FORM NLRB-501
(3-21)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 16-CA-299166	Date Filed 7/11/22

INSTRUCTIONS:
File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Reynolds and Reynolds		b. Tel. No. (713) 718-1800
		c. Cell No.
		f. Fax. No.
d. Address *(Street, city, state, and ZIP code)* 6700 Hollister St. TX Houston 77040	e. Employer Representative	g. e-mail
		h. Number of workers employed 250
i. Type of Establishment *(factory, mine, wholesaler, etc.)*	j. Identify principal product or service	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 1 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge *(set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)*

--See additional page--

(b) (6), (b) (7)(C) arty filing charge *(if labor organization, give full name, including local name and number)*

4a. Address *(Street and number, city, state, and ZIP code)* (b) (6), (b) (7)(C)	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No.
	4e. e-mail (b) (6), (b) (7)(C)

5. Full name of national or international labor organization of which it is an affiliate or constituent unit *(to be filled in when charge is filed by a labor organization)*

6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) *(signature of representative or person making charge)* *(Print/type name and title or office, if any)* Address (b) (6), (b) (7)(C) Date 07/11/2022 02:46:20 PM	Tel. No. (b) (6), (b) (7)(C) Office, if any, Cell No. Fax No. e-mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prohibit employees from discussing wages, hours, or other terms or conditions of employment.

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 16
819 Taylor St Rm 8A24
Fort Worth, TX 76102-6107

Agency Website: www.nlrb.gov
Telephone: (817)978-2921
Fax: (817)978-2928

Download
NLRB
Mobile App

July 12, 2022

REYNOLDS AND REYNOLDS
6700 HOLLISTER ST.
HOUSTON, TX 77040

Re: Reynolds and Reynolds
Case 16-CA-299166

DEAR PARTIES:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner ALMA C. LUNA-DEMPSEY whose telephone number is (682)703-7231. If this Board agent is not available, you may contact Supervisory Field Examiner MEIKE ZIEGLER whose telephone number is (682)703-7226.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlrb.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlrb.gov or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

TIMOTHY L. WATSON
REGIONAL DIRECTOR

Enclosures:
1. Copy of Charge
2. Commerce Questionnaire

FORM NLRB-5081
(3-11)

NATIONAL LABOR RELATIONS BOARD

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME	CASE NUMBER
	16-CA-299166

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)

2. TYPE OF ENTITY

[ ] CORPORATION [ ] LLC [ ] LLP [ ] PARTNERSHIP [ ] SOLE PROPRIETORSHIP [ ] OTHER (Specify)

3. IF A CORPORATION or LLC

A. STATE OF INCORPORATION OR FORMATION	B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS

5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR

6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS *(Products handled or manufactured, or nature of services performed).*

7A. PRINCIPAL LOCATION:	7B. BRANCH LOCATIONS:

8. NUMBER OF PEOPLE PRESENTLY EMPLOYED

A. TOTAL:	B. AT THE ADDRESS INVOLVED IN THIS MATTER:

9. DURING THE MOST RECENT *(Check the appropriate box):* [ ] **CALENDAR** [ ] **12 MONTHS** or [ ] **FISCAL YEAR** *(FY DATES _____)*

	YES	NO
A. Did you **provide services** valued in excess of $50,000 directly to customers outside your State? If no, indicate actual value. $_____		
B. If you answered no to 9A, did you **provide services** valued in excess of $50,000 to customers in your State who purchased goods valued in excess of $50,000 from directly outside your State? If no, indicate the value of any such services you provided. $_____		
C. If you answered no to 9A and 9B, did you **provide services** valued in excess of $50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than $50,000, indicate amount. $_____		
D. Did you **sell goods** valued in excess of $50,000 directly to customers located outside your State? If less than $50,000, indicate amount. $_____		
E. If you answered no to 9D, did you **sell goods** valued in excess of $50,000 directly to customers located inside your State who purchased other goods valued in excess of $50,000 from directly outside your State? If less than $50,000, indicate amount. $_____		
F. Did you **purchase and receive goods** valued in excess of $50,000 from directly outside your State? If less than $50,000, indicate amount. $_____		
G. Did you **purchase and receive goods** valued in excess of $50,000 from enterprises who received the goods directly from points outside your State? If less than $50,000, indicate amount. $_____		
H. **Gross Revenues** from all sales or performance of services ***(Check the largest amount)*** [ ] $100,000 [ ] $250,000 [ ] $500,000 [ ] $1,000,000 or more If less than $100,000, indicate amount.		
I. **Did you begin operations within the last 12 months?** If yes, specify date: _____		

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?

