1, 2018,<sup>1</sup> by Joint Executive Board of Las Vegas a/w UNITE HERE International Union (the Union), the General Counsel issued the complaint on August 15, alleging that FP Holdings, L.P. d/b/a Palms Casino Resort (the Respondent) has violated Section 8(a)(5) and (1) of the National Labor Relations Act by refusing the Union's request to recognize and bargain with it following the Union's certification in Case 28–RC–217964. (Official notice is taken of the record in the representation proceeding as defined in the Board's Rules and Regulations, Secs. 102.68 and 102.69(d). *Frontier Hotel*, 265 NLRB 343 (1982).) The Respondent filed an answer admitting in part and denying in part the allegations in the complaint and asserting affirmative defenses.

On August 31, the General Counsel filed a Motion to Transfer and Continue Matter Before the Board and for Summary Judgment. The Board issued an order transferring the proceeding to the Board and a Notice to Show Cause why the motion should not be granted on September 5. The Respondent filed a response, and the Charging Party filed a reply to the Respondent's response.<sup>2</sup>

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

**Ruling on Motion for Summary Judgment**

The Respondent admits its refusal to bargain but contests the validity of the Union's certification of representative on the basis of its contentions, raised and rejected in the underlying representation proceeding, that the Union prematurely filed a representation petition that

did not include a substantial and representative complement of employees.<sup>3</sup>

All representation issues raised by the Respondent were or could have been litigated in the prior representation proceeding. The Respondent does not offer to adduce at a hearing any newly discovered and previously unavailable evidence, nor has it shown any special circumstances that would require the Board to reexamine the decision made in the representation proceeding. We therefore find that the Respondent has not raised any representation issue that is properly litigable in this unfair labor practice proceeding. See *Pittsburgh Plate Glass Co. v. NLRB*, 313 U.S. 146, 162 (1941).

Accordingly, we grant the Motion for Summary Judgment.<sup>4</sup>

On the entire record, the Board makes the following

FINDINGS OF FACT

I. JURISDICTION

At all material times, the Respondent, with an office and place of business located in Las Vegas, Nevada, has been engaged in operating a hotel casino.

During the 12-month period ending on August 1, 2018, the Respondent purchased and received goods valued in excess of \$50,000 directly from points outside the State of Nevada and derived gross revenues in excess of \$500,000.

We find that the Respondent is an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act, and that the Union is a labor organization within the meaning of Section 2(5) of the Act.

II. ALLEGED UNFAIR LABOR PRACTICES

*A. The Certification*

Following the representation election held on April 27 and 28, the Union was certified on May 9<sup>5</sup> as the exclu-

<sup>3</sup> The Respondent continues to posit that the Regional Director should have dismissed the Union's petition because it did not account for the potential increase in the Respondent's work force resulting from renovations. Additionally, the Respondent's answer asserts as an affirmative defense that the complaint fails to state a claim on which relief can be granted. The Respondent has not offered any explanation or evidence to support this bare assertion. Thus, we find that this affirmative defense is insufficient to warrant denial of the General Counsel's Motion for Summary Judgment in this proceeding. See *Station GVR Acquisition, LLC*, 367 NLRB No. 38, slip op. at 1 fn. 2 (2018), citing *Circus Circus Hotel*, 316 NLRB 1235, 1235 fn. 1 (1995).

<sup>4</sup> Member Emanuel did not participate in the underlying representation proceeding. He expresses no opinion on the merits of the Board's decision in that proceeding. Nonetheless, he agrees with his colleagues that the Respondent has not raised any new matters that are properly litigable in this unfair labor practice proceeding and that summary judgment is appropriate, with the parties retaining their respective rights to litigate relevant issues on appeal.

<sup>1</sup> All dates hereinafter are 2018 unless otherwise noted.

