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Description of document: National Labor Relations Board (NLRB) Field Manual of Casehandling Memoranda, located on the Division of Operations Management internal employee intranet website, 2017

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Source of document: FOIA Request
NLRB FOIA Officer
National Labor Relations Board
1015 Half Street, SE
4th Floor
Washington, DC 20570
Fax: (202) 273-FOIA (3642)

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
FREEDOM OF INFORMATION ACT BRANCH
Washington, D.C. 20570

Via email

June 21, 2017

Re: FOIA ID: LR-2017-0097

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated October 10, 2016 and received on October 11, 2016, in which you requested an electronic copy of "the NLRB Field Manual of Casehandling Memoranda, located on the Division of Operations Management internal employee intranet website." You agreed to assume financial responsibility for the processing of your request.

We acknowledged your request on October 10, 2016. We regret the delay in our final response.

I have attached a copy of the requested document. A few redactions have been made pursuant to FOIA Exemption 5, 5 U.S.C. § 552(b)(5), which protects intra-agency communications and records from disclosure on the basis of, among other things, the deliberative process and attorney work-product privileges, as discussed below.

Specifically, the deliberative process privilege protects the internal decision-making processes of government agencies in order to safeguard the quality of agency decisions. The basis for this privilege is to protect and encourage the creative debate and candid discussion of alternatives. Two fundamental requirements must be satisfied before an agency may properly withhold a document pursuant to the deliberative process privilege. First, the document must be predecisional, *i.e.*, prepared in order to assist an agency decision-maker in arriving at the decision. *Renegotiation Bd. v. Grumman Aircraft Eng'g Corp.*, 421 U.S. 168, 184 (1975); *Judicial Watch, Inc. v. FDA*, 449 F.3d 141, 151 (D.C. Cir. 2006). Second, the document must be deliberative, *i.e.*, "it must form a part of the agency's deliberative process in that it makes recommendations or expresses opinions on legal or policy matters." *Judicial Watch, Inc. v. FDA*, 449 F.3d at 151 (quoting *Coastal States Gas*

v. U.S. Dep't of Energy, 617 F.2d 854, 866 (D.C. Cir. 1980)). To satisfy these requirements, the agency need not "identify a specific decision in connection with which a memorandum is prepared. Agencies are . . . engaged in a continuing process of examining their policies; this process will generate memoranda containing recommendations which do not ripen into agency decisions; and the lower courts should be wary of interfering with this process." *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 151 n.18 (1975). The protected status of a predecisional document is not altered by the subsequent issuance of a decision, see, e.g., *Federal Open Market Comm. v. Merrill*, 443 U.S. 340, 360 (1979); *Elec. Privacy Info. Ctr. v. DHS*, 384 F. Supp. 2d 100, 112-13 (D.D.C. 2005), by the agency opting not to make a decision, see *Judicial Watch, Inc. v. Clinton*, 880 F. Supp. 1, 13 (D.D.C. 1995), *aff'd*, 76 F.3d 1232 (D.C. Cir. 1996) (citing *Russell v. U.S. Dep't of the Air Force*, 682 F.2d 1045 (D.C. Cir. 1982)), or by the passage of time, see *Judicial Watch of Fla., Inc. v. U.S. Dep't of Justice*, 102 F. Supp. 2d 6, 16 (D.D.C. 2000) (finding that the deliberative process privilege is not temporary).

The attorney work-product privilege protects documents and other memoranda that reveal an attorney's mental impressions and legal theories that were prepared by an attorney, or a non-attorney supervised by an attorney, in contemplation of litigation. See *United States v. Nobles*, 422 U.S. 225, 239 n.13 (1975); *Hickman v. Taylor*, 329 U.S. 495, 509-10 (1947). The attorney-work product privilege covers material that "can fairly be said to have been prepared or obtained because of the prospect of litigation." *In Re Sealed Case*, 146 F.3d 881, 884 (D.C. Cir. 1998) (internal citation and quotation marks omitted). The privilege's purpose is to protect the adversarial trial process by insulating attorneys' preparations from scrutiny. See *Judicial Watch, Inc. v. Dep't of Homeland Sec.*, 926 F.Supp.2d 121, 142 (D.D.C.2013). In the context of a government agency, a document will be protected if its authors acted "as legal advisors protecting their agency clients from the possibility of future litigation." *Id.*; see also *Delaney, Migdail & Young, Chartered v. IRS*, 826 F.2d 124, 127 (D.C.Cir.1987) (memoranda protected which "advise[d] the agency of the types of legal challenges likely to be mounted against a proposed program, potential defenses available to the agency, and the likely outcome"); *Nat'l Ass'n of Criminal Def. Lawyers v. Exec. Office for United States Attorneys*, 75 F. Supp. 3d 552 (D.D.C. 2014).

Specifically, the responsive document here, the "Field Manual of Casehandling Memoranda" provides, alphabetically and by subject matter, a list of (i) OM and GC Memoranda posted on the NLRB website, and (ii) internal ICG memoranda not posted on the NLRB website and (iii) internal Agency communications sent from Headquarters to Regional Management. The Manual is intended as a quick reference for Regional Offices and is not an exhaustive listing of casehandling guidance. Redactions have been made to protect the listed internal Agency communications pursuant to Exemption 5. The listed internal communications (such as the ICG memoranda) are accessible only on the Agency's intranet by Agency personnel and are sent as casehandling guidance. Reference to the titles of these

communications and the communications themselves meet the requirements for Exemption 5 protection under both the deliberative process and the attorney work-product. They are internal and predecisional. They reflect the views of the Office of the General Counsel concerning prosecutorial policies and opinions regarding issues that may arise in the litigation of unfair labor practice cases. Because they analyze issues and practices relating to the handling of potential and actual casehandling situations, these internal communications reflect the deliberative and consultative process of the Agency that Exemption 5 protects from forced disclosure. *NLRB v. Sears, Roebuck and Co.*, 421 U.S. at 150-52. Additionally, the redacted communications are attorney work-product, as they reflect internal guidance sent to the Regions from the General Counsel and his staff to assist superiors in their decision-making process and the coordination of pending and anticipated unfair labor practice litigation.

For the purpose of assessing fees, we have placed you in Category D, the "all other requesters" category, because you do not fall within any other of the fee categories. Consistent with this fee category, you will be assessed charges to recover the full reasonable direct costs for searching for the requested documents and the duplication of those documents. As a requester in this category, you will not be charged for the first two hours of search time or the first 100 pages of duplication. NLRB Rules and Regulations, 29 C.F.R. § 102.117(d)(2)(ii)(D). Charges for all categories of requesters are \$3.10 per quarter-hour or portion thereof of clerical time and \$9.25 per quarter-hour or portion thereof of professional time. 29 C.F.R. § 102.117(d)(2)(i).

Less than two hours of professional time was expended in searching for the requested material. Accordingly, there is no charge for this request.

You may contact Teresita Sanabria, the FOIA Specialist who processed your request, at (202) 568-3531 or by email at teresita.sanabria@nrlb.gov, as well as our FOIA Public Liaison at (202) 273-0902 or by email at FOIAPublicLiaison@nrlb.gov, for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001, email at ogis@nara.gov, telephone at (202) 741-5770, toll free at (877) 684-6448, or facsimile at (202) 741-5769.

You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an appeal by mail to the Division of Legal Counsel, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C., 20570, or by email to DLCFOIAAppeal@nrlb.gov, within 90 days of the date of this letter, such period beginning to run on the calendar day after the

June 21, 2017

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date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based. Should you have questions concerning this letter, you may contact Denise Meiners, FOIA Supervisor, at (202) 273-2935 or by email at denise.meiners@nrlrb.gov.

