

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 27**

HSS, INC.

Employer

and

Case 27-RC-271407

**LAW ENFORCEMENT OFFICERS SECURITY UNIONS
LEOSU-CA, LEOS-PBA**

Petitioner

DECISION AND DIRECTION OF ELECTION

On January 15, 2021, the Law Enforcement Officers Security Unions LEOSU-CA, LEOS-PBA (the Petitioner) filed a representation petition under Section 9(c) of the National Labor Relations Act (the Act), seeking to represent a unit of about 267 security officers employed by HSS, Inc. (the Employer) at the Denver International Airport in Denver, Colorado (the Airport). A videoconference hearing was held on February 5 before a hearing officer of the National Labor Relations Board (the Board). The only matter at issue is whether the election should be conducted by manual or mail ballot method. Per Board policy, election arrangements, including the voting method, are not litigable matters at a pre-election hearing, but the positions of the parties were solicited for consideration prior to the direction of an election. The Petitioner maintains a mail ballot election is the appropriate choice under the circumstances present, while the Employer argues that a manual election can be conducted safely in a ballroom at the Westin Hotel, which is adjacent to the airport.

The Board has delegated its authority in this proceeding to me under Section 3(b) of the Act. Having considered the entire record in this proceeding, relevant Board law, and the arguments of the parties, both of which submitted post-hearing briefs, I find the combination of the current pandemic and the circumstances surrounding the use of a third-party facility create an extraordinary circumstance making a mail-ballot election appropriate in this case.

FACTS

The Airport is operated by the City and County of Denver and is located within Denver's county limits. However, the Airport is physically separate from the rest of Denver and is surrounded on nearly all sides by Adams County. The Employer contracts with the Airport to provide security services, both inside the terminal and on the Airport's grounds outside.

The petitioned-for unit comprises about 267 security officers who are currently represented by the Service Employees International Union, Local 105. The parties have

stipulated, and I find, that the security officers are guards within the meaning of Section 9(b)(3) of the Act.¹

Security officers working inside the terminal staff stationary posts and patrol the terminal. They conduct searches of airport employees and contractors, respond to door alarms, check vendors' merchandise, and review credentials of employees and contractors, among other duties. Security officers stationed outside the terminal primarily work at 15 gates, including gates for employee entrances and construction zones. Some gates are as far as two miles from the terminal itself. Officers stationed outside search vehicles, maintain sign-in lists, review credentials for individuals entering Airport property, and patrol Airport fences and parking lots.

The Westin Hotel is located on Airport grounds, adjacent to the south side of the terminal. Its main foyer can be accessed directly from the terminal, and its ballroom is a short walk from the foyer. The ballroom itself is 2839 square feet, with a current maximum occupancy of 14 due to social-distancing guidelines. The ballroom would cost \$2000 to rent for a 13-hour election.

POSITIONS OF THE PARTIES

The Petitioner requests a mail ballot. In support, the Petitioner points to several circumstances. First, it contends that the nature of the facility—an international airport—exposes voting employees to a higher risk of contracting COVID-19 at a manual election than would be present at other workplaces due to the large number of passengers passing through from dozens of destinations. Second, it points out that even if the parties work out an acceptable voting-release schedule, many security officers would need to receive rides from their posts at gates to the polling location, exposing them to increased transmission risk. Third, the Petitioner claims that under the Company's proposal, described below, up to a third of unit employees would not be on duty and would need to report to the workplace during off hours to vote. Fourth, the Petitioner contends that a manual election would disenfranchise any voters who are quarantined due to positive COVID-19 tests.

The Employer proposes a manual election at the Westin Hotel's ballroom on March 4, 2021, from 7am to 8pm.² The Employer initially points out that the Board generally favors manual over mail ballots. As discussed further below, the Employer contends that none of the six situations the Board identified in *Aspirus Keweenaw*, 370 NLRB No. 45, slip op. at 1 (2020), are present here. The Employer further contends that the Petitioner could visit employees at home during manual balloting, and the Petitioner has not committed to following social-distancing guidelines during such visits. Finally, the Employer argues that, because the

¹ The incumbent union, SEIU Local 105, although notified of the proceedings upon the filing of the petition, has not moved to intervene. The record reveals that a SEIU Local 105 representative attended the hearing, but did not formally participate. Based on the SEIU 105 website, SEIU105.org, it represents numerous healthcare employees and as well as well as various other non-guard bargaining units. Absent intervention and because SEIU Local 105 admits both guards and non-guards to its membership, it will not appear on the ballot in the election directed herein. See *University of Chicago*, 272 NLRB 873 (1984).