<sup>2</sup> On January 23, 2019, we granted the General Counsel's Unopposed Motion to Sever and Remand Refusal to Provide Information Allegations. Accordingly, those allegations were remanded to the Regional Director for Region 28 for further appropriate action.

sive collective-bargaining representative of the employees in the following appropriate unit (unit):

All full-time and regular part-time Banquet Servers, Bakers, Bar/Beverage Porters, Bartenders, Banquet Bartenders, Banquet Porters, Beverage Servers, Bus Persons, Cooks, Cooks Helpers, Food Servers, Assistant Food Servers, Guest Room Attendants, Host/Cashiers, House Persons, Kitchen Workers, Lead Porters, Lead Banquet Porters, Mini Bar Attendants, Porters, Room Runners, Service Bartenders, Sprinters, Status Board, Specialty Cooks, Stover Persons, Team Member Dining Room Attendants, Uniform Room Attendants, Utility Porters, VIP Bartenders, and VIP Bar Hosts employed by [Respondent] at its facility in Las Vegas, Nevada, excluding all other employees employed by [Respondent], including Bell Persons, Butlers, Valet Parkers, Housekeeping Supervisors, Gaming Employees (including, but not limited to Dealers, Slot Attendants, Cage, and Cashiers), Drivers, Front Desk Employees, Engineering and Maintenance Employees, Lifeguards, Spa & Salon workers, Office Clerical Employees, Confidential Employees and all Guards, Managers, and Supervisors as defined by the [National Labor Relations Act (the Act)].

The Union continues to be the exclusive collective-bargaining representative of the unit employees under Section 9(a) of the Act.

#### *B. Refusal to Bargain*

On May 16, the Union requested that the Respondent recognize and bargain collectively with the Union as the exclusive collective-bargaining representative of the Unit. Since May 17, the Respondent has failed and refused to recognize and bargain with the Union.

We find that the Respondent's conduct constitutes an unlawful failure and refusal to recognize and bargain with the Union in violation of Section 8(a)(5) and (1) of the Act.

#### CONCLUSION OF LAW

By failing and refusing since May 17 to recognize and bargain with the Union as the exclusive collective-bargaining representative of the employees in the appropriate unit, the Respondent has engaged in unfair labor practices affecting commerce within the meaning of Section 8(a)(5) and (1) and Section 2(6) and (7) of the Act.

<sup>5</sup> By unpublished Order dated August 16, the Board denied the Respondent's request for review of the Regional Director's Decision and Certification of Representative.

#### REMEDY

Having found that the Respondent has violated Section 8(a)(5) and (1) of the Act, we shall order it to cease and desist, to bargain on request with the Union, and, if an understanding is reached, to embody the understanding in a signed agreement.

To ensure that the employees are accorded the services of their selected bargaining agent for the period provided by law, we shall construe the initial period of the certification as beginning on the date the Respondent begins to bargain in good faith with the Union. *Mar-Jac Poultry Co.*, 136 NLRB 785 (1962); accord *Burnett Construction Co.*, 149 NLRB 1419, 1421 (1964), enf. 350 F.2d 57 (10th Cir. 1965); *Lamar Hotel*, 140 NLRB 226, 229 (1962), enf. 328 F.2d 600 (5th Cir. 1964), cert. denied 379 U.S. 817 (1964).

#### ORDER

The National Labor Relations Board orders that the Respondent, FP Holdings, L.P. d/b/a Palms Casino Resort, Las Vegas, Nevada, its officers, agents, successors, and assigns, shall

1. Cease and desist from

(a) Failing and refusing to recognize and bargain with Local Joint Executive Board of Las Vegas a/w UNITE HERE International Union as the exclusive collective-bargaining representative of the employees in the bargaining unit.

