

National Labor Relations Board

Las Vegas Resident Office

- I. Overview.** The summer 2005 extern program will place students in the Las Vegas Resident Office of Region 28 of the National Labor Relations Board, a federal agency charged with enforcing principal provisions of the National Labor Relations Act (the Act). Region 28 covers the states of Arizona and New Mexico and the counties of Clark, Lincoln, and Nye in Southern Nevada and includes the Regional Office in Phoenix, Arizona and Resident Offices in Albuquerque, New Mexico, and Las Vegas, Nevada. The Las Vegas Resident Office is unique because it handles approximately fifty percent of the Region's workload. Agency-wide, Resident Offices tend to have smaller staffs handling fewer cases than the Las Vegas Resident Office. The externship will provide students the opportunity to become acquainted with the Act and related federal and state legislation governing the rights of employees to engage in union and protected concerted activities and dealing with the relationships between employees and unions that represent them. There will be occasions for externs to research questions of law and procedure under the Act, and prepare written memoranda of such research. Externs will assist in the investigation of unfair labor practice charges filed with the Resident Office, including taking written affidavits from witnesses presented by the parties to support their positions regarding the allegations. They will draft agenda outlines reporting the outcome of such investigations including recommendations of the disposition of charges. They will also assist in conducting secret-ballot elections whereby employees determine if they wish to be represented or to continue to be represented by unions.
- II. Description of Field Work.** There are two principal aspects of the work within the Resident Office: investigating unfair labor practice charges and processing representational petitions.
- A. Unfair Labor Practice Charges**
1. Externs will assist in the investigation of unfair labor practice charges under the direction of a professional Board agent, either a Field Examiner or Field Attorney. The externs will assist securing affidavits and evidence from charging parties; researching legal issues presented by the charges and evidence presented; and recommending disposition of the charges by drafting agenda outlines containing summaries of facts, legal research, and recommendations.
 2. If there is merit to the charge, externs will draft or assist the Board agent in drafting settlement agreements to remedy the alleged violations of the Act, about which Regional

management has determined that complaint will issue, absent settlement.

3. Externs will assist in the drafting complaints, the legal documents framing the issues of the case for hearing before the Agency's administrative law judges and appeal to the Board.
4. Externs will observe Field Attorneys prepare witnesses for hearings before administrative law judges and will observe such hearings. They may be requested to prepare memoranda addressing legal and procedural issues in such administrative hearings.

B. Representational Petitions

1. Externs will observe Board agents process representation petitions as they contact the parties, identify issues, and attempt to secure election agreements.
2. Externs may be asked to assist Board agents in resolving pre-election issues by researching and preparing memoranda reporting the results of that research; the results of which may then be shared with the parties to convince them to enter into election agreements.
3. Schedule permitting, externs will observe pre-election representational hearings conducted by Board agents.
4. Schedule permitting, externs will assist Board agents in conducting Agency secret-ballot elections.
5. Externs may assist in post-election investigations by assisting Board agents in obtaining evidence and researching issues presented.

III. In-House Training

1. This externship also contemplates reading assignments and discussions to familiarize the extern with the Act, its purposes, and its operation.
2. Externs will also be exposed to staff training for the professionals in the Las Vegas Resident Office, schedule permitting.

IV. Court Appearances. This externship does not involve any court appearance by externs in administrative hearings or federal district court.

V. General Requirements

- C. Eligible Students.** Students must have completed at least 45 hours of course work to be eligible for this externship. Externs must interview for the externship and must be selected by either the Deputy Regional Attorney or Resident Officer of the Las Vegas Resident Office.
- D. Credit and Grading.** This externship will provide credit, following the general format of 44 hours of work for each credit hour. The Externship Director must approve the number of credits for each student. If the externship is performed during an academic semester, the extern and the Deputy Regional Attorney or Resident Officer of the Las Vegas Resident Office will agree to the schedule. Externs will not be required to work during the semester testing period.
- C. Supervision.** The Deputy Regional Attorney or Resident Officer, depending on the work assignments involved, will supervise externs. The Externship Director will not provide direct case supervision due to potential conflict of interest. Supervisors will confer with the Externship Director during the semester or externship, as requested.
- D. Security Clearance.** Due to the sensitive nature of the cases handled by the Las Vegas Resident Office, those selected for an extern position must receive Agency clearance before commencing work as an extern. Such things as prior criminal arrests or convictions, drug or alcohol abuse, citizenship or tax problems may disqualify an extern applicant.

VI. Academic Component

- A. Class Meetings.** Externs will attend all training sessions and or lectures conducted by the Las Vegas Resident Office including staff training for the Las Vegas Resident Office to the extent such training may be attended within the extern on-site work schedule. Externs

will also attend the Orientation and periodic meetings conducted by the Externship Director.

- B. Writing Requirements.** Externs will maintain a weekly journal which they will submit to the Externship Director. It should not be shared or shown to the Las Vegas Resident Office staff. The journal should include a description of the student's work and a discussion of substantive and procedural legal issues, professional responsibility issues, lawyering skills, and values as they arise in the context of the field work. The journals will respect the confidentiality of the NLRB. Weekly timesheets, a Goals Memo and Exit Memo as instructed by the Externship Director are also required.

VII. Evaluation

This course is graded on a Pass-Fail basis.

- A.** The Deputy Regional Attorney or Resident Officer will evaluate each student's work by:
- 1.** Conferring regularly with the student and Externship Director throughout the placement;
 - 2.** Reviewing and observing the student's work and conducting feedback sessions with the students; and
 - 3.** Evaluating the student's work performance throughout the placement with useful feedback and at the end of the placement in a formal exit interview
- B.** The Externship Director will evaluate each student's work by:
- 1.** Conferring regularly with the field supervisor;
 - 2.** Reading and responding to the student's journals and weekly timesheets;
 - 3.** Conducting at least one individual conference with the extern during the placement; and
 - 4.** Conducting at least one site visit.