

**UNITED STATES GOVERNMENT
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 29**

BRINK'S GLOBAL SERVICES USA, INC.)	
)	
)	
Employer)	
and)	Case No. 29-RC-260969
)	
)	
LAW ENFORCEMENT SECURITY)	
OFFICERS UNIONS (LEOSU),)	
LAW ENFORCEMENT OFFICERS)	
SECURITY AND POLICE BENEVOLENT)	
ASSOCIATON (LEOS-PBA))	
)	
Petitioner)	
)	

**ORDER DENYING MOTION TO REOPEN THE HEARING AND
DECISION AND DIRECTION OF ELECTION**

Brink's Global Services USA, Inc., herein called the Employer, provides cash management logistic solutions and secure transportation services to banks, retailers, and other commercial and governmental agencies in the United States and abroad. On May 29, 2020¹ Law Enforcement Security Officers Unions (LEOSU) Law Enforcement and Police Benevolent Association (LEOS-PBA) ("the Petitioner") filed a petition under Section 9(c) of the National Labor Relations Act, seeking to represent all full-time and regular part-time drivers, messengers, vault clerks, and cashiers performing guard functions as defined by Section 9(b)(3) of the Act, employed by the Employer at and out of its facility located at 184-45 147th Avenue, Suite 101, Springfield Gardens, New York, but excluding all other employees, including managerial employees, office employees, maintenance employees, customer services representatives, dispatchers, accounting employees, and supervisors as defined in Section 2(11) of the Act.

A hearing was held before Sarah Hurley, a hearing officer of the National Labor Relations Board.

The only issue at the hearing was whether to conduct a manual or a mail ballot election. For the reasons explained below, I will direct that the election be conducted by mail ballot.

¹ All dates hereinafter are in 2020 unless otherwise indicated.

The Employer's Argument Regarding Manual Election

At the hearing, the Employer contended that a manual election would be appropriate in this case.

Whether an election is to be conducted by mail, manually, or some other method is an administrative matter to be determined by the Regional Director. *National Van Lines*, 120 NLRB 1343 (1958). Traditionally, most Board elections are conducted by manual voting, and there is a presumption in favor of conducting elections in this manner. See Section 11301.2, *Board Casehandling Manual, Part Two, Representation Proceedings*. However, when certain factors are present, this presumption may be overcome. In *San Diego Gas & Electric*, 325 NLRB 1143 (1998), the Board recognized that mail ballot elections are appropriate under specific, well-settled guidelines, such as where employees are scattered or where there is a strike, lockout, or picketing in place. The Board further found that a Regional Director may consider additional relevant factors when contemplating when to conduct a mail ballot election and that "extraordinary circumstances" could permit a Regional Director to do so. See *San Diego Gas & Electric*, 325 NLRB at 1145. The Board has recognized that the COVID 19 pandemic presents such an extraordinary circumstance. See, e.g., *Atlas Pacific Engineering Co.*, 27-RC-258742 (NLRB May 8, 2020).

The Employer represented that it could provide a clean, safe polling place in which a manual election could occur with personal protective equipment, such as masks and gloves, and sufficient space for social distancing. Despite these proposed safety measures, I have determined that an in-person manual election under these circumstances poses significant and unnecessary risks to the health and safety of Board Agents, Party representatives, voters, observers and the public. The conduct of a manual election invariably requires participants to come within fewer than six feet of one another, while social distancing guidelines provided by Federal, State and Local authorities recommend that individuals remain at least six feet apart. Under the Board's manual election procedures, Board Agents conducting the election and election observers are required to spend the duration of the polling session and ballot count process together in close proximity within a confined space. Even with the Employer's proposed efforts to encourage election participants to practice social distancing, Board Agents and observers will likely have to interact with voters and/or Party representatives who may have questions or who may wish to raise issues about the conduct of the election. These procedures necessarily carry the risk of exposure for employees at the Employer's facility, party representatives, Board personnel, their families, and the community.

