

Exhibit A

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
RC PETITION

DO NOT WRITE IN THIS SPACE	
Case No. 22-RC-237040	Date Filed MARCH 1, 2019

INSTRUCTIONS: Unless e-Filed using the Agency's website, www.nlr.gov, submit an original of this Petition to an NLRB office in the Region in which the employer concerned is located. The petition must be accompanied by both a showing of interest (see 6b below) and a certificate of service showing service on the employer and all other parties named in the petition of: (1) the petition; (2) Statement of Position form (Form NLRB-505); and (3) Description of Representation Case Procedures (Form NLRB 4812). The showing of interest should only be filed with the NLRB and should not be served on the employer or any other party.

1. PURPOSE OF THIS PETITION: RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees. The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

2a. Name of Employer
Exela Tehcnologies

2b. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code)
104 Georges road, New Brunswick, NJ 08901

3a. Employer Representative - Name and Title
Joann Lee

3b. Address (If same as 2b - state same)
Same

3c. Tel. No.
(609) 860-9901

3d. Cell No.

3e. Fax No.
(336) 299-9882

3f. E-Mail Address
joann.lee@exelaonline.com

4a. Type of Establishment (Factory, mine, wholesaler, etc.)
plant

4b. Principal product or service
provide shipping, receiving and mail service for another company

5a. City and State where unit is located:
New, Brunswick, NJ

5b. Description of Unit Involved

Included: All full-time and regular part-time shipping and receiving employees employed by Excela Technologies at its New Brunswick, NJ location including all shipping and receiving associates, mail associates, and forklift operators

Excluded: office clerical and professional employees, guards, and supervisors as defined in the Act

6a. No. of Employees in Unit:
Approximately 12

6b. Do a substantial number (30% or more) of the employees in the unit wish to be represented by the Petitioner? Yes No

Check One: **7a. Request for recognition as Bargaining Representative was made on (Date) by petition and Employer declined recognition on or about no reply (Date) (If no reply received, so state).**

7b. Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8a. Name of Recognized or Certified Bargaining Agent (If none, so state).
None

8b. Address

8c. Tel No.

8d Cell No.

8e. Fax No.

8f. E-Mail Address

8g. Affiliation, if any

8h. Date of Recognition or Certification

8i. Expiration Date of Current or Most Recent Contract, if any (Month, Day, Year)

9. Is there now a strike or picketing at the Employer's establishment(s) involved? No If so, approximately how many employees are participating? _____
(Name of labor organization) _____, has picketed the Employer since (Month, Day, Year) _____

10. Organizations or individuals other than Petitioner and those named in items 8 and 9, which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in the unit described in item 5b above. (If none, so state)
none

10a. Name

10b. Address

10c. Tel. No.

10d. Cell No.

10e. Fax No.

10f. E-Mail Address

11. Election Details: If the NLRB conducts an election in this matter, state your position with respect to any such election.

11a. Election Type: Manual Mail Mixed Manual/Mail

11b. Election Date(s):
3/22/19

11c. Election Time(s):
2:45 - 3:15 p.m. and 4:45 to 5:15 p.m.

11d. Election Location(s):
break room

12a. Full Name of Petitioner (Including local name and number)
United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied & Industrial Service Workers International Union, AFL-CIO, CLC

12b. Address (street and number, city, state, and ZIP code)
60 Boulevard of the Allies, Five Gateway Center Room 913Pittsburgh, PA 15222

12c. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (if none, so state)
United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied & Industrial Service Workers International Union, AFL-CIO, CLC

12d. Tel No.
(412) 562-2529

12e. Cell No.
(412) 418-4333

12f. Fax No.
(412) 562-2555

12g. E-Mail Address
bmanzolillo@usw.org

13. Representative of the Petitioner who will accept service of all papers for purposes of the representation proceeding.

