

## OFFICE OF THE GENERAL COUNSEL

**MEMORANDUM GC 23-07**

**May 22, 2023**

**TO:** All Regional Directors, Officers-in-Charge,  
and Resident Officers

**FROM:** Jennifer A. Abruzzo, General Counsel

**SUBJECT:** Procedures for Seeking Compliance with and Enforcement of Board  
Orders

As you know, the Agency's mission is to protect employees' rights to organize and bargain collectively. By effectively accomplishing that mission when dealing directly with the public, the Regional Offices are certainly aware that seeking timely compliance with and enforcement of Board orders safeguards the rights of those protected under the National Labor Relations Act and ensures that they receive the remedial relief to which they are entitled. This memorandum reinforces our goals as a worker protection agency by providing more instructive procedures for seeking compliance with and enforcement of Board orders.

Specifically, upon the issuance of a Board order that provides for a remedy of a statutory violation, the Regional Office will promptly send a written communication to respondent seeking a response, within a short deadline period, regarding respondent's intent to comply with the Board order. This communication will also afford respondent with the opportunity to advise the Region, within that same time frame, that it is willing to bypass contesting the underlying findings and to participate directly in compliance proceedings. If respondent advises, through a response or public statement, that it has no intention of complying, or if it fails to respond by the Region's deadline, the Regional Office will thereafter submit a recommendation for enforcement to the Appellate and Supreme Court Litigation Branch.<sup>1</sup> If respondent provides notice to the Regional Office that it does intend to comply, the Regional Office will timely send a compliance packet to respondent outlining the specifics of its compliance obligations under the Board order.<sup>2</sup> The same procedure, absent a bypass of contesting and participating directly in a compliance proceeding, applies to Board orders issued in Compliance matters.

I thank you for continuing to provide high levels of service to the public as we seek to swiftly obtain for workers the remedies to which they are entitled.

/s/  
J.A.A.

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<sup>1</sup> Section 10(e) of the Act provides: "The Board shall have power to petition any court of appeals of the United States, . . . within any circuit . . . wherein the unfair labor practice in question occurred or wherein such person resides or transacts business, for the enforcement of such order and for appropriate temporary relief or restraining order . . . ." 29 U.S.C. sec. 160(e).

<sup>2</sup> Regions are applauded for their regular inquiries to charging parties and/or discriminatees in order to update backpay and other consequential harm information.