[ ] YES [ ] NO *(If yes, name and address of association or group).*

11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS

NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE *(Type or Print)*	SIGNATURE	E-MAIL ADDRESS	DATE

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

REYNOLDS AND REYNOLDS Charged Party and (b) (6), (b) (7)(C) Charging Party	**Case 16-CA-299166**

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on July 12, 2022**,** I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

REYNOLDS AND REYNOLDS
6700 HOLLISTER ST.
HOUSTON, TX 77040

July 12, 2022
Date

Cynthia Davis, Designated Agent of NLRB
Name

/s/Cynthia Davis
Signature

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 16
819 Taylor St Rm 8A24
Fort Worth, TX 76102-6107

Agency Website: www.nlrb.gov
Telephone: (817)978-2921
Fax: (817)978-2928

Download
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Mobile App

July 12, 2022

(b) (6), (b) (7)(C)
[redacted]

Re: Reynolds and Reynolds
Case 16-CA-299166

DEAR (b) (6), (b) (7)(C)

The charge that you filed in this case on July 11, 2022 has been docketed as case number 16-CA-299166. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner ALMA C. LUNA-DEMPSEY whose telephone number is (682)703-7231. If this Board agent is not available, you may contact Supervisory Field Examiner MEIKE ZIEGLER whose telephone number is (682)703-7226.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

TIMOTHY L. WATSON
REGIONAL DIRECTOR

FORM NLRB-4701
(9-03)

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Reynolds and Reynolds Company

and

(b) (6), (b) (7)(C)

CASE 16-CA-299166

☐ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF Reynolds and Reynolds Company

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Sandra Benyamin

MAILING ADDRESS: 6700 Hollister, Houston, TX 77040

E-MAIL ADDRESS: sandra_benyamin@reyrey.com

OFFICE TELEPHONE NUMBER: 713-718-1800 (EXT. 73619)

CELL PHONE NUMBER: 512-897-3327 *FAX:*

SIGNATURE: Sandra Benyamin
(Please sign in ink.)

DATE: July, 22, 2022

[1] IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT

IN THE MATTER OF
Reynolds and Reynolds **Case 16-CA-299166**

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS**:

POSTING OF NOTICE — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them in conspicuous locations at the Employer's place of business located at 6700 Hollister Street, Houston, Texas 77040. If the Employer's place of business is currently closed and a substantial number of employees are not reporting to the facility due to the Coronavirus pandemic or is operating with less than a substantial complement of employees, the 60 consecutive day period for posting will begin when the Employer's place of business reopens and a substantial complement of employees have returned to work. For purposes of this notice posting, a substantial complement of employees is at least 50% of the total number of employees employed by the Employer prior to closing its business due to the Coronavirus pandemic. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

E-MAILING NOTICE - The Charged Party will email a copy of the signed Notice in English, and in additional languages if the Regional Director decides that it is appropriate, to all non-supervisory employees who work at the facility located at 6700 Hollister Street, Houston, Texas 77040. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 16 of the National Labor Relations Board in Case(s) 16-CA-299166." If the Employer's place of business is currently closed due to the Coronavirus pandemic, and the Employer is communicating with its employees by e-mail, the Notice must be e-mailed to employees within 14 days after service from the Region. To document its compliance with this requirement, the Charged Party will e-file a copy of its distribution e-mail, with all of the recipients' e-mail addresses visible, along with a copy of the attached Notice and a fully completed Certification of Posting form, via the Agency's e-filing portal at www.nlrb.gov.

If the notice to be physically posted was e-mailed to employees more than 60 days before the physical posting of the Notice, the physical Notice will state at the bottom that "This Notice is the same Notice previously sent electronically to employees on [date].

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice**.**

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), including all allegations covered by the attached Notice to Employees made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other

Initials: _____

case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes _____ No _____
Initials Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director.

The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the Complaint. The Charged Party understands and agrees that all of the allegations of the Complaint will be deemed admitted and that it will have waived its right to file an Answer to such Complaint. The only issue that the Charged Party may raise before the Board will be whether it defaulted on the terms of this Settlement Agreement. The General Counsel may seek, and the Board may impose, a full remedy for each unfair labor practice identified in the Notice to Employees. The Board may then, without necessity of trial or any other proceeding, find all allegations of the Complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Party on all issues raised by the pleadings. The Board may then issue an Order providing a full remedy for the violations found as is appropriate to remedy such violations. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Board Order ex parte, after service or attempted service upon Charged Party at the last address provided to the General Counsel.

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional

Initials: _____

Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party **Reynolds and Reynolds**		**Charging Party** (b) (6), (b) (7)(C)	
By: Name and Title /s/ (b) (6), (b) (7)(C)	Date 8/5/2022	By: Name and Title /s/ (b) (6), (b) (7)(C)	Date 8/8/2022
Print Name and Title below		Print Name and Title below	

Recommended By:	Date	Approved By:	Date
/s/ Alma C. Luna-Dempsey Alma C. Luna-Dempsey Field Examiner	8/8/2022	/s/Timothy L. Watson Timothy L. Watson Regional Director, Region 16	8/8/2022

Initials: _____

(To be printed and posted on official Board notice form)

SECTION 7 OF THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT interfere with, restrain, or coerce you in the exercise of the above rights.