13a. Name and Title Brad Manzolillo, USW Organizing Counsel

13b. Address (street and number, city, state, and ZIP code)
60 Boulevard of the Allies, Five Gateway Center Room 913Pittsburgh, PA 15222

13c. Tel No.
(412) 562-2529

13d. Cell No.
(412) 418-4333

13e. Fax No.
(412) 562-2555

13f. E-Mail Address
bmanzolillo@usw.org

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name (Print)
Brad Manzolillo

Signature
Brad Manzolillo

Title
Organizing Counsel

Date
3/1/19

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Exhibit B

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
STIPULATED ELECTION AGREEMENT

EXELA ENTERPRISE SOLUTIONS, INC.

Case 22-RC-237040

The parties **AGREE AS FOLLOWS:**

1. PROCEDURAL MATTERS. The parties waive their right to a hearing and agree that any notice of hearing previously issued in this matter is withdrawn, that the petition is amended to conform to this Agreement, and that the record of this case shall include this Agreement and be governed by the Board's Rules and Regulations.

2. COMMERCE. The Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the National Labor Relations Act and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c).

The Employer, Exela Enterprise Solutions, Inc. is a Delaware corporation engaged in providing mail, shipping/receiving, and hospitality services to commercial office clients from its 1 Squibb Drive, New Brunswick, New Jersey facility, the only facility involved herein. During the preceding twelve months, the Employer in the course and conduct of its business operation, purchased and received at its New Brunswick, New Jersey facility goods and supplies valued in excess of \$50,000 directly from suppliers located outside the State of New Jersey.

3. LABOR ORGANIZATION. The Petitioner is an organization in which employees participate, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and is a labor organization within the meaning of Section 2(5) of the Act.

4. ELECTION. A secret-ballot election under the Board's Rules and Regulations shall be held under the supervision of the Regional Director on the date and at the hours and places specified below.

DATE: Friday, March 29, 2019 HOURS: 10:00AM to 11:00AM

and

Noon to 1:00PM

**PLACE: In the employees break room located at the Employer's
1 Squibb Drive, New Brunswick, New Jersey facility.**

If the election is postponed or canceled, the Regional Director, in his or her discretion, may reschedule the date, time, and place of the election.

5. UNIT AND ELIGIBLE VOTERS. The following unit is appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

Included: All Full-Time and Regular Part-Time Customer Service Associates, including Customer Service Associates – Coffee Associates, Customer Service Technical Specialists, Team Leads, Forklift Operators, CSA TS Client Services, TL Tech

Initials: _____

Services, Shipping and Receiving Hazmat Associates, employed by the Employer at its 1 Squibb Drive, New Brunswick, New Jersey facility.

Excluded: All Office Clericals employees, Professional employees, Guards and Supervisors as defined in the Act, and all other employees.

Those eligible to vote in the election are employees in the above unit who were employed during the **payroll period ending Friday, March 15, 2019**, including employees who did not work during that period because they were ill, on vacation, or were temporarily laid off.

Employees engaged in any economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, employees engaged in an economic strike which commenced less than 12 months before the election date, who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls or by mail as described above in paragraph 4.

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

6. VOTER LIST. Within 2 business days after the Regional Director has approved this Agreement, the Employer must provide to the Regional Director and all of the other parties a voter list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available personal home and cellular telephone numbers) of all eligible voters. **The voters list must be filed with the Petitioner at the following electronic address: bmanzolino@usw.org.** The Employer must also include, in a separate section of that list, the same information for those individuals whom the parties have agreed should be permitted to vote subject to challenge. The list must be filed in common, everyday electronic file formats that can be searched. Unless otherwise agreed to by the parties, 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. 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. When feasible, the list must be filed electronically with the Regional Director and served electronically on the parties. The Employer must file with the Regional Director a certificate of service of the list on all parties.

7. THE BALLOT. The Regional Director, in his or her discretion, will decide the language(s) to be used on the election ballot. All parties should notify the Region as soon as possible of the need to have the Notice of Election and/or ballots translated.