² The Employer reserved the proposed ballroom space for March 4, 2021. It is noted that the Agency would be required to secure and pay for any hotel space for a manual election.

bargaining unit works at a critical business that has remained open throughout the pandemic, and unit members are tested weekly for COVID-19, a manual ballot is particularly appropriate here.

THE BOARD'S STANDARD

Section 11301.2 of the NLRB Casehandling Manual (Part Two) Representation Proceedings (Manual) provides, in relevant part:

The Board's longstanding policy is that representation elections should, as a general rule, be conducted manually. The Board has also recognized, however, that there are instances where circumstances tend to make it difficult for eligible employees to vote in a manual election or where a manual election, though possible, is impractical or not easily done. In these instances, the regional director may reasonably conclude that conducting the election by mail ballot or a combination of mail and manual ballots would enhance the opportunity for all to vote.

The Manual sets forth several types of conditions favoring mail-ballot elections, including situations where eligible voters are "scattered," either geographically or as to their work schedules, or where there is a strike, lockout, or picketing in progress. Finally, Section 11301.2 of the Manual states that "[u]nder extraordinary circumstances, other relevant factors may also be considered by the regional director," citing *San Diego Gas & Electric*, 325 NLRB 1143, 1145 (1998). Thus, while there is a clear preference for conducting manual elections in ordinary circumstances, the Manual indicates that a regional director may use discretion to order a mail-ballot election where conducting an election manually is not feasible and that, under extraordinary circumstances, the regional director should tailor the method of conducting an election to enhance the opportunity of unit employees to vote. *Id.*

In *San Diego Gas and Electric*, 325 NLRB 1143 (1998), the Board reviewed the circumstances under which it may be appropriate to direct a mail-ballot election. The Board's longstanding policy, as a general rule, is that representation elections should be conducted manually. Recognizing, however, that there are some extraordinary circumstances that would make it difficult for eligible employees to vote in a manual election, the Board vested Regional Directors with broad discretion to determine the method by which elections shall be conducted. Under the guidelines set forth in *San Diego Gas*, a mail-ballot election may be appropriate where eligible voters are "scattered" because of their job duties in terms of geography or varied work schedules, so that all employees cannot be present at a common location at common times to vote manually. When these situations exist, the Regional Director, in the exercise of discretion, should also consider the desires of the parties and the efficient use of Board resources.

On November 9, 2020, the Board set forth "six situations that suggest the propriety of mail ballots due to the Covid-19 pandemic," noting that "[w]hen one or more of these situations is present, a Regional Director should consider directing a mail-ballot election." *Aspirus Keweenaw*, 370 NLRB No. 45, slip op. at 1 (2020). Those six situations are:

- 1) The Agency office tasked with conducting the election is operating under “mandatory telework” status;
- 2) Either the 14-day trend in the number of new confirmed cases of Covid-19 in the county where the facility is located is increasing, or the 14-day testing positivity rate in the county where the facility is located is 5 percent or higher;
- 3) The proposed manual election site cannot be established in a way that avoids violating mandatory state or local health orders relating to maximum gathering size;
- 4) The employer fails or refuses to commit to abide by the GC Memo 20-10, *Suggested Manual Election Protocols*;
- 5) There is a current Covid-19 outbreak at the facility or the employer refuses to disclose and certify its current status; and
- 6) Other similarly compelling considerations.

Id.

ANALYSIS

Region 27 is not operating under mandatory telework. The parties disagree as to whether this election presents any of the remaining situations identified in *Aspirus Keweenaw*. In addition, the Petitioner contends that employees’ schedules are scattered such that a mail-ballot election would be appropriate here under *San Diego Gas*, regardless of whether any of the *Aspirus Keweenaw* situations is present. For the reasons discussed below, I find that a mail-ballot election is appropriate here.