Conducting the election in this case by mail ballot, however, significantly reduces these risks. Conducting a mail ballot election will enable Board Agents, voters, observers and Party representatives to maintain safe social distancing throughout the polling process. I am considering measures to limit the number of people who may participate in the ballot count and other methods of maintaining social distancing between participants, including conducting the count remotely using videoconference technology. Such safety measures, which can be enacted for a mail ballot election in accordance with Board procedures, will ensure that this election is conducted with minimal risk to the participants' personal safety and public health.

During the hearing, the Employer also noted that New York City has begun its reopening plan. After the hearing closed, the Employer filed a Motion to Reopen the Record on June 22. The Employer argues that the hearing should be reopened to accept evidence of New York City's move into Phase 2.

The Employer cites “Reopening New York,” a New York State brochure produced by New York State which explains procedures to be followed to deal with COVID 19. Although certain restrictions have been eased in New York City, the brochure makes clear that individuals must still maintain a distance of six feet “at all times, unless safety of the core activity requires a shorter distance.” That cannot be accomplished during a manual election. Therefore, I hereby deny the Employer’s Motion to Reopen the Record, and I find that it would be safer for party representatives, Board personnel, their families, and the community to conduct this election by mail ballot.

I find that the current COVID-19 pandemic presents extraordinary circumstances requiring a mail ballot election in this case. Given the significant health risks to voters, observers, Board Agents, party representatives and the general public with a manual election, which often require person-to-person contact, a mail ballot is warranted here.

CONCLUSIONS AND FINDINGS

Based upon the entire record in this proceeding, the undersigned finds and concludes as follows:

1. I find that the rulings made by the Hearing Officer at the hearing are free from prejudicial error and hereby are affirmed.

2. The record indicates that Brink’s Global Services USA, Inc., a Delaware corporation, with its principal office located in New York, New York, and a facility located at 184-45 147th Avenue, Suite 101, Springfield Gardens, New York, provides cash management logistic solutions and secure transportation services to banks, retailers, and other commercial and governmental agencies in the United States and abroad. During the past year preceding the filing of this petition, a representative period, the Employer provided services valued in excess of \$50,000 to customers located outside New York State.

Based on the foregoing, I find that Brink’s Global Services USA, Inc. is engaged in commerce within the meaning of the Act. It will therefore effectuate the purposes of the Act to assert jurisdiction in this case.

3. I hereby find that Law Enforcement Security Officers Unions (LEOSU) Law Enforcement and Police Benevolent Association (LEOS-PBA) is a labor organization as defined in Section 2(5) of the Act and is qualified to represent guards within the meaning of Section 9(b)(3) of the Act.

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

5. I find that the following employees constitute a unit appropriate for the purposes of collective bargaining:

All full-time and regular part-time drivers, messengers, vault clerks, and cashiers performing guard functions as defined by Section 9(b)(3) of the Act, employed by the

Employer at and out of its facility located at 184-45 147th Avenue, Suite 101, Springfield Gardens, New York, but excluding all other employees, including managerial employees, office employees, maintenance employees, customer services representatives, dispatchers, accounting employees, and supervisors as defined in Section 2(11) of the Act.

DIRECTION OF ELECTION

The National Labor Relations Board will conduct secret ballot elections among the employees in the unit found appropriate above. Employees will vote whether they wish to be represented for purposes of collective bargaining by Law Enforcement Security Officers Unions (LEOSU) Law Enforcement and Police Benevolent Association (LEOS-PBA).

A. Election Details

The election will be held by mail ballot. The mail ballots will be mailed to employees employed in the appropriate collective-bargaining unit from the office of the National Labor Relations Board, Region 29, on **JULY 10, 2020**. Voters must return their mail ballots so that they will be received in the National Labor Relations Board, Region 29 office by close of business on **JULY 31, 2020**². The mail ballots will be counted by video conference, on a date and at a time and in a to be determined by the Regional Director after consultation with the parties.

If any eligible voter does not receive a mail ballot or otherwise requires a duplicate mail ballot kit, he or she should contact the Board Agent Sarah Hurley via phone at (718) 765-6200 or via e-mail at sarah.hurley@nrlb.gov by no later than 5:00 p.m. on July 17, 2020 in order to arrange for another mail ballot kit to be sent to that employee.

B. Voting Eligibility

Eligible to vote are those in the unit who were employed during the payroll period ending **June 21, 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.

