

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

**NOTICE: PARTIES INVOLVED IN AN INVESTIGATION OF AN UNFAIR LABOR PRACTICE
CHARGE SHOULD BE AWARE OF THE FOLLOWING PROCEDURES:**

Right to be Represented - Any party has the right to be represented by an attorney or other representative in any proceeding before the National Labor Relations Board. If you wish to have a representative appear on your behalf, please have your attorney or other representative complete Form NLRB-4701, Notice of Appearance, and forward it to the respective Regional Office as soon as a representative is chosen.

Attorneys and Service of Documents - If your representative is an attorney, such attorney will receive exclusive service of all documents, except that you and your attorney will both receive those documents described in Sec. 11842.3(a) of the Casehandling Manual. However, your attorney may consent to have additional documents or correspondence served on you by making the appropriate designation on Form NLRB-4701, Notice of Appearance.

Non-Attorney Representatives and Service of Documents - If your representative is not an attorney, you and your representative may receive copies of all documents and correspondence.

Impartial Investigation - Upon receipt of a charge, the Regional Office will conduct an impartial investigation to obtain all material and relevant evidence. Your active cooperation in making witnesses available and stating your position will be most helpful to the Region in determining whether the charge has merit. The Region may also contact and interview other relevant witnesses and parties.

If only the charging party cooperates in the investigation, its evidence may warrant issuance of complaint in the absence of the charged party's defenses. Thus, the charged party is encouraged to fully cooperate and present all available evidence and its defenses. The Region seeks such relevant evidence from all parties to reach an informed determination and help resolve the matter, whether or not the case has merit, at the earliest possible time. .

Withdrawal/Dismissal - If the Regional Director determines that the charge lacks merit, the charging party is offered the opportunity to withdraw. Should the charging party not withdraw the charge, the Regional Director will dismiss the charge and advise the charging party of the right to appeal the dismissal to the General Counsel.

Pre-Complaint Voluntarily Adjustment - If the Regional Director determines that the charge has merit, all parties are afforded an opportunity to settle the matter by voluntary adjustment. It is our policy to explore and encourage voluntary adjustment before proceeding with costly and time-consuming litigation before the Board and courts.

Complaint and Voluntary Adjustment - If, following the investigation, the Regional Director determines that there is merit to the charge and a voluntary adjustment is not reached, the Regional Director will issue a complaint and notice of hearing. The hearing will be conducted before an administrative law judge who will issue a decision and recommendation to the Board in Washington, D.C. However, issuance of a complaint does not preclude voluntary adjustment by the parties. On the contrary, at any stage of the proceeding the Regional Director and staff will be available to provide any assistance in arriving at an appropriate settlement.