Sincerely

Synta E. Keeling ISI

Synta E. Keeling
Freedom of Information Act Officer

Attachment: (26 pages)

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FIELD MANUAL OF CASEHANDLING MEMORANDA

(To access a link provided in this document, select the link, press the CTRL key, and then click your mouse)

This Manual is intended to be a quick reference to information and guidance to matters related to casehandling in the Regional Offices. The information consists for the most part of relevant General Counsel (GC) and Operations-Management (OM) memoranda. It is not an exhaustive listing of important and particularly useful reference material. Therefore, it should not be relied upon solely in the decision-making process.

-A-

Advice

[GC Memo 14-01](#) – Mandatory Submissions to Advice

[OM Memo 10-13 \(CH\)](#) – Casehandling Regarding Application of *Spielberg/Olin* standards

[OM Memo 08-74 \(CH\)](#) – *Collyer* and *Dubo* Deferral of Blocking Charges

[GC Memo 08-09](#) – Submission of First Contract Bargaining Cases to the Division of Advice

[OM Memo 08-13](#) – Cases Involving Severance Agreements Containing Waivers Executed Prior to the Filing or Investigating of an Unfair Labor Practice Charge

[OM Memo 06-65](#) – Cases Arising Out of Immigration Rallies

[OM Memo 05-86](#) – Casehandling Instructions for "C" Cases Involving Airport Screeners

[OM Memo 06-42](#) – Regional Office Procedures for Handling Pending Section 8(b)(4)(ii)(B) Charges Involving Union "Bannering" of Neutral Persons and the Display of Inflatable Rats

[OM Memo 04-76](#) – Casehandling Instructions Regarding Cases Involving Card Check and Neutrality Agreements

[OM Memo 04-72](#) – Casehandling Instructions for Charges that Concern Information Requests about Strike Replacements

ADR and Mediation

[OM Memo 08-21](#) – Court Mediation

[OM Memo 06-17](#) – Alternative Dispute Resolution Program

Answers

[OM Memo 05-55](#) – Filing a Motion to Strike Respondent's Answer When It Contains Denials not in Conformance with Section 102.21 of the Board's Rules and Regulations

Attorney-Conversion

[OM Memo 11-55](#) – Conversion of Field Examiners to the Field Attorney Position

Attorney-Client Privilege

[“Attorney-Client Privilege Training Materials” dated December 7, 2006](#)

(b)(5)



-B-

Backpay

See also [“Closed Case Report”](#)

[ICG Memo 15-04 \(Revised\)](#) - Enhanced Remedies

[ICG Memo 14-09](#) - Remedial Initiatives

[ICG Memo 13-12](#) - Announcement of Compliance Unit Website, Training Videos, and Techniques to Facilitate Compliance with Agency Orders

[Attachment A](#) [Attachment B](#)

[OM Memo 13-41 \(Revised\)](#) – Latino Express Remedies

[GC Memo 13-02](#) – Inclusion of Front Pay in Board Settlements

[OM Memo 11-61](#) - Financial Remedies and Other Settlement Terms Audit OIG-AMR-63

[GC Memo 11-08](#) – Changes to the Methods Used to Calculate Backpay in Light of Kentucky River Medical Center and to Better Effectuate the Remedial Purposes of the Act [Attachment](#): Daily Compound Interest

[GC Memo 11-07](#) - Guideline Memorandum Regarding Backpay Mitigation

[OM Memo 09-27](#) – Instructions for Protecting Information Pursuant to Oil Capitol Sheet Metal Compliance Investigations

[OM Memo 09-16](#) – Mitigation by paid union organizers under *Contractor Services*

[GC Memo 09-01](#) – Guideline Memorandum Concerning *St. George Warehouse*

[OM Memo 08-54](#) – *Grosvenor Orlando Associates, LTD.*, 350 NLRB No. 86

[OM Memo 08-29 \(CH\)](#) – Case Handling Instructions for Cases Involving *Oil Capitol Sheet Metals*, 349 NLRB No. 118 (May 31, 2007)

[Attachment 1](#) and [Attachment 2](#)

[OM Memo 07-59\(CH\)](#) – Consolidating Compliance Issues with ULP Complaints – Expediting Casehandling in “Default” Cases

[GC Memo 07-07](#) - Seeking Compound Interest on Board Monetary Remedies

[OM Memo 06-52](#) – Reporting the Backpay and Interest Collected and Fees, Dues and Fines Refunded on the Closed Case Report (include interest calculations in settlements with backpay)

[OM Memo 00-45](#) - Compliance Best Practices – Early Computation of Backpay

Bankruptcy

[OM Memo 08-59](#) – Eliminating Notices of Pendency of Unfair Labor Practice Proceeding in Bankruptcy Cases

[OM Memo 07-26](#) - Bankruptcy Proceedings Best Practices

[OM Memo 03-66](#) - Bankruptcy Notices From Claims and Noticing Agents

[GC Memo 97-03](#) - Bankruptcy Referrals to Headquarters' Offices (discusses division of responsibilities of bankruptcy matters between Contempt and Special Litigation Branches)

[OM Memo 97-60](#) - Guidelines for Applying Impact Analysis Where a Respondent Has Filed for Bankruptcy

Best Practices

[OM Memo 12-57](#) (Revised) - Electronic Distribution Posting of Notices and Reading of Notices

[ICG Memo 12-07](#) - Guide to Creating a Facebook Account

[ICG Memo 12-03](#) – Revised Social Media Guidelines

[OM Memo 08-63](#) – Strategies for Meeting Overarching Goals

[OM Memo 07-26](#) – Bankruptcy Proceedings Best Practices

[GC Memo 06-03](#) – (Revised) - Mentoring Program and Best Practices Guide

[OM Memo 06-47](#) - Best Practices for Increasing the Productivity and Job Satisfaction of Support Staff in Regional Offices

[OM Memo 04-40](#) - Best Practices for Filing Briefs in Support of ALJ Decisions with the Board and Responding to Pleadings

[OM Memo 04-27](#) - Best Practices Guide for NLRB Videoconferencing [Attachment](#)

[GC Memo 02-04](#) - Best Practice Compliance Case Report

[OM Memo 00-45](#) - Compliance Best Practices - Early Computation of Backpay

[GC Memo 99-06](#) - Best Practice C Case Report

[OM Memo 99-69](#) - Best Practices for Expediting the Processing of Major Unfair Labor Practice Cases

[GC Memo 98-01](#) - Representation Cases Best Practice Report

[OM Memo 98-61](#) - Addendum to GC 98-1, Representation Cases Best Practice Report, Protocol to Expedite Processing of Election Petitions

[OM Memo 98-12](#) - Placing Greater Emphasis on Compliance Issues During Initial Stages of Case Processing

Bilingual Witnesses

[OM Memo 09-44 \(CH\)](#) – Public Inquiries and Investigations Involving Non-English Witnesses

Briefs

[OM Memo 98-58](#) - Extensions of Time to File Answer Briefs and Cross Exceptions

-C-

Case Files (Disposition of)

[ICG Memo 13-09](#) - Transcripts and Exhibits to Case Records Unit

[GC Memo 07-09](#) – Information and Guidance for Managing the Discovery of Stored Information – [Attachment](#)

[OM Memo 07-64](#) – Impact of E-Discovery on Regional Offices

Closed Case Report

[OM Memo 06-52](#) - Reporting the Backpay and Interest Collected and Fees, Dues and Fines Refunded on the Closed Case Report