Confirmed-cases trend and positivity rate

Although the Airport is located within the City and County of Denver, both parties contend that the Board should consider a different area due to the unique nature of the Airport. The Employer contends that because the Airport itself is its own enclave, physically separated from the rest of Denver with its own security and screening precautions, the Airport’s trend of positive cases and positivity rate is relevant here, rather than that of the county. Even if where employees lived were relevant, the Employer contends that most employees live in Denver and Aurora Counties, both of which have declining numbers of cases and low positivity rates. The Petitioner, on the other hand, contends that the Board should base its decision on the statistics from all of the surrounding counties where employees live.

Even using the Petitioner’s requested area, though, the Board’s standards for a manual election are met here. All of the closest counties to the Airport—Denver, Adams, Arapahoe, and Jefferson Counties—have both declining 14-day trends in positive cases and 14-day positivity rates under 5% as of this writing.³ Therefore, I find that the trend in confirmed cases and the positivity rate in the area surrounding the facility do not warrant a mail-ballot election under *Aspirus Keweenaw*.

³ See <https://covid19.colorado.gov/data/covid-19-dial-dashboard>, accessed February 22, 2021.

Mandatory state or local health orders

Colorado applies a varying set of capacity and other restrictions to each county based on the level of risk in the county, which the state assesses on a six-color scale. Denver is currently at Level Yellow, which restricts personal gatherings to 10 people or fewer from a maximum of two different households and restricts indoor events to 50% capacity or 50 people. The Employer contends that the Airport, including the Westin Hotel, is a critical business exempt from the state's restrictions. It has cited no authority for the proposition that the state has exempted the Westin Hotel from its capacity limits. Indeed, although the state has designated hotels as critical businesses, those businesses must still follow the same rules as all others "unless doing so would make it impossible to carry out critical functions[.]" *SEVENTH AMENDED PUBLIC HEALTH ORDER 20-36* (Feb. 12, 2021), available at <https://covid19.colorado.gov/public-health-executive-orders>. However, I find that the state orders do not impose an impediment to holding a manual election. An election is not a personal gathering, and the hotel's restriction of 14 people in the ballroom far exceeds the requirement limiting indoor events to half capacity or less.

GC Memo 20-10 protocols

The Employer states generally that it commits to abide by all of the protocols mentioned in GC Memo 20-10. However, despite those assurances, it is difficult to see how the Employer's manual-election proposal could possibly satisfy some of the requirements.

The practical difficulties of the Employer's proposal alone pose several obstacles to an in-person election. First, polling procedures must not "endanger[] participants by unnecessarily elongating exposure among Board Agents and observers." GC Memo 20-10, p.1. The proposed 13-hour polling period is intended to afford social distancing so long as a release schedule can be fashioned. A polling period of 13 hours, a pre-election conference of 45 minutes that would likely need to be conducted in person (see below), and the period for counting the ballots elongates exposure, particularly where neither party has waived the right to have an observer present during the election. Even if the hours could be trimmed to provide breaks for the observers and Board agent, the hours would need to be lengthy to accommodate social distancing for this number of voters. If the schedule were to include all employees while they are scheduled to work (see discussion below), that would require another day of polling thereby increasing the length of exposure of the observers and voters.

Second, although the Employer has committed to working with the Petitioner on a voter-release schedule, it has not proposed any concrete schedule. It suggested that perhaps employees could be released by supervisors for a half hour or up to an hour to be able to vote by specific areas or posts, while noting that some security officers – particularly those assigned to gates – would need to be relieved from their posts and some would need to be transported. Thus, there is no basis for determining whether releasing voters in a way that would limit any voting lines would be practicable and, based on the record, it appears that such a schedule would be difficult to construct and would not encompass all voters. With a large portion of the unit having to travel to the Airport on their day off to vote, there is no way to "release" those voters or to determine when those voters would appear at the polls, which could create a situation where more voters

arrive than are permitted into the ballroom. In that situation, there is no apparent way to enforce social distancing even if voters were directed to wait outside of the ballroom. Third, although the ballroom is large enough to accommodate several safely distanced voters at a time, the Employer will not have access to it to install plexiglass barriers and floor markers until the pre-election conference on the date of the election, which leaves limited time to determine if those barriers have been properly erected and to fix any issues. The lack of guaranteed access to the polling area would also interfere with the requirement that the parties and Board agent be able to inspect the polling area by videoconference at least 24-hours before the election. The idea of the inspection is that the parties and Board agent would not need to review these details at a prolonged pre-election conference because they would have an idea of the arrangement and precautions taken before the day of the election. Finally, the record does not establish how *the Employer* can certify that the polling area is consistently cleaned to conform with CDC standards, when it will not be in control of the space before the day of the election.

