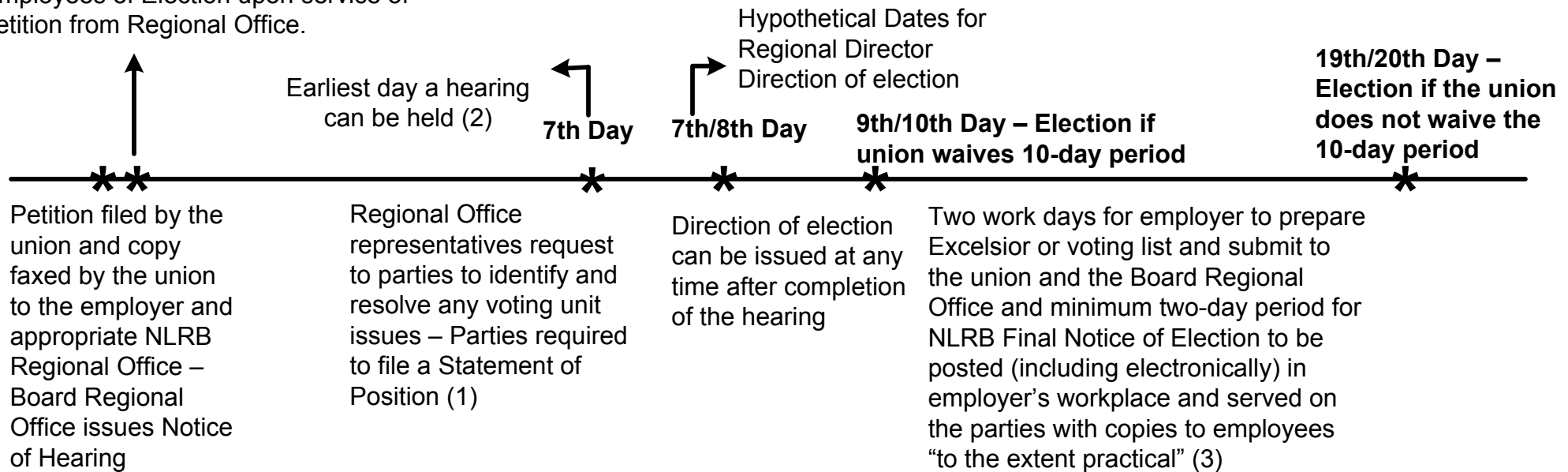


# NLRB PROPOSED NEW ELECTION RULE – WITH NO POST-HEARING BRIEF

Employer to “immediately” post (including electronically) Initial Notice to Employees of Election upon service of petition from Regional Office.



(1) Statement of Position of the employer to be filed before or on the hearing date and is to include commerce information, name of voting unit employees, their address, their telephone number, their email address if available and the employee’s work location, shift and classification. Statement of Position also is to include the employer’s position on the appropriateness of the unit and suggested dates, times, and location of the election and the cut-off eligibility date and served on the union and the Regional Director.

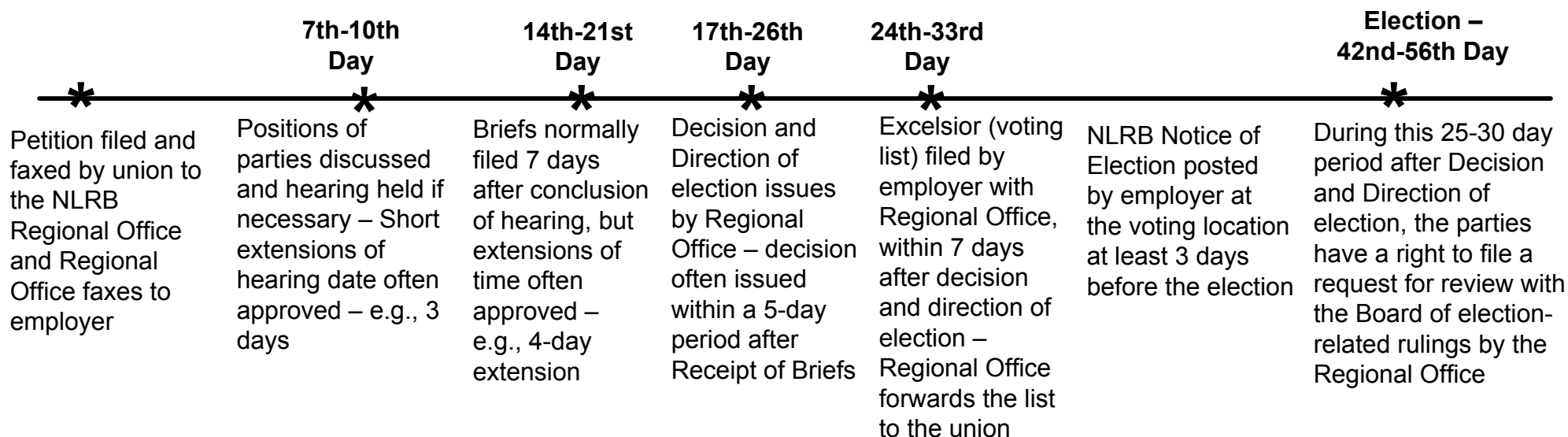
(2) The hearing is only to involve “**genuine issues of material fact.**” At any time during the hearing, if the hearing officer determines that the only genuine issue remaining in dispute concerns the eligibility or inclusion of individuals who would constitute less than 20% of the unit if they were found to be eligible to vote, the hearing officer will immediately close the hearing. At the conclusion of the hearing, parties would be permitted to make oral arguments on the record. Parties would be permitted to file briefs only with the permission of the hearing officer and within the time permitted by and subject to any other limitations imposed by the hearing officer.

(3) The two-day notice period would eventually be eliminated with the increased use of electronic notices to voting unit employees.

Prepared by G. Roger King, Jones Day  
Of Counsel, on February 19, 2014.



# UPDATED EXAMPLE OF CURRENT NLRB ELECTION PROCEDURE TIMELINE



Prepared by G. Roger King, Jones Day  
Of Counsel, on March 7, 2014.