Complaints

[OM Memo 11-31](#) – Consolidating Compliance Issues with ULP Complaints

[OM Memo 05-79](#) - Electronic Submission of Complaints Pilot Program

[OM Memo 98-12](#) - Placing Greater Emphasis on Compliance Issues During Initial Stages of Case Processing (includes discussion, inter alia, when it is appropriate to consolidate the compliance issues in the unfair labor practice proceeding)

Compliance

[ICG Memo 15-04 \(Revised\)](#) - Enhanced Remedies

[ICG Memo 14-09](#) - Remedial Initiatives

[OM Memo 08-21](#) - Court Mediation

[ICG Memo 13-12](#) - Announcement of Compliance Unit Website, Training Videos, and Techniques to Facilitate Compliance with Agency Orders

[Attachment A](#) [Attachment B](#)

[OM Memo 13-41 \(Revised\)](#) – Latino Express Remedies

[GC Memo 13-02](#) – Inclusion of Front Pay in Board Settlements

[ICG Memo 13-02](#) - Compliance Unit in the Division of Operations-Management

[ICG Memo 12-13](#) - Revised Comprehensive Report on Quality Casehandling

[OM Memo 12-57](#) (Revised) - Electronic Distribution Posting of Notices and Reading of Notices

[OM Memo 11-61](#) - Financial Remedies and Other Settlement Terms Audit OIG-AMR-63

[GC Memo 11-08](#) – Changes to the Methods Used to Calculate Backpay in Light of Kentucky River Medical Center and to Better Effectuate the Remedial Purposes of the Act [Attachment](#): Daily Compound Interest

[GC Memo 11-07](#) - Guideline Memorandum Regarding Backpay Mitigation

[OM Memo 11-31](#) – Consolidating Compliance Issues with ULP Complaints

[OM Memo 09-58 \(CH\)](#) – Confessions of Judgment

[OM Memo 09-27](#) – Instructions for Protecting Information Pursuant to *Oil Capitol Sheet Metal* Compliance Investigations

[OM Memo 09-16](#) – Mitigation by paid union organizers under *Contractor Services*
[GC Memo 09-01](#) – Guideline Memorandum Concerning *St. George Warehouse*
[GC Memo 08-06](#) – Report of Quality Committee on FY 2007 Quality Reviews
[Attachment A](#), [Attachment B](#), [Attachment C](#), [Attachment D](#) and [Attachment E](#)
[OM Memo 08-54](#) – *Grosvenor Orlando Associates, Ltd.*, 350 NLRB No. 86
[OM Memo 08-47](#) – Issuance of Compliance Specifications and Conduct of Supplemental Hearings
[OM Memo 08-29 \(CH\)](#) – Case Handling Instructions for Cases Involving *Oil Capitol Sheet Metals*, 349 NLRB No. 118 (May 31, 2007)
[Attachment 1](#) and [Attachment 2](#)
[OM Memo 08-24](#) – Settlement of Unfair Labor Practice Cases Pending before the Board
[OM Memo 07-59\(CH\)](#) – Consolidating Compliance Issues with ULP Complaints – Expediting Casehandling in “Default” Cases
[OM Memo 07-57\(CH\)](#) – Addressing Requests to Introduce Newly Discovered Evidence or Evidence of Charged Circumstances Affecting Affirmative Remedial Orders of Reinstatement
[OM Memo 06-82](#) - Electronic Notice-Posting
[OM Memo 05-12](#) - Procedures for Enhancing Prompt Compliance with Board Orders and Court Judgments
[OM Memo 03-70](#) - Monthly Compliance Situation Report and Compliance Overage Excuses
[GC Memo 02-04](#) - Best Practice Compliance Case Report
[OM Memo 00-45](#) - Compliance Best Practices - Early Computation of Backpay
[GC Memo 98-04](#) - Impact Analysis for Compliance Cases
[OM Memo 98-13](#) - Monthly Compliance Reports (instructions on preparation of the overage compliance reports)
[OM Memo 98-12](#) - Placing Greater Emphasis on Compliance Issues During Initial Stages of Case Processing (includes discussion, inter alia, of factors to consider when evaluating whether early action should be initiated to preserve assets and when it is appropriate to consolidate the compliance issues in the unfair labor practice proceeding)

Coordination of Cases

[GC Memo 00-03](#) – Realignment of Responsibilities (includes general discussion of multi-Regional case coordination.)

The Operations page of the Insider lists all cases being coordinated by Operations or a Regional Office. Included are cases against a charging party that have been filed in several Regional Offices as well as cases involving issues that are being held in abeyance pending a Board decision.)

Cost Savings

As necessitated by the Agency's budget, Operations-Management will issue memoranda setting forth specific cost savings measures to be undertaken by the Regional Offices. See e.g.

[OM Memo 13-37 \(Revised\)](#) - Casehandling Cost Saving Instructions for FY 13

[OM Memo 06-99](#) – Casehandling Cost Saving Instructions for Fiscal Year 2007

-D-

Deferral

(b) (5)

(b) (5)

[OM Memo 12-43](#) - Additional Guidance Concerning Collyer Deferral in Cases

[GC Memo 12-01](#) - Guideline Memorandum Concerning Collyer Deferral Where Grievance-Resolution Process is Subject to Serious Delay

[GC Memo 11-05](#) - Guideline Memorandum Concerning Deferral to Arbitral Awards and Grievance Settlements in Section 8(a)(1) and (3) cases

[OM Memo 10-13 \(CH\)](#) – Casehandling Regarding Application of *Spielberg/Olin* standards

[OM Memo 08-74 \(CH\)](#) – *Collyer* and *Dubo* Deferral of Blocking Charges

[GC Memo 95-08](#) - Collection Cases

[OM Memo 90-83](#) - Preparation of Jurisdictional Referrals to the National Mediation Board

[GC Memo 84-14](#) - Deferral Policy in Cases Where Only Some Allegations are Deferrable

[GC Memo 84-10](#) - Guideline Memorandum Concerning *Olin Corporation*, 268 NLRB No. 86

[GC Memo 84-5](#) - Guideline Memorandum Concerning *United Technologies Corporation*, 268 NLRB No. 83

[GC Memo 81-39](#) - Deferral of Charges under *Dubo Manufacturing Company*, 142 NLRB 431

[GC Memo 80-10](#) - Memorandum of Understanding with the Mine Safety and Health Administration (MSHA), U.S. Department of Labor, Concerning Cases Arising Under Section 105(c) of the Mine Act

[GC Memo 79-36](#) - Procedures for Application of the *Dubo* Policy to Pending Charges

[GC Memo 79-04](#) - Memorandum of Understanding with the Department of Labor Concerning Cases Arising Under Section 11(c) of the OSH Act

[GC Memo 78-69](#) - Coordination with the Wage and Hour Division of the U.S. Department of Labor on Deferred Cases

[GC Memo 75-29](#) - Memorandum of Understanding with the Department of Labor Concerning Cases Arising Under Section 11(c) of the OSH Act
[GC Memo 73-31](#) - Arbitration Deferral Policy Under *Collyer* – Revised Guidelines dated May 10, 1973

Discovery

[OM Memo 10-48](#) – Revised Direction Regarding Litigation Holds
[GC Memo 07-09](#) – Information and Guidance for Managing The Discovery of Electronically Stored Information – [Attachment](#)
[OM Memo 07-64](#) – Impact of E-Discovery on Regional Offices