Moreover, the Employer is unlikely to be able to certify how many individuals who have contracted COVID-19 have accessed the facility in the past 14 days, as required by GC Memo 20-10. Although the Employer states that it can certify how many of its *own* employees who have been in the facility in the past 14 days have tested positive for COVID-19, GC Memo 20-10 requires that the Employer certify how many individuals have been present *within the facility* who have tested positive for COVID-19 or displayed symptoms within the past 14 days. The facility is the Airport, not the voting location, and the City and County of Denver do not appear to publicly post recent positive-test data for the Airport as a whole and, even if it did, that data would not cover passengers at the Airport, or necessarily provide test data for all of the entities at the Airport. In that regard, there is construction work taking place at the Airport and there are numerous shops and food establishments located throughout the Airport.⁴ Even if the hotel alone were the facility to be considered, the Employer has committed only to asking the hotel who has accessed the ballroom in the 14 days before the election, and it is unclear that the hotel would even know the COVID status of its guests or who has accessed any particular area within the past 14 days.

Accordingly, based upon the information before me, I find that it is not possible that a manual election can be conducted for the proposed hours at the ballroom, or similar hotel space if the ballroom is not available, in accordance with the protocols required by GC Memo 20-10. Therefore, these issues weigh against conducting a manual election.

Outbreak at the facility

Under *Aspirus Keweenaw*, an employer requesting a manual election must certify, “by affidavit as part of its submission regarding election arrangements, how many individuals present in the facility within the preceding 14 days have tested positive for Covid-19 (or are awaiting test results, are exhibiting characteristic symptoms, or have had contact with anyone who has tested positive in the previous 14 days). *Id.*, 370 NLRB No. 45, slip op. at 7. The Employer did not so

⁴ https://www.flydenver.com/enjoy_relax/dine, accessed February 22, 2021

certify at the hearing.⁵ Instead, it states that it is committed to so certifying, and that it will work with the Westin hotel to provide information about the ballroom's occupants. But that does not satisfy the Board's requirement. Although the Employer tests its own employees weekly, it has not disclosed, as part of its submissions regarding election arrangements, how many employees have recently tested positive and when.⁶ It also has not disclosed how many individuals at the Airport itself have tested positive. As the Board made clear, the Employer must certify the number of COVID-positive individuals both "at the facility where the manual election would occur" and "at the employer's facility." *Id.* The Employer has not done either, and given the difficulties with determining how many passengers, employees of other employers, and guests have accessed the Airport and the hotel, it is unlikely that the Employer will be able to credibly do so. Accordingly, the potential of a COVID-outbreak at the facility, including both the Airport and the hotel, weighs in favor of directing a mail-ballot election.

Other considerations

As the Petitioner points out, the Employer's proposal lacks the primary benefit of a typical manual election in that it would be inconvenient or impossible for some of the unit employees to attend. Only about two thirds of unit employees would be on duty at some point during the proposed 13-hour polling session. The Airport, which is located about 25 driving miles from Denver and approximately 16 driving miles from Aurora, is not near the residential areas where most employees live. Ordinarily, I would order polling on two dates to accommodate more employees. See Casehandling Manual § 11302.1. But doing so here would expose the observers and parties to more COVID-19-related risk, and no party suggests that I do so. Moreover, the Employer rightfully does not allow employees who have tested positive for COVID-19 or otherwise displayed symptoms to report to the Airport in person. Those employees would be disenfranchised by a manual election.

Another practical difficulty with the Employer's proposal counsels in favor of a mail-ballot election. Many of the employees work in remote locations at the Airport, including at gates as much as a mile or more from the potential polling location. Some of those employees would require rides to the polling location, exposing them to an added close contact with another employee. Given the lack of a proposed release schedule, the employees' remote locations add another logistical hurdle to a manual election for which the Employer poses no solution.

Ultimately, as GC Memo 20-10 recognizes, the decision to conduct the election is within my discretion. Neither party has argued that the petitioned-for employees would be unable to understand the mail balloting procedure, and there is no contention that the addresses of the eligible employees are not known or up to date. In that regard, voting in Colorado for state and national elections has been conducted by mail ballot for many years, so voters are accustomed to voting by mail. Any mail ballot election includes and ensures procedures by which an employee who has not received a ballot in a timely manner may receive a duplicate. In all, both the factors

⁵ In its attachment to its Statement of Position dated January 28, 2021, the Employer contends there is no outbreak at the "facility." It is unclear from the document what is the scope of the term "facility."