² In order to be valid and counted, the returned ballots must be postmarked on or before July 31, 2020 and received in the Region 29 Office prior to the counting of the ballots.

C. Voter List

As required by Section 102.67(1) of the Board's Rules and Regulations, the Employer must provide the 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.

To be timely filed and served, the list must be *received* by the regional director and the parties by **June 29, 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.

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. 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 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 must be E-Filed through the Agency's website. 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. 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.

Dated at Brooklyn, New York, on June 25, 2020.



Kathy Drew King
Regional Director, Region 29
National Labor Relations Board
Two MetroTech Center, 5th Floor
Brooklyn, New York 11201

Attachments:

Notice of Election



United States of America
National Labor Relations Board
NOTICE OF ELECTION



INSTRUCTIONS TO EMPLOYEES VOTING BY U.S. MAIL

PURPOSE OF ELECTION: This election is to determine the representative, if any, desired by the eligible employees for purposes of collective bargaining with their employer. (See VOTING UNIT in this Notice of Election for description of eligible employees.) A majority of the valid ballots cast will determine the results of the election. Only one valid representation election may be held in a 12-month period.

SECRET BALLOT: The election will be by secret ballot carried out through the U.S. mail under the supervision of the Regional Director of the National Labor Relations Board (NLRB). A sample of the official ballot is shown on the next page of this Notice. Voters will be allowed to vote without interference, restraint, or coercion. Employees eligible to vote will receive in the mail *Instructions to Employees Voting by United States Mail*, a ballot, a blue envelope, and a yellow self-addressed envelope needing no postage.

ELIGIBILITY RULES: Employees eligible to vote are those described under the VOTING UNIT on the next page and include employees who did not work during the designated payroll period because they were ill or on vacation or temporarily laid off. Employees who have quit or been discharged for cause since the designated payroll period and who have not been rehired or reinstated prior to the date of this election are not eligible to vote.

CHALLENGE OF VOTERS: An agent of the Board or an authorized observer may question the eligibility of a voter. Such challenge must be made at the time the ballots are counted.

AUTHORIZED OBSERVERS: Each party may designate an equal number of observers, this number to be determined by the NLRB. These observers (a) act as checkers at the counting of ballots; (b) assist in identifying voters; (c) challenge voters and ballots; and (d) otherwise assist the NLRB.

ELECTION DETAILS: The election will be conducted by United States mail. The mail ballots will be mailed to employees employed in the appropriate voting unit by the office of the National Labor Relations Board, Region 29, on **Friday, July 10, 2020**. Voters must return their mail ballots so that they will be received by the National Labor Relations Board, Region 29, by close of business on **Friday, July 31, 2020**. 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.**

Any employee who believes that he/she is eligible to vote but did not receive a ballot or who otherwise requires a duplicate mail ballot kit should communicate immediately with the National Labor Relations Board by either calling the Region 29 Office at 718-765-6200 or our national toll-free line at 1-844- 762-NLRB (1-844- 762-6572), no later than **Friday, July 17, 2020**.

Due to the extraordinary circumstances of COVID-19 and the directions of state and local authorities including but not limited to Shelter in Place orders, travel restrictions, social distancing and limits on the size of gatherings of individuals, the ballot count will take place on a date and in a manner to be determined by the Regional Director.

All ballots will be commingled and counted on a date and time to be determined by the Regional Director. In order to be valid and counted, the returned ballots must be received by the Region 29 Office prior to the counting of the ballots.

The Region will provide notice to the parties of the scheduled date for the ballot count at least 24 hours prior to the count. The count will take place virtually on a platform such as Skype, WebEx, etc., to be determined by the Regional Director. The Parties agree that each party will be allowed to have one observer attend the virtual ballot count.



United States of America
National Labor Relations Board
NOTICE OF ELECTION



INSTRUCTIONS TO EMPLOYEES VOTING BY U.S. MAIL

VOTING UNIT

EMPLOYEES ELIGIBLE TO VOTE:

Those eligible to vote are: All full-time and regular part-time drivers, messengers, vault clerks, and cashiers performing guard functions as defined by Section 9(b)(3) of the Act, employed by the Employer at and out of its facility located at 184-45 147th Avenue, Suite 101, Springfield Gardens, New York, who were employed by the Employer during the payroll period ending June 21, 2020.