-E-

E-Filing

[OM Memo 09-48](#) – Revised Appeal Language – [Attachment](#)
[OM Memo 09-34](#) – Changes to Electronic Filing of Documents Requirements – [Attachment](#)
[OM Memo 07-07](#) - Expansion of the General Counsel's Policy for Electronically Filing Casehandling Documents with Regional, Subregional or Resident Office

EAJA

[ICG Memo 12-13](#) - Revised Comprehensive Report on Quality Casehandling
[OM Memo 06-54](#) - Report of Quality Committee on FY 2005 Quality Reviews (includes sample EAJA letters) [Attachment](#)
[OM Memo 97-78](#) - Information on EAJA Cases (reports to be submitted in EAJA cases)

Election and Election Agreements

[OM Memo 12-50](#) - Guideline Memorandum for Evaluating Location of Rerun Elections
[GC Memo 12-04](#) - Guidance Memorandum on Representation Case Procedure Changes
[OM Memo 08-28](#) – Display of the American Flag at NLRB Representation Elections
[Attachment A](#), [Attachment B](#), [Attachment C](#)
[OM Memo 05-40 \(Revised\)](#) - New "Full" Consent Election Agreement Procedure [Attachment](#) Consent Pamphlet
[OM Memo 01-24](#) - Construction Industry Election Agreement (eligibility formula)

-F-

Field Examiner-Conversion

[OM Memo 11-55](#) – Conversion of Field Examiners to the Field Attorney Position

FOIA

[OM Memo 09-27](#) – Instructions for Protecting Information Pursuant to *Oil Capitol Sheet Metal* Compliance Investigations

[OM Memo 09-10](#) – Procedures for Obtaining and Conducting FOIA Review of Confidential Witness Affidavits, Confidential and Non-Confidential Questionnaires, and Non-Board Witness Statements

[Attachment 1](#) – [Attachment 2](#)

[OM Memo 08-51](#) – Continuing Requests for Documents under the FOIA

[OM Memo 05-78](#) - Extensions of Time for FOIA Responses and Requests for Commerce Questionnaires

Note: When it appears that a FOIA request has nationwide implications, the Region should contact the Legal Research and Policy Planning Branch of the Division of Advice

Front Pay

[ICG Memo 15-04 \(Revised\)](#) - Enhanced Remedies

-G-

Guideline Memos

Common to All Cases – Procedure

(b) (5)

(b) (5)

[ICG Memo 13-19](#) - HIPAA

[ICG Memo 12-09](#) - Recent Legislation Affecting HIPAA's Scope and Criminal Liability Provisions

[ICG Memo 12-07](#) - Guide to Creating a Facebook Account

[ICG Memo 12-03](#) – Revised Social Media Guidelines

[GC Memo 09-02](#) – New Federal Rules Protecting Personal Identification Information in Court Filings

[OM Memo 08-34](#) – HIPAA Subpoena Procedures and Revised HIPAA Authorization Forms

[GC Memo 07-09](#) – Information and Guidance for Managing The Discovery of Electronically Stored Information – [Attachment](#)

[OM Memo 07-64](#) – Impact of E-Discovery on Regional Offices

[OM Memo 07-60\(CH\)](#) – HIPAA Disclosure Procedures and Interviews of Health Care Providers

[GC Memo 94-14](#) - Section 102.118 Delegation

[OM Memo 90-83](#) - Preparation of Jurisdictional Referrals to the National Mediation Board

Common to All Cases - Substantive Law

[OM Memo 07-69\(CH\)](#) – Casehandling Guidance under *Truserv Corp.*, 349 NLRB 227 (2007)

[GC Memo 07-05](#) – Guideline Memorandum Concerning *Oakwood Healthcare, Inc.*

[OM Memo 04-83](#) - Casehandling Instructions for Cases in which the Status of a Collective-Bargaining Relationship in the Construction Industry is in Issue

[OM Memo 04-09](#) - Evidentiary Guidelines for Determining Supervisory Status (Attachment: Brief of the General Counsel)

[OM Memo 99-44](#) - Guideline Memorandum on Charge Nurse Supervisory Issues

Remedies/Compliance

[ICG Memo 15-04 \(Revised\)](#) - Enhanced Remedies

[ICG Memo 14-09](#) - Remedial Initiatives

[ICG Memo 13-12](#) - Announcement of Compliance Unit Website, Training Videos, and Techniques to Facilitate Compliance with Agency Orders

[Attachment A](#) [Attachment B](#)

[OM Memo 13-41 \(Revised\)](#) – Latino Express Remedies

[GC Memo 13-02](#) – Inclusion of Front Pay in Board Settlements

[OM Memo 12-57](#) (Revised) - Electronic Distribution Posting of Notices and Reading of Notices

[OM Memo 11-61](#) - Financial Remedies and Other Settlement Terms Audit OIG-AMR-63

[GC Memo 11-08](#) – Changes to the Methods Used to Calculate Backpay in Light of Kentucky River Medical Center and to Better Effectuate the Remedial Purposes of the Act [Attachment](#): Daily Compound Interest

[GC Memo 11-07](#) - Guideline Memorandum Regarding Backpay Mitigation

[GC Memo 11-06](#) – First Contract Bargaining Cases: Regional Authorization to Seek Additional Remedies and Submissions to Division of Advice

[OM Memo 11-31](#) – Consolidating Compliance Issues with ULP Complaints

[OM Memo 09-58 \(CH\)](#) – Confessions of Judgment

[OM Memo 09-27](#) – Instructions for Protecting Information Pursuant to *Oil Capitol Sheet Metal* Compliance Investigations

[OM Memo 09-16](#) – Mitigation by paid union organizers under *Contractor Services*

[GC Memo 09-01](#) – Guideline Memorandum Concerning *St. George Warehouse*

[OM Memo 08-47](#) – Issuance of Compliance Specifications and Conduct of Supplemental Hearings

[OM Memo 08-29 \(CH\)](#) – Case Handling Instructions for Cases Involving *Oil Capitol Sheet Metals*, 349 NLRB 1348 (May 31, 2007) [Attachment 1](#) and [Attachment 2](#)

[GC Memo 07-08](#) - Additional Remedies in First Contract Bargaining Cases
[GC Memo 07-07](#) - Seeking Compound Interest on Board Monetary Remedies
[OM Memo 07-57](#) - (CH) Addressing Requests to Introduce Newly Discovered Evidence or Evidence of Charged Circumstances Affecting Affirmative Remedial Orders of Reinstatement
[OM Memo 07-27](#) – Non-Board Settlements
[OM Memo 06-82](#) - Electronic Notice-Posting
[OM Memo 03-66](#) - Bankruptcy Notices From Claims and Noticing Agents
[OM Memo 02-43](#) – Plain Language in Board Remedial Notices
[GC Memo 02-06](#) - Procedures and Remedies for Discriminatees Who May Be Undocumented Aliens after *Hoffman Plastics Compounds, Inc.*

