

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

UNIVERSITY OF SAN DIEGO
Employer

and

Case 21-RC-339512

SERVICE EMPLOYEES INTERNATIONAL
UNION, LOCAL 271
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Order Rescheduling Mail Ballot Election is denied as it raises no substantial questions warranting review. The Employer's request for extraordinary relief is denied as moot.¹

LAUREN McFERRAN, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

DAVID M. PROUTY, MEMBER

Dated, Washington, D.C., May 31, 2024.

¹ Although Member Kaplan joins his colleagues in denying review and the request for extraordinary relief, he underscores this situation presents yet another convincing example of why manual elections are preferable to mail-ballot elections. See also *Window to the World Communications, Inc.*, 372 NLRB No. 3, slip op. at 2 n.5 (2022); *Starbucks Corp.*, 371 NLRB No. 154, slip op. at 7 (2022) (Members Kaplan and Ring, dissenting). Here, the Regional Director had to halt and reschedule the original mail-ballot election because a substantial number of the voters' ballots were not being delivered to the Board's existing San Diego Resident Office as addressed. That Resident Office was to be relocated the day after the scheduled ballot count, and the impending move scrambled the handling of that office's mail. It came to light that some ballots were being returned to voters as undeliverable, being preemptively forwarded to the new location, or even being diverted to and opened at a dead-mail facility in Atlanta, Georgia.