EMPLOYEES NOT ELIGIBLE TO VOTE:

Those not eligible to vote are: All other employees including, managerial employees, office employees, maintenance employees, customer service representatives, dispatchers, accounting employees, and supervisors as defined in Section 2(11) of the Act.

<p>UNITED STATES OF AMERICA ESTADOS UNIDOS DE AMERICA National Labor Relations Board Junta Nacional De Relaciones Del Trabajo 29-RC-260969</p>				
<p>OFFICIAL SECRET BALLOT PAPELETA SECRETA OFICIAL For certain employees of Para Ciertos Empleados De BRINK'S GLOBAL SERVICES USA, INC.</p>				
<p>Do you wish to be represented for purposes of collective bargaining by ¿Desea usted estar representado para los fines de negociar colectivamente por LAW ENFORCEMENT SECURITY OFFICERS UNIONS LEOSU, LAW ENFORCEMENT AND POLICE BENEVOLENT ASSOCIATION (LEOS- PBA)?</p>				
<p>MARK AN "X" IN THE SQUARE OF YOUR CHOICE MARQUE CON UNA "X" DENTRO DEL CUADRO DE SU SELECCIÓN</p>				
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;"> <p>YES SI</p> </td> <td style="width: 50%; text-align: center; padding: 5px;"> <p>NO NO</p> </td> </tr> <tr> <td style="text-align: center; padding: 10px;"> </td> <td style="text-align: center; padding: 10px;"> </td> </tr> </table>	<p>YES SI</p>	<p>NO NO</p>		
<p>YES SI</p>	<p>NO NO</p>			
<p>DO NOT SIGN OR WRITE YOUR NAME OR INCLUDE OTHER MARKINGS THAT WOULD REVEAL YOUR IDENTITY. MARK AN "X" IN THE SQUARE OF YOUR CHOICE ONLY. If you make markings inside, or anywhere around, more than one square, you may request a new ballot by referring to the enclosed instructions. If you submit a ballot with markings inside, or anywhere around, more than one square, your ballot will not be counted.</p> <p>NO FIRME O ESCRIBA SU NOMBRE O INCLUYA OTRAS MARCAS QUE REVELARÍAN SU IDENTIDAD. MARQUE UNA "X" EN EL CUADRADO DE SU ELECCIÓN SOLAMENTE. Si hace marcas dentro, o en cualquier lugar alrededor, en más de un cuadrado, puede solicitar una nueva papeleta consultando las instrucciones adjuntas. Si envía una papeleta con marcas en el interior, o en cualquier lugar alrededor, en más de un cuadrado, su papeleta no será contada.</p> <p style="text-align: center;">Vea las Instrucciones incluidas.</p> <p>The National Labor Relations Board does not endorse any choice in this election. Any markings that you may see on any sample ballot have not been put there by the National Labor Relations Board.</p> <p>La Junta Nacional de Relaciones del Trabajo no respalda a ninguna de las opciones en esta elección. Cualquier marca que se pueda ver en cualquier muestra de la papeleta no fue hecha por la Junta Nacional de Relaciones del Trabajo.</p>				