Representation Cases – Procedure

[ICG Memo 15-03](#) - Quality Committee's Report on Recommended Practices and Post-Election Hearings and Reports
[ICG Memo 12-13](#) - Revised Comprehensive Report on Quality Casehandling
[OM Memo 12-50](#) - Guideline Memorandum for Evaluating Location of Rerun Elections
[GC Memo 12-04](#) - Guidance Memorandum on Representation Case Procedure Changes
[OM Memo 11-42 \(CH\)](#) - Video Testimony in Representation and Unfair Labor Practice Casehandling
[OM Memo 08-74 \(CH\)](#) – *Collyer* and *Dubo* Deferral of Blocking Charges
[OM Memo 08-07](#) – Dana Corp., 351 NLRB 434 (September 29, 2007) [Attachment](#)
[OM Memo 07-69\(CH\)](#) – Casehandling Guidance under *Truserv Corp.*, 349 NLRB 227
[OM Memo 05-20](#) - Casehandling Guidance under *Saint Gobain Abrasives, Inc.*, 342 NLRB 434 (July 8, 2004)
[OM Memo 04-26](#) - Administrative Investigations *vis-a-vis* Hearings in Post-Election Proceedings
[OM Memo 01-24](#) - Construction Industry Election Agreement (eligibility formula)
[OM Memo 02-87](#) - *Croft Metals, Inc.* (formal notice of hearing giving the parties at least 5 working days notice of the hearing)

Representation Cases – Substantive Law

Unfair Labor Practice Cases – Procedure

[ICG Memo 15-05](#) - Request for Information Cases Regarding the Release of Federal Employee Compensation Act Records by the USPS [Attachment](#)
[OM Memo 14-78](#) – USPS ADR Memo

[ICG Memo 14-10](#) - Investigation Jurisdiction of the National Labor Relations Board and the National Mediation Board 5-15-14

(b) (5)

(b) (5)

[ICG Memo 13-15](#) - Quality Committee's Report on FY 2012 Quality Review Process

[ICG Memo 12-13](#) - Revised Comprehensive Report on Quality Casehandling

[OM Memo 12-57](#) (Revised) - Electronic Distribution Posting of Notices and Reading of Notices

[ICG Memo 12-07](#) - Guide to Creating a Facebook Account

[OM Memo 12-43](#) - Additional Guidance Concerning Collyer Deferral in Cases

[ICG Memo 12-04](#) - Suggested Procedures When Filing Materials with the Solicitor's Office

[ICG Memo 12-03](#) - Revised Social Media Guidelines

[GC Memo 12-01](#) - Guideline Memorandum Concerning Collyer Deferral Where Grievance-Resolution Process is Subject to Serious Delay

[ICG Memo 11-01](#) - ICE Memorandum on the Use of Prosecutorial Discretion

[Attachment 1](#) [Attachment 2](#)

[OM Memo 11-62](#) - Updated Procedures in Addressing Immigration Status Issues that Arise During NLRB Proceedings

[OM Memo 11-61](#) - Financial Remedies and Other Settlement Terms Audit OIG-AMR-63

[OM Memo 11-42 \(CH\)](#) - Video Testimony in Representation and Unfair Labor Practice Casehandling

[OM Memo 11-31](#) - Consolidating Compliance Issues with ULP Complaints

[GC Memo 11-05](#) - Guideline Memorandum Concerning Derferral to Arbitral Awards and Grievance Settlements in Section 8(a)(1) and (3) cases

[OM Memo 09-44 \(CH\)](#) - Public Inquiries and Investigations Involving Non-English Speaking Witnesses

[OM Memo 09-10](#) - Procedures for Obtaining and Conducting FOIA Review of Confidential Witness Affidavits, Confidential and Non-Confidential Questionnaires, and Non-Board Witness Statements

[Attachment 1](#) - [Attachment 2](#)

[GC Memo 07-05](#) (Revised) - Update GC Memorandum 06-09: The General Counsel's Burden under *Wright Line*

[GC Memo 06-09](#) (Revised) - The General Counsel's Burden under *Wright Line*

[OM Memo 03-18](#) (Revised) - Procedures for Handling Postal Service Cases Involving Refusal to Supply Information and Procedures for Addressing Conduct Covered by Outstanding Court Judgments

[GC Memo 02-06](#) - Procedures and Remedies for Discriminatees Who May Be Undocumented Aliens after *Hoffman Plastics Compounds, Inc.*

[OM Memo 01-33](#) - Timely Processing of Section 10(j) Case When Multiple Related Charges are Filed

[OM Memo 99-69](#) - Best Practices for Expediting the Processing of Major Unfair Labor Practice Cases

[OM Memo 97-50](#) - *Makro, Inc. and Renaissance Properties d/b/a Loehmann's Plaza*, 305 NLRB 663 (1991) (preemption notice)

[OM Memo 97-11](#) - Relations with Immigration and Naturalization Service (INS) of the U.S. Department of Justice

[OM Memo 96-48](#) - Recent Developments Related to *Jefferson Chemical Co.* and *Peyton Packing Co.* Issues

[GC Memo 95-08](#) - Collection Cases

[OM Memo 95-34](#) - Litigation of Multiple Charges against the Same Respondent

[GC Memo 91-09](#) - Guideline Memorandum Concerning *Dubuque Packing Co., Inc.*, 303 NLRB 386

[OM Memo 90-83](#) - Preparation of Jurisdictional Referrals to the National Mediation Board Concerning Cases Arising Under Section 11(c) of the OSH Act

[GC Memo 80-10](#) - Memorandum of Understanding with the Mine Safety and Health Administration (MSHA), U.S. Department of Labor, Concerning Cases Arising Under Section 105(c) of the Mine Act

[GC Memo 79-04](#) - Memorandum of Understanding with the Department of Labor Concerning Cases Arising Under Section 11(c) of the OSH Act

[GC Memo 78-69](#) - Coordination with the Wage and Hour Division of the U.S. Department of Labor on Deferred Cases

[GC Memo 75-29](#) - Memorandum of Understanding with the Department of Labor

Unfair Labor Practice Cases - Substantive Law

[GC Memo 11-13](#) - Guideline Memorandum Concerning Parties' obligation to provide information related to Assertions made in Collective Bargaining

[GC Memo 09-04](#) – Guideline Memorandum Concerning Withdrawal of Recognition Based on Loss of Majority Support

[GC Memo 08-10](#) – Guideline Memorandum Concerning Unfair Labor Practice Charges Involving Political Advocacy

[GC Memo 08-07](#) – Report on Case Developments (*The Register Guard*, 351 NLRB 1110 (2007))

[GC Memo 08-04\(Revised\)](#) – Guideline Memorandum concerning *Toering Electric Company*

[GC Memo 08-02](#) – Guideline Memorandum concerning *BE&K Construction Co.*, 351 NLRB 451 (September 29, 2007)

[GC Memo 07-05 \(Revised\)](#) - Update GC Memorandum 06-09: The General Counsel's Burden under *Wright Line*

[GC Memo 06-09 \(Revised\)](#) - The General Counsel's Burden under *Wright Line*
[OM Memo 04-65](#) - *Levitz*-type Withdrawal of Recognition Cases
[OM Memo 03-96](#) - Charges under *Beck* Alleging as Unlawful a Union's Requirement that Objecting Employees Annually Renew their Objections
[GC Memo 02-09](#) - Case Handling Instructions for Cases Concerning *Bill Johnson's Restaurants and BE&K Construction Co.*
[GC Memo 02-01](#) - Guideline Memorandum Concerning *Levitz*
[GC Memo 01-04](#) - Guidelines for Response to *Beck*-Related Public Inquiries
[OM Memo 01-61](#) - Revised Reference Guide Attached to GC Memo 01-04
"Guidelines for Response to *Beck*-Related Public Inquiries" dated 4/06/01 [Attachment Revised Beck Notices](#)
[GC Memo 99-08](#) - Guideline Memorandum Concerning *Gissel*
[GC Memo 98-11](#) - Guidelines Concerning Processing of *Beck* Cases
[GC Memo 93-4](#) - Guideline Memorandum Concerning *Electromation, Inc.*,
309 NLRB 990
[GC Memo 92-9](#) - Americans With Disabilities Act, 42 U.S.C. 12101, et seq.
(interrelationship between Americans With Disabilities Act and NLRA)
[GC Memo 91-9](#) - Guideline Memorandum Concerning *Dubuque Packing Co., Inc.*,
303 NLRB 386