The question on the ballot will be "Do you wish to be represented for purposes of collective bargaining by United, Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied & Industrial Service Workers International Union, AFL-CIO-CLC.?" The choices on the ballot will be "Yes" or "No".

8. NOTICE OF ELECTION. The Regional Director, in his or her discretion, will decide the language(s) to be used on the Notice of Election. The Employer must post copies of the

Initials: _____

Notice of Election in conspicuous places, including all places where notices to employees in the unit are customarily posted, at least three (3) full working days prior to 12:01 a.m. of the day of the election. The Employer must also distribute the Notice of Election electronically, if the Employer customarily communicates with employees in the unit electronically. Failure to post or distribute the Notice of Election as required shall be grounds for setting aside the election whenever proper and timely objections are filed.

9. NOTICE OF ELECTION ONSITE REPRESENTATIVE. The following individual will serve as the Employer's designated Notice of Election onsite representative: Karen Brewer, Human Resources Business Partner; 1 Squibb Drive, New Brunswick, New Jersey 08901. Karen.Brewer@exelaonline.com; (212) 972-3213 (fax).

10. ACCOMMODATIONS REQUIRED. All parties should notify the Region as soon as possible of any voters, potential voters, or other participants in this election who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in the election need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, and request the necessary assistance.

11. OBSERVERS. Each party may station an equal number of authorized, nonsupervisory-employee observers at the polling places to assist in the election, to challenge the eligibility of voters, and to verify the tally.

12. TALLY OF BALLOTS. Upon conclusion of the election, the ballots will be counted and a tally of ballots prepared and immediately made available to the parties.

13. POSTELECTION AND RUNOFF PROCEDURES. All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

EXELA ENTERPRISE SOLUTIONS, INC.

(Employer)

**UNITED, STEEL, PAPER AND FORESTRY,
RUBBER, MANUFACTURING, ENERGY,
ALLIED & INDUSTRIAL SERVICE
WORKERS INTERNATIONAL UNION,
AFL-CIO-CLC**

(Petitioner)

By /s/ Christopher M. Repole 3/18/19
Christopher M. Repole, Esq. (Date)

By /s/ Arturo Archila, 3/18/19
Arturo Archila, Organizer (Date)

Recommended: /s/ Anett Rodrigues 3/18/19
Anett Rodrigues, Board Agent (Date)

Date approved: March 18, 2019

/s/ 

Regional Director, Region 22
National Labor Relations Board

Exhibit C

Date Filed 03/01/2019

Case No. 22-RC-237040

Date Issued March 29, 2019

City New Brunswick

State NJ

Type of Election: (Check one:)

(If applicable check either or both:)

- Stipulation (checked)
Board Direction
Consent Agreement
RD Direction Incumbent Union (Code)

- 8(b) (7)
Mail Ballot

EXELA ENTERPRISE SOLUTIONS, INC.

(EMPLOYER)

AND

UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED & INDUSTRIAL SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO-CLC

(PETITIONER)

TALLY OF BALLOTS

The undersigned agent of the Regional Director certifies that the results of tabulation of ballots case in the election held in the above case, and concluded on the date indicated above, were as follows:

- 1. Approximate number of eligible voters 14
2. Number of Void ballots 0
3. Number of Votes cast for UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED & INDUSTRIAL SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO-CLC 8
4. Number of Votes cast for [redacted] /
5. Number of Votes cast for [redacted] /
6. Number of Votes cast against participating labor organization(s) 6
7. Number of Valid votes counted (sum 3, 4, 5, and 6) 14
8. Number of challenged ballots 0
9. Number of Valid votes counted plus challenged ballots (sum of 7 and 8) 14

10. Challenges are (not) sufficient in number to affect the results of the election.
11. A majority of the valid votes counted plus challenged ballots (Item 9) has (not) been cast for UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED & INDUSTRIAL SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO-CLC

REGION 22

For the Regional Director

[Signature]

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For Karen Brewer (EMPLOYER)

For [Signature] (PETITIONER)

For [Blank signature line]