

NATIONAL LABOR RELATIONS BOARD

CASE NO. 01RC259999

INTERNATIONAL ALLIANCE OF
THEATRICAL STAGE EMPLOYEES,
MOVING PICTURE TECHNICIANS,
ARTISTS AND ALLIED CRAFTS,
LOCAL 11 (IATSE),

Petitioner

and

NORTH SHORE MUSIC THEATER,

Employer

**EMPLOYER'S REQUEST TO CONTINUE
NOTICE OF REPRESENTATION HEARING**

Now comes the Employer in the above captioned matter and respectfully requests that the Agency continue the hearing now scheduled for Monday, May 18, 2020 for the following reasons:

The employer received a notice of the original hearing by email of May 6, 2020 scheduling the hearing for only six business days hence.

Because of the Covid-19 pandemic, the theater was ordered closed by the Mayor of Beverly. The Mayor ordered that no employees be admitted to the building. That order is currently in force. As a result of the Covid-19 pandemic, the theater has cancelled all operations, shows, etc. for the foreseeable future. All employees who are seasonal or full-time have been laid off.

Due to this unprecedented condition, the owner of the theater (Bill Hanney) is unable to obtain material necessary for the hearing including documentary evidence, lists of employees, addresses of employees and any and all material necessary to be properly represented.

He is unable to provide the necessary voter list at this time. He is not at the theater nor are any employees able to enter the building to obtain the necessary documents.

The theater is unable to post the Notice of Petition for Election and it is unable to communicate the Notice of Petition for Election with its employees.

Further, counsel and the Employer have agreed that it is imperative to obtain the services of an additional attorney to properly represent him at the petition hearing at the NLRB.

During these unprecedented times, the Regional Director has the discretion to provide an extension for the hearing. Since the theater is closed and there are no employees working there is no urgency to go forward with the hearing or the election. Going forward with the hearing and the election under these circumstances greatly prejudices the Employer.

Federal and state agencies are closed, federal courts and state courts are liberally extending all deadlines, statutes of limitation, rules, month by month.

WHEREFORE, for the above reasons, the Employer requests that the hearing be postponed to May 26, 2020 at a time that it is anticipated that the theater may be open for business, employees returned and the Employer has the ability to obtain the necessary information and evidence to proceed.

Respectfully submitted,
The Employer,
North Shore Music Theater,
By its attorney:

/s/ Brad Louison

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