-H-

Hearings

[ICG Memo 15-03](#) - Quality Committee's Report on Recommended Practices and Post-Election Hearings and Reports
[OM Memo 03-84](#) - Administrative Law Judges Serving as Hearing Officers in Post-Election Hearings
[OM Memo 98-75](#) - Administrative Issues Related to Trials

HIPAA

[ICG Memo 13-19](#) - HIPAA
[ICG Memo 12-09](#) - Recent Legislation Affecting HIPAA's Scope and Criminal Liability Provisions
[OM Memo 08-34](#) - HIPAA Subpoena Procedures and Revised HIPAA Authorization Forms
[OM Memo 07-60\(CH\)](#) - HIPAA Disclosure Procedures and Interviews of Health Care Providers

-I-

Immigration

[ICG Memo 11-01](#) - ICE Memorandum on the Use of Prosecutorial Discretion
[Attachment 1](#) [Attachment 2](#)

[OM Memo 11-62](#) - Updated Procedures in Addressing Immigration Status Issues that Arise During NLRB Proceedings

[GC Memo 02-06](#) - Procedures and Remedies for Discriminatees Who May Be Undocumented Aliens after Hoffman Plastics Compounds, Inc.

[OM Memo 97-11](#) - Relations with Immigration and Naturalization Service (INS) of the U.S. Department of Justice

Impact Analysis

[ICG Memo Unnumbered](#) – Labor Management Forum Recommendations

[GC Memo 02-02](#) - Impact Analysis Program Modifications

[OM Memo 99-75](#) - Lightening the Load – Alternative Investigative Techniques

[GC Memo 98-04](#) - Impact Analysis for Compliance Cases

[OM Memo 97-60](#) - Guidelines for Applying Impact Analysis Where a Respondent Has Filed for Bankruptcy

[OM Memo 96-21](#) - Impact Analysis and Sections 10(l) and (m)

[GC Memo 95-15](#) - Lightening the Regional Office Workload

[GC Memo 94-08](#) - Telephone Affidavits

Impact Analysis: [Categorizing Cases in the Regional Offices – November 1995](#)

Impact Analysis: [Training Manual – November 1995](#)

Information Officer Program

[OM Memo 14-60](#) - OSHA Referred Charges

[Attachment 1](#) [Attachment 2](#) [Attachment 3](#)

[OM Memo 03-17](#) - Public Information Program

Inter-Agency Cooperation

[OM Memo 14-77](#) – OSHA Wage and Hour Referral Procedures

[ICG Memo 14-10](#) - Investigation Jurisdiction of the National Labor Relations Board and the National Mediation Board

[OM Memo 14-60](#) - OSHA Referred Charges [Attachment 1](#) [Attachment 2](#) [Attachment 3](#)

(b) (5)

[OM Memo 79-72](#) - Jurisdiction of the National Mediation Board Pursuant to Section 201 of the Railway Labor Act

[OM Memo 13-59](#) - Memorandum of Agreement with Office of Special Counsel for Immigration Related Unfair Employment Practices [Attachments 1-3](#) [Attachment 4](#)

[OM Memo 97-11](#) - Relations with Immigration and Naturalization Service (INS) of the U.S. Department of Justice

[OM Memo 90-83](#) - Preparation of Jurisdictional Referrals to the National Mediation Board

[GC Memo 80-10](#) - Memorandum of Understanding with the Mine Safety and Health Administration (MSHA), U.S. Department of Labor, Concerning Cases Arising Under Section 105(c) of the Mine Act

[GC Memo 79-04](#) - Memorandum of Understanding with the Department of Labor Concerning Cases Arising Under Section 11(c) of the OSH Act

[GC Memo 78-69](#) - Coordination with the Wage and Hour Division of the U.S. Department of Labor on Deferred Cases

[GC Memo 75-29](#) - Memorandum of Understanding with the Department of Labor Concerning Cases Arising Under Section 11(c) of the OSH Act

Interregional Assistance Program

[OM Memo 03-77](#) - Interregional Assistance in R Case Matters

[OM Memo 98-05](#) - Interregional Assistance (discusses procedures for both traditional transfer of cases and temporary adjustment of boundaries)

[OM Memo 96-26](#) - Agreement Concerning Interregional Casehandling Assistance

Interpreters

[OM Memo 06-49](#) - Interpreters at Hearings

[OM Memo 90-81](#) - Interpreters at Representation and Unfair Labor Practice Hearings (extent to which Agency obtains and pays for interpreters)

-J-

(none)

-K-

(none)

-L-

Legal Writing

[OM Memo 03-65](#) - The Mentoring Component of the Field Legal Writing Program

Lightening the Load

[OM Memo 99-75](#) - Lightening the Load – Alternative Investigative Techniques

[GC Memo 95-15](#) - Lightening the Regional Office Workload

[GC Memo 94-08](#) - Telephone Affidavits

Litigation

[OM Memo 14-04](#) - FY 2012 Litigation Review and Comprehensive Report on Litigation Wins and Losses

[ICG Memo 12-04](#) – Suggested Procedures When Filing Materials with the Solicitor's Office

[ICG Memo 12-02](#) - FY 2010 Quality Committee Litigation Memo
[OM Memo 11-42 \(CH\)](#) - Video Testimony in Representation and Unfair Labor Practice Casehandling
[OM Memo 11-31](#) – Consolidating Compliance Issues with ULP Complaints
[OM Memo 11-05](#) - Quality Committee's Report on Selected FY 2009 Litigation Wins and Losses
[GC Memo 09-02](#) – New Federal Rules Protecting Personal Identification Information in Court Filings
[OM Memo 08-24](#) – Settlement of Unfair Labor Practice Cases Pending before the Board
[OM Memo 07-84](#) – Quality Committee's Report on FY 2006 Litigation Losses
[OM Memo 07-59\(CH\)](#) – Consolidating Compliance Issues with ULP Complaints – Expediting Casehandling in “Default” Cases
[OM Memo 07-57\(CH\)](#) – Addressing Requests to Introduce Newly Discovered Evidence or Evidence of Charged Circumstances Affecting Affirmative Remedial Orders of Reinstatement
[GC Memo 06-07](#) - Procedural Initiatives in Election Cases (discusses expediting technical 8(a)(5) cases after Board decision)
[OM Memo 06-91](#) - Quality Committee's Report on FY 2005 Litigation Losses
[OM Memo 06-16](#) - Quality Committee Report on FY 2004's Litigation Losses- Credibility
[OM Memo 05-79](#) - Electronic Submission of Complaints Pilot Program
[OM Memo 05-46](#) - Litigation Success Rate and Significant Litigation Losses
[OM Memo 05-38](#) - Report of the Quality Committee on FY 2003's Litigation Losses and Recommendations to Maintain High Quality Litigation
[OM Memo 04-40](#) - Best Practices for Filing Briefs in Support of ALJ Decisions with the Board and Responding to Pleadings
[OM Memo 99-69](#) - Best Practices for Expediting the Processing of Major Unfair Labor Practice Cases

-M-

Media

[GC Memo 94-12](#) - Press Relations
[GC Memo 94-04](#) - Authority for Press Releases
[GC Memo 82-32](#) - Subpoenas Issued to Members of the Press