YOU HAVE THE RIGHT to discuss wages, hours, and working conditions with other employees and **WE WILL NOT** do anything to interfere with your exercise of that right.

WE WILL NOT maintain any rule that prohibits you from discussing your wages or other terms and conditions of employment with other employees.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

WE WILL rescind from our Standard Operating Procedures any memorandum or provision that states that payroll information and paychecks stubs are confidential, and that the discussion of salary information can result in immediate termination, and **WE WILL** notify all employees that this rule has been removed from our Standard Operating Procedures, and **WE WILL** issue all employees a revised version of the Standard Operating Procedures that does not contain any rule prohibiting the discussing of wages.

WE WILL rescind and no longer issue any memorandums stating that salary adjustments are strictly confidential and should not be discussed with other employees, and **WE WILL** notify all employees that all memorandums prohibiting the discussion of salary adjustments have been rescinded and will not be used against any employee in any manner.

ALL OUR EMPLOYEES are free to become or remain, or to refrain from becoming or remaining, members of any labor organization.

Reynolds and Reynolds
(Employer)
Case No. 16-CA-299166

Dated: _____ **By:** _____
(Representative) (Title)

Initials: _____

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Callers who are deaf or hard of hearing who wish to speak to an NLRB representative should send an email to relay.service@nlrb.gov. An NLRB representative will email the requestor with instructions on how to schedule a relay service call.

,

Telephone:
Hours of Operation:

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.

Initials: _____

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 16
1919 Smith Street, Suite 1545
Houston, TX 77002-8051

Agency Website: www.nlrb.gov
Telephone: (281)228-5600
Fax: (281)228-5619

Agent's Direct Dial: (346)227-1373

Email address: tracy.williams@nlrb.gov

August 10, 2022

SANDRA BENYAMIN, ATTORNEY
REYNOLDS AND REYNOLDS COMPANY
6700 HOLLISTER
HOUSTON, TX 77040
sandra_benyamin@reyrey.com

(b) (6), (b) (7)(C)
REYNOLDS AND REYNOLDS
6700 HOLLISTER ST.
HOUSTON, TX 77070
sandra_benyamin@reyrey.com

Re: Reynolds and Reynolds
Case 16-CA-299166

Dear Ms. Benyamin and (b) (6), (b) (7)(C):

Enclosed is a conformed copy of the Settlement Agreement in the above matter that was approved on August 8, 2022. The Settlement Agreement is now in effect and has been assigned to me to secure compliance with its terms. This letter discusses what the Employer needs to do to comply with the Agreement and sets forth deadlines for the return of documentary evidence and certifications demonstrating the Employer's efforts to comply. In corresponding with the Agency during the compliance phase, please be advised that the NLRB requires the mandatory electronic filing of all case documents via the Agency's e-filing portal at www.nlrb.gov.

Physically Post Notice: Enclosed is one printable copy of the official Notice to Employees.[1] **By August 24, 2022, the Employer must:**

- Print the attached Notices in color on 8 ½ by 14 inch legal-sized paper and ensure that each copy of the Notice retains the heading in blue lettering at the top of the Notice and the footer containing the Employer's signature and the Region's contact information.

[1] If the Employer's place of business is currently closed and a substantial number of employees are not reporting to the facility due to the Coronavirus pandemic or is operating with less than a substantial complement of employees, the 60 consecutive day period for posting will begin when the Employer's place of business reopens and a substantial complement of employees have returned to work. For purposes of this notice posting, a substantial complement of employees is at least 50% of the total number of employees employed by the Employer prior to closing its business due to the Coronavirus pandemic.

- Have a responsible official of the Employer, not the Employer's attorney, sign and date the Notices.
- Immediately post the signed and dated Notices in conspicuous locations at the Employer's place of business located at 6700 Hollister Street, Houston, Texas 77040. The Employer will keep all Notices posted for 60 consecutive days after the initial posting.

The Employer must take reasonable steps to ensure that the Notices are not altered, defaced or covered by other material. During the posting period, a member of the Regional Office staff may visit the Employer's facility to inspect the Notices.

Coronavirus Pandemic Delay: If the facility involved in these proceedings is open and staffed by a substantial complement of employees, the Notices must be physically posted and distributed by all means described in this letter by August 24, 2022. If the facility involved in these proceedings is closed due to the Coronavirus pandemic, the Notices must be posted and distributed by all means described in this letter within 14 days after the facility reopens and a substantial complement of employees have returned to work, and the