

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 27**

MORNINGSTAR SENIOR MANAGEMENT LLC

Employer

and

Case 27-RC-262531

**SERVICE EMPLOYEES INTERNATIONAL UNION
LOCAL 105**

Petitioner

ERRATUM TO DECISION AND DIRECTION OF ELECTION

On August 6, 2020, I issued a Decision and Direction of Election in this matter. The dates for the mail ballot election are in error. The **Election Detail** section on page 8 is changed as follows:

The ballots will be mailed to employees employed in the appropriate collective-bargaining unit. At **3:00 p.m. on Monday, August 24, 2020**, ballots will be mailed by an agent of Region 27 of the National Labor Relations Board. 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 did not receive a ballot in the mail by **Monday, August 31, 2020**, should communicate immediately with the National Labor Relations Board by either calling the Region 27 Office at **(303) 844-3551** or our national toll-free line at **1-866-667- NLRB (1-866-667-6572)**.

Voters must return their mail ballots so that they will be received in the National Labor Relations Board, Region 27 office by **3:00 p.m. on Monday, September 21, 2020**. **All ballots will be commingled and counted by an agent of Region 27 of the National Labor Relations Board on Monday, September 21, 2020 at 3:00 p.m.**, by videoconference to be arranged by the Region. In order to be valid and counted, the returned ballots must be received at the Regional Office prior to the counting of the ballots. A meeting invitation for the videoconference will be sent to the parties' representatives prior to the count. No party may make a video or audio recording or save any image of the ballot count.

Further, the first sentence of the Request for Review language on page 10 of the decision is corrected as follows to note that a request for Review may be filed at any time following the issuance of the Decision until **10 business days** after a final disposition rather than 14 days:

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 the Decision until 10 business days after a final disposition of the proceeding by the 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 requirement of Section 102.67 of the Board's Rules and Regulations. A request for review must be E-Filed through the Agency's website and may not be filed by facsimile. To E-File the request for review, go to www.nlr.gov, select E-File Documents, enter the NLRB Case Number and follow the detailed instructions.¹ A party filing a request for review must serve a copy of the request on the other parties and file a copy with the 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. If a request for review of a pre-election decision and direction of election is filed within 10 business days after issuance of the decision and if the Board has not already ruled on the request and therefore the issue under review remains unresolved, all ballots will be impounded. Nonetheless, parties retain the right to file a request for review at any subsequent time until 10 business days following final disposition of the proceeding, but without automatic impoundment of ballots.

¹ On October 21, 2019, the General Counsel (GC) issued Memorandum GC 20-01, informing the public that Section 102.5(c) of the Board's Rules and Regulations mandates the use of the E-filing system for the submission of documents by parties in connection with the unfair labor practice or representation cases processed in Regional offices. The E-Filing requirement went into immediate effect on October 21, 2019, and the 90-day grace period that was put into place expired on January 21, 2020. 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, and must be accompanied by a statement explaining the circumstances concerning not having access to the Agency's E-Filing system or why filing electronically would impose an undue burden.

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All other language in the Decision and Direction of Election remains as originally issued.

Issued at Denver, Colorado on this 7th day of August, 2020

/s/ Paula Sawyer

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