Medical Records

[ICG Memo 13-19](#) - HIPAA
[ICG Memo 12-09](#) - Recent Legislation Affecting HIPAA's Scope and Criminal Liability Provisions

[OM Memo 08-34](#) – HIPAA Subpoena Procedures and Revised HIPAA Authorization Forms

[OM Memo 07-60\(CH\)](#) – HIPAA Disclosure Procedures and Interviews of Health Care Providers

Mentoring Program

[GC Memo 07-10 \(Revised\)](#) – Revisions to the General Counsel Mentoring Program’s Policy Guidelines and Best Practices Guide

[Memorandum dated December 4, 2006 from Richard A. Siegel entitled “Mentoring Program”](#) (discusses integrating the Field mentoring program with the new Agency-wide program)

[GC Memo 06-03 \(Revised\)](#) - Mentoring Program and Best Practices Guide

[OM Memo 03-65](#) - The Mentoring Component of the Field Legal Writing Program

Merit Dismissals

[GC Memo 02-08](#) - Revised Procedure for Merit Dismissals

[OM Memo 02-15](#) - Merit Dismissal Letters

-N-

National Mediation Board

[ICG Memo 14-10](#) - Investigation Jurisdiction of the National Labor Relations Board and the National Mediation Board

[OM Memo 90-83](#) - Preparation of Jurisdictional Referrals to the National Mediation Board

[OM Memo 79-72](#) - Jurisdiction of the National Mediation Board Pursuant to Section 201 of the Railway Labor Act

-O-

OSHA

[OM Memo 14-77](#) – OSHA Wage and Hour Referral Procedures

[OM Memo 14-60](#) - OSHA Referred Charges [Attachment 1](#) [Attachment 2](#) [Attachment 3](#)

[GC Memo 79-04](#) - Memorandum of Understanding with the Department of Labor Concerning Cases Arising Under Section 11(c) of the OSH Act

[GC Memo 75-29](#) - Memorandum of Understanding with the Department of Labor Concerning Cases Arising Under Section 11(c) of the OSH Act

Outreach

[OM Memo 13-47](#) - Travel Expenses Paid by a Non-Federal Source [Attachment](#)

[OM Memo 08-22](#) – Outreach Program

[OM Memo 06-66](#) - Outreach to Promote a Broader Awareness of the Act
[OM Memo 06-10](#) - Outreach Activities in Coordination with the Equal Employment Opportunity Commission
[OM Memo 04-07](#) - Liaison with Hispanic National Bar Association (HNBA)
[GC Memo 94-12](#) - Press Relations
[GC Memo 94-4](#) - Authority for Press Releases

Overarching Goals

[OM Memo 08-63](#) – Strategies for Meeting Overarching Goals

-P-

Performance Factors

[OM Memo 06-27](#) - Technical 8(a)(5) Cases
[OM Memo 02-102](#) - Guide to Statistical Reports Generated in the Agency's Case Activity Tracking System (CATS) (includes discussion of case groupings, how performance statistics are measured and definition of overage case excuses)

Post-election Hearings

[ICG Memo 15-03](#) - Quality Committee's Report on Recommended Practices and Post-Election Hearings and Reports

Post-election Reports

[ICG Memo 15-03](#) - Quality Committee's Report on Recommended Practices and Post-Election Hearings and Reports

Press

See "[Media](#)"

Pro Bono

(b)(5)



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Quality

[OM Memo 14-04](#) - FY 2012 Litigation Review and Comprehensive Report on Litigation Wins and Losses
[ICG Memo 13-18](#) - Affidavit Requirements Checklist - [Attachment](#)
[ICG Memo 12-13](#) - Revised Comprehensive Report on Quality Casehandling
[ICG Memo 12-12 \(CH\)](#) – Quality Committee's Report on Common Casehandling Deficiencies Uncovered in FY 2011 Quality Review Process
[ICG Memo 12-02](#) - FY 2010 Quality Committee Litigation Memo

[OM Memo 11-05](#) - Quality Committee's Report on Selected FY 2009 Litigation Wins and Losses

[GC Memo 10-04 \(CH\)](#) – Quality Committee's Report on Common Casehandling Deficiencies Uncovered in FY 2009 Quality Review Process

[OM Memo 10-26](#) – Comprehensive Report of the Quality Committee – [Attachment](#)

[OM Memo 08-76](#) – Quality Committee's Report on FY 2007 Litigation Losses – [Attachment](#)

[OM Memo 07-84](#) – Quality Committee's Report on FY 2006 Litigation Losses

[OM Memo 06-91](#) – Quality Committee's Report on FY 2005 Litigation Losses

[OM Memo 06-16](#) – Quality Committee Report on FY 2004's Litigation Losses- Credibility

[OM Memo 05-46](#) – Litigation Success Rate and Significant Litigation Losses

[OM Memo 05-38](#) – Report of the Quality Committee on FY 2003's Litigation Losses and Recommendations to Maintain High Quality Litigation

-R-

References for Employment

[OM Memo 06-41](#) - Pre-Employment Reference Checks for Attorney and Field Examiner Positions

Remedies

[ICG Memo 15-04 \(Revised\)](#) - Enhanced Remedies

[ICG Memo 14-09](#) - Remedial Initiatives

[GC Memo 14-03](#) – Affirmation of 10(j) Program

[ICG Memo 13-12](#) - Announcement of Compliance Unit Website, Training Videos, and Techniques to Facilitate Compliance with Agency Orders

[Attachment A](#) [Attachment B](#)

[OM Memo 13-41 \(Revised\)](#) – Latino Express Remedies

[GC Memo 13-02](#) – Inclusion of Front Pay in Board Settlements

[OM Memo 12-57](#) (Revised) - Electronic Distribution Posting of Notices and Reading of Notices

[GC Memo 11-06](#) – First Contract Bargaining Cases: Regional Authorization to Seek Additional Remedies and Submissions to Division of Advice

[GC Memo 11-01](#) - Effective Remedies in Organization Campaigns

[OM Memo 09-44 \(CH\)](#) – Public Inquiries and Investigations Involving Non-English Speaking Witnesses - (appropriateness of foreign language notice)

[GC Memo 08-09](#) – Submission of First Contract Bargaining Cases to the Division of Advice

[GC Memo 07-08](#) - Additional Remedies in First Contract Bargaining Cases

[GC Memo 07-07](#) - Seeking Compound Interest on Board Monetary Remedies

[GC Memo 06-05](#) - First Contract Bargaining Cases
[OM Memo 02-43](#) – Plain Language in Board Remedial Notices
[OM Memo 99-79](#) - Remedial Initiatives

