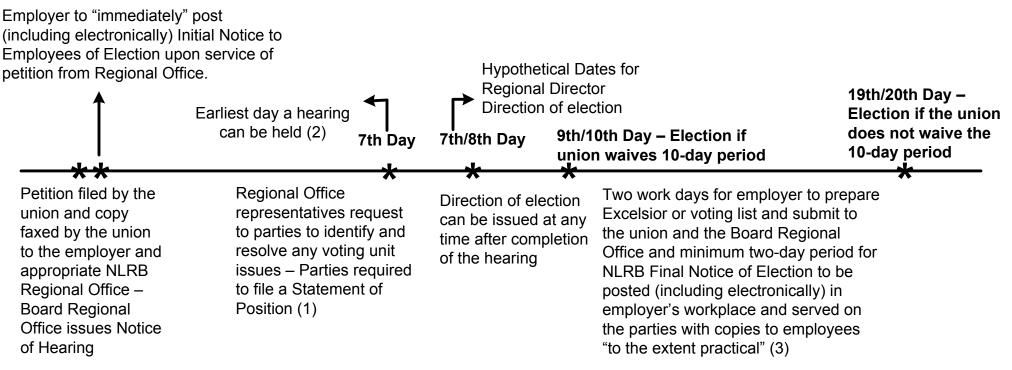
NLRB PROPOSED NEW ELECTION RULE – WITH NO POST-HEARING BRIEF





(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



	7th-10th Day	14th-21st Day	17th-26th Day	24th-33rd Day		Election – 42nd-56th Day
_ *	*		*	*		*
Petition filed and faxed by union to the NLRB Regional Office and Regional Office faxes to employer	Positions of parties discussed and hearing held if necessary – Short extensions of hearing date often approved – e.g., 3 days	Briefs normally filed 7 days after conclusion of hearing, but extensions of time often approved – e.g., 4-day extension	Decision and Direction of election issues by Regional Office – decision often issued within a 5-day period after Receipt of Briefs	Excelsior (voting list) filed by employer with Regional Office, within 7 days after decision and direction of election –	NLRB Notice of Election posted by employer at the voting location at least 3 days before the election	During this 25-30 day period after Decision and Direction of election, the parties have a right to file a request for review with the Board of election- related rulings by the Regional Office

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