⁶ The record discloses that some of the Employer's employees have tested positive for COVID-19, but it is unknown when such results occurred.

identified by the Board in *Aspirus Keweenaw* and other logistical considerations weigh in favor of a mail-ballot election. Accordingly, I have directed such an election below.

CONCLUSIONS

Under Section 3(b) of the Act, I have the authority to hear and decide this matter on behalf of the National Labor Relations Board. On the entire record in this proceeding, I find:

- 1) The hearing officer's rulings made at the hearing are free of prejudicial error and are affirmed.
- 2) The Employer is engaged in commerce within the meaning of the Act, and it will effectuate the purposes of the Act to assert jurisdiction over it and this proceeding.⁷
- 3) The Petitioner is a labor organization within the meaning of Section 2(5) of the Act, and it claims to represent certain employees of the Employer.
- 4) No bar exists to conducting an election.
- 5) A question affecting commerce exists concerning the representation of certain employees of the Employer within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.
- 6) As stipulated by the parties, the following unit of employees constitutes an appropriate bargaining unit within the meaning of Section 9(b) of the Act:

All full-time and regular part-time security officers, including total queue management (TQM), performing guard duties as defined in Section 9(b)(3) of the Act, employed by the Employer at the Denver International Airport.

DIRECTION OF ELECTION

The National Labor Relations Board will conduct a secret ballot election among the employees in the unit found appropriate above. Employees will vote on whether or not they wish to be represented for purposes of collective bargaining by the Petitioner.

Election details

The election will be conducted by United States mail. 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 27, Region 27, 1961 Stout Street, Suite 13-103, Denver,

⁷ The Employer, HSS, Inc., a Colorado corporation with a principal location in Denver, Colorado, is engaged in the business of providing specialized security services throughout the country, including at the Denver International Airport, the only facility involved herein. During the past calendar year, a representative period, the Employer provided services valued in excess of \$50,000 directly to customers located outside the State of Colorado.

Colorado 80294 at 3:00 p.m. on Wednesday, March 10, 2021. Voters must sign the outside of the envelope in which the ballot is returned. Any ballots received in an envelope that is not signed will be automatically void.

The returned ballots must be received by the Region 27 office by 3:00 p.m. on March 31, 2021. All ballots will be comingled and counted via videoconference. To be valid and counted, the returned ballots must be received by the Region 27 before the counting of ballots. The parties will be permitted to participate in the ballot count. A meeting invitation for the videoconference will be sent to the parties' representatives before the count. No party may make a video or audio recording or save any image of the ballot count.

Those employees who believe that they are eligible to vote and did not receive a ballot in the mail by March 17, 2021 should communicate immediately with the National Labor Relations Board by either calling the Region 27 Office at (720)598-7401, (303) 844-3551, or our national toll-free line at 1-866-667-NLRB (1-866-667-6572).

Voting eligibility

Eligible to vote are those in the unit who were employed during the payroll period ending February 20, 2021, 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.

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 February 24, 2021. 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.

Posting of Notices of Election

The Notice of Election will be provided imminently. Pursuant to Section 102.67(k) of the Board's Rules, the Employer must post copies of the Notice of Election to be issued following 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 first 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 10 business 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 and may not be filed by facsimile. 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. If not E-Filed, the request for review should be addressed to the Executive Secretary, National Labor Relations Board, 1015 Half Street SE, Washington, DC 20570-0001, and must be accompanied by a statement explaining the circumstances concerning not having access to the Agency's E-Filing system or why filing electronically would impose an undue burden. 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. If a request for review of a pre-election decision and direction of election is filed within 10 business days after issuance of the decision and if the Board has not already ruled on the request and therefore the issue under review remains unresolved, all ballots will be impounded. Nonetheless, parties retain the right to file a request for review at any subsequent time until 10 business days following final disposition of the proceeding, but without automatic impoundment of ballots.

Issued at Denver, Colorado on this 22nd day of February, 2021

/s/ Paula Sawyer
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NATIONAL LABOR RELATIONS BOARD
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