Reports

[ICG Memo 13-12](#) - Announcement of Compliance Unit Website, Training Videos, and Techniques to Facilitate Compliance with Agency Orders
[Attachment A](#) [Attachment B](#)
[OM Memo 09-49](#) – Contempt Litigation and Compliance Branch Submissions – [Attachment](#)
[OM Memo 07-26](#) - Bankruptcy Proceedings Best Practices (cases listed on the Overage Compliance Report with the excuse “Bankruptcy” will be excused as long as the footnote in the report reflects the date that the Region checked the bankruptcy status during the reporting month and the status of the case)
[OM Memo 06-52](#) - Reporting the Backpay and Interest Collected and Fees, Dues and Fines Refunded on the Closed Case Report
[OM Memo 05-79](#) - Electronic Submission of Complaints Pilot Program
[OM Memo 05-46](#) - Litigation Success Rate and Significant Litigation Losses
[OM Memo 03-70](#) - Monthly Compliance Situation Report and Compliance Overage Excuses
[OM Memo 02-102](#) - Guide to Statistical Reports Generated in the Agency’s Case Activity Tracking System (CATS) (includes discussion of case groupings, how performance statistics are measured and definition of overage case excuses)
[GC Memo 00-03](#) - Realignment of Responsibilities (details the documents that are to be submitted to Advice or Operations. Note that, contrary to the memorandum, inquiries by Congress or the public directed to the General Counsel are handled by Operations-Management and the field jointly.)
[OM Memo 98-13](#) - Monthly Compliance Reports (instructions on preparation of the overage compliance reports)
[OM Memo 97-78](#) - Information on EAJA Cases (reports to be submitted in EAJA cases)
[GC Memo 97-03](#) - Bankruptcy Referrals to Headquarters’ Offices (discusses division of responsibilities of bankruptcy matters between Contempt and Special Litigation Branches)

-S-

Safety and Health

[OM Memo 06-64](#)- Safety Guidelines for Field Agents (regarding personal safety, vehicle security and safe cell phone use)
[OM Memo 96-53](#) - Policy on Responding to Violence and Threatening Behavior in the Workplace (Crisis Response Plan)

Section 10(j)

[GC Memo 14-03](#) – Affirmation of 10(j) Program

[ICG Memo 12-13](#) - Revised Comprehensive Report on Quality Casehandling

[ICG Memo 12-01](#) - Revision to Section 10(j) Policy With Respect to Section 8(f) Cases

[GC Memo 11-01](#) - Effective Remedies in Organization Campaigns

[GC Memo 10-07](#) - Effective Section 10(j) Remedies for Unlawful Discharges in Organizing Campaigns

[GC Memo 08-09](#) – Submission of First Contract Bargaining Cases to the Division of Advice

[OM Memo 08-12](#) – Section 10(j) Cases and Moot Court Oral Argument Preparation

[GC Memo 07-08](#) - Additional Remedies in First Contract Bargaining Cases

[GC Memo 07-01](#) - Submission of Section 10(j) Cases to the Division of Advice

[GC Memo 06-05](#) - First Contract Bargaining Cases

[OM Memo 06-60](#) - Section 10(j) Cases and Expedited Hearings

[OM Memo 01-33](#) - Timely Processing of Section 10(j) Case When Multiple Related Charges are Filed

[GC Memo 99-04](#) - Participation by Charging Parties in Section 10(j) Injunction and Section 10(j) Contempt Proceedings

[GC Memo 94-17](#) - Expedited Hearings

Section 102.118

[GC Memo 98-09](#) - Delegation of Section 102.118 Authorization (delegation of certain 102.118 authority to Associate General Counsel for Operations-Management)

[GC Memo 98-07](#) - Delegation of Section 102.118 Authorization (delegation of certain 102.118 authority to Associate General Counsel for Enforcement Litigation)

[GC Memo 94-14](#) - Section 102.118 Delegation (delegation of certain 102.118 authority to Regional Directors)

Settlement Agreements (Including Non-Board)

[ICG Memo 14-09](#) - Remedial Initiatives

[ICG Memo 13-12](#) - Announcement of Compliance Unit Website, Training Videos, and Techniques to Facilitate Compliance with Agency Orders

[Attachment A](#) [Attachment B](#)

[OM Memo 13-41 \(Revised\)](#) – Latino Express Remedies

[GC Memo 13-02](#) – Inclusion of Front Pay in Board Settlements

[ICG Memo 12-13](#) - Revised Comprehensive Report on Quality Casehandling

[OM Memo 12-57](#) (Revised) - Electronic Distribution Posting of Notices and Reading of Notices

(b)(5)

[GC Memo 11-04](#) - Revised Casehandling Instructions Regarding the Use of Default Language in Informal Settlement Agreements and Compliance Settlement Agreements

[OM Memo 08-24](#) – Settlement of Unfair Labor Practice Cases Pending before the Board

[OM Memo 07-27](#) – Non-Board Settlements

[OM Memo 07-24](#) – (CH) (Revised) Settlements Involving Section 8(a)(5) Allegations
[Attachment](#)

[OM Memo 06-45](#) - Compliance Conference Follow-Up (includes settlement recommendation form)

[OM Memo 05-96](#) - Casehandling Instructions Regarding Use of Default Language in Settlement Agreements

[OM Memo 02-43](#) - Plain Language in Board Remedial Notices

Skip Counsel

[OM Memo 10-05](#) – Skip Counsel Issue Regarding Service of Documents and Correspondence

Social Media

[ICG Memo 12-07](#) - Guide to Creating a Facebook Account

[ICG Memo 12-03](#) – Revised Social Media Guidelines

Solicitor-Filings

[ICG Memo 12-04](#) – Suggested Procedures When Filing Materials with the Solicitor's Office

Subpoenas

[ICG Memo 13-19](#) - HIPAA

[ICG Memo 13-13](#) - Payment for Information Obtained from Parties and Non-Parties
[Attachment](#)

[ICG Memo 12-09](#) - Recent Legislation Affecting HIPAA's Scope and Criminal Liability Provisions

[OM Memo 08-35](#) – The Application of the Skip Counsel Rule to Subpoenas and Subpoena Cover Letters

[OM Memo 08-34](#) – HIPAA Subpoena Procedures and Revised HIPAA Authorization Forms

[GC Memo 00-02](#) – Investigative Subpoenas

[GC Memo 94-09](#) – Investigative Subpoenas

[GC Memo 82-32](#) – Subpoenas Issued to Members of the Press

Memorandum dated August 2001 from Assistant General Counsel Margery Lieber et al. entitled [Subpoena Enforcement](#)

-T-

Telecommunications

[OM Memo 06-62](#) - Agency Owned Cell Phone Protocol [Attachment](#)

[OM Memo 04-27](#) - Best Practices Guide for NLRB Videoconferencing [Attachment](#)

[OM Memo 95-04](#) - Memorandum of Understanding Regarding Implementation of Voice Mail in Field Offices

Test of Certification Cases

[GC Memo 06-07](#) - Procedural Initiatives in Election Cases (discusses expediting technical 8(a)(5) cases after Board decision)

[OM Memo 06-27](#) - Technical 8(a)(5) Cases

Training

Training Modules

For a complete list of available training modules, as well as other training materials, see: <http://insider.nlr.gov/professional-development-program> (Training Programs - Professional Development Program)

[OM Memo 08-14](#) – Legal Writing Program

[OM Memo 07-73](#) – Supplementing Regional Office Training Programs For New Professional Employees

[OM Memo 10-81](#) - Revised Orientation Checklists

[OM Memo 03-108](#) - Courses and Videotapes Available Through Department of Justice's National Advocacy Center

[OM Memo 03-65](#) - The Mentoring Component of the Field Legal Writing Program

[OM Memo 03-34](#) - Litigation and Trial Training Resources

Travel

[OM Memo 13-47](#) - Travel Expenses Paid by a Non-Federal Source [Attachment](#)

[OM Memo 07-92](#) – Commuting Costs and the Use of Personally Owned Vehicles

-U-

(none)

-V-

Volunteer Community Service

(b)(5)

[Memorandum dated February 5, 2007 from Chairman Robert J. Battista and General Counsel Ronald Meisburg entitled "Scheduling Work and Granting Time Off to Participate in Volunteer Community Service"](#)

-W-

(none)

-X-

(none)

-Y-

(none)

-Z-

(none)