United States of America
National Labor Relations Board

**Instructions to Eligible Employees Voting
By United States Mail**



INSTRUCTIONS

1. MARK YOUR BALLOT IN SECRET BY PLACING AN X IN THE APPROPRIATE BOX. DO NOT SIGN OR WRITE YOUR NAME OR INCLUDE OTHER MARKINGS THAT WOULD REVEAL YOUR IDENTITY.
2. IF YOU SUBMIT A BALLOT WITH MARKINGS INSIDE, OR ANYWHERE AROUND, MORE THAN ONE SQUARE, YOUR BALLOT WILL NOT BE COUNTED. YOU MAY REQUEST A NEW BALLOT BY CALLING THE REGIONAL OFFICE AT THE NUMBER BELOW.
3. IT IS IMPORTANT TO MAINTAIN THE SECRECY OF YOUR BALLOT. DO NOT SHOW YOUR BALLOT TO ANYONE AFTER YOU HAVE MARKED IT.
4. PUT YOUR BALLOT IN THE BLUE ENVELOPE AND SEAL THE ENVELOPE.
5. PUT THE BLUE ENVELOPE CONTAINING THE BALLOT INTO THE YELLOW ADDRESSED RETURN ENVELOPE.
6. SIGN THE BACK OF THE YELLOW RETURN ENVELOPE IN THE SPACE PROVIDED. TO BE COUNTED, THE YELLOW RETURN ENVELOPE MUST BE SIGNED.
7. DO NOT PERMIT ANY PARTY – THE EMPLOYER, THE UNION(S), OR THEIR REPRESENTATIVES, OR AN EMPLOYEE-PETITIONER – TO HANDLE, COLLECT, OR MAIL YOUR BALLOT.
8. MAIL THE BALLOT IMMEDIATELY. NO POSTAGE IS NECESSARY. For further information, call the Regional Office at:
718-765-6200

TO BE COUNTED, YOUR BALLOT MUST REACH THE REGIONAL OFFICE

BY July 31, 2020

RIGHTS OF EMPLOYEES

Under the National Labor Relations Act, employees have the right:

- To self-organization
- To form, join, or assist labor organizations
- To bargain collectively through representatives of their own choosing
- To act together for the purposes of collective bargaining or other mutual aid or protection
- To refuse to do any or all of these things unless the union and employer, in a state where such agreements are permitted, enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the union that they object to the use of their payments for non representational purposes may be required to pay only their share of the union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).

It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.

The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both employers and unions to know what is expected of them when it holds an election.

If agents of either unions or employers interfere with your right to a free, fair, and honest election, the election can be set aside by the Board. Where appropriate, the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

The following are examples of conduct that interfere with the rights of employees and may result in the setting aside of the election:

- Threatening loss of jobs or benefits by an employer or a union
- Promising or granting promotions, pay raises, or other benefits to influence an employee's vote by a party capable of carrying out such promises
- An employer firing employees to discourage or encourage union activity or a union causing them to be fired to encourage union activity
- Incitement by either an employer or a union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a union or an employer to influence their votes.

The National Labor Relations Board protects your right to a free choice

Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law. The National Labor Relations Board as an agency of the United States Government does not endorse any choice in the election.



NATIONAL LABOR RELATIONS BOARD
an agency of the
UNITED STATES GOVERNMENT



United States of America
National Labor Relations Board
NOTICE OF ELECTION



INSTRUCTIONS TO EMPLOYEES VOTING BY U.S. MAIL

RIGHTS OF EMPLOYEES - FEDERAL LAW GIVES YOU THE RIGHT TO:

- **Form, join, or assist a union**
- **Choose representatives to bargain with your employer on your behalf**
- **Act together with other employees for your benefit and protection**
- **Choose not to engage in any of these protected activities**
- **In a State where such agreements are permitted, the Union and Employer may enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the Union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the Union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustment).**

It is the responsibility of the National Labor Relations Board to protect employees in the exercise of these rights.

The Board wants all eligible voters to be fully informed about their rights under Federal law and wants both Employers and Unions to know what is expected of them when it holds an election.

If agents of either Unions or Employers interfere with your right to a free, fair, and honest election the election can be set aside by the Board. When appropriate, the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

The following are examples of conduct that interfere with the rights of employees and may result in setting aside of the election:

- **Threatening loss of jobs or benefits by an Employer or a Union**
- **Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises**
- **An Employer firing employees to discourage or encourage union activity or a Union causing them to be fired to encourage union activity**
- **Making campaign speeches to assembled groups of employees on company time where attendance is mandatory, within the 24-hour period before the mail ballots are dispatched**
- **Incitement by either an Employer or a Union of racial or religious prejudice by inflammatory appeals**
- **Threatening physical force or violence to employees by a Union or an Employer to influence their votes**

The National Labor Relations Board protects your right to a free choice.

Improper conduct will not be permitted. All parties are expected to cooperate fully with this Agency in maintaining basic principles of a fair election as required by law.

Anyone with a question about the election may contact the NLRB Office at (718)765-6200 or visit the NLRB website www.nlr.gov for assistance.