(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) On request, bargain with the Union as the exclusive collective-bargaining representative of the employees in the following appropriate unit on terms and conditions of employment and, if an understanding is reached, embody the understanding in a signed agreement:

All full-time and regular part-time Banquet Servers, Bakers, Bar/Beverage Porters, Bartenders, Banquet Bartenders, Banquet Porters, Beverage Servers, Bus Persons, Cooks, Cooks Helpers, Food Servers, Assistant Food Servers, Guest Room Attendants, Host/Cashiers, House Persons, Kitchen Workers, Lead Porters, Lead Banquet Porters, Mini Bar Attendants, Porters, Room Runners, Service Bartenders, Sprinters, Status Board, Specialty Cooks, Stover Persons, Team Member Dining Room Attendants, Uniform Room Attendants, Utility Porters, VIP Bartenders, and VIP Bar Hosts employed by [Respondent] at its facility in Las Vegas, Nevada, excluding all other employees employed by [Respondent], including Bell Persons, But-

lers, Valet Parkers, Housekeeping Supervisors, Gaming Employees (including, but not limited to Dealers, Slot Attendants, Cage, and Cashiers), Drivers, Front Desk Employees, Engineering and Maintenance Employees, Lifeguards, Spa & Salon workers, Office Clerical Employees, Confidential Employees and all Guards, Managers, and Supervisors as defined by the [National Labor Relations Act (the Act)].

(b) Within 14 days after service by the Region, post at its facility in Las Vegas, Nevada, copies of the attached notice marked "Appendix."<sup>6</sup> Copies of the notice, on forms provided by the Regional Director for Region 28, 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 May 17, 2018.

(c) Within 21 days after service by the Region, file with the Regional Director for Region 28 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.

Dated, Washington, D.C. May 13, 2019

\_\_\_\_\_  
Lauren McFerran, Member

\_\_\_\_\_  
Marvin E. Kaplan Member

\_\_\_\_\_  
William J. Emanuel Member

<sup>6</sup> If this Order is enforced by a judgment of a United States court of appeals, the words in the notice reading "Posted by Order of the National Labor Relations Board" shall read "Posted Pursuant to a Judgment of the United States Court of Appeals Enforcing an Order of the National Labor Relations Board."

(SEAL) NATIONAL LABOR RELATIONS BOARD  
APPENDIX  
NOTICE TO EMPLOYEES  
POSTED BY 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 fail and refuse to recognize and bargain with the Local Joint Executive Board of Las Vegas a/w UNITE HERE International Union (the Union) as the exclusive collective-bargaining representative of our employees in the bargaining unit.

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, on request, bargain with the Union and put in writing and sign any agreement reached on terms and conditions of employment for our employees in the following appropriate bargaining unit:

All full-time and regular part-time Banquet Servers, Bakers, Bar/Beverage Porters, Bartenders, Banquet Bartenders, Banquet Porters, Beverage Servers, Bus Persons, Cooks, Cooks Helpers, Food Servers, Assistant Food Servers, Guest Room Attendants, Host/Cashiers, House Persons, Kitchen Workers, Lead Porters, Lead Banquet Porters, Mini Bar Attendants, Porters, Room Runners, Service Bartenders, Sprinters, Status Board, Specialty Cooks, Stover Persons, Team Member Dining Room Attendants, Uniform Room Attendants, Utility Porters, VIP Bartenders, and VIP Bar Hosts employed by us at our facility in Las Vegas, Nevada, excluding all other employees employed by us, including Bell Persons, Butlers, Valet Parkers, Housekeeping Supervisors, Gaming Employees (including, but not limited to Dealers, Slot Attendants, Cage, and Cashiers), Drivers, Front Desk Employees, Engineering and Maintenance Employees, Lifeguards, Spa & Salon workers, Office Clerical Employees, Confidential Em-

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## DECISIONS OF THE NATIONAL LABOR RELATIONS BOARD

ployees and all Guards, Managers, and Supervisors as defined by the [National Labor Relations Act (the Act)].

FP HOLDINGS, L.P. D/B/A PALMS CASINO  
RESORT

The Board's decision can be found at <https://www.nlr.gov/case/28-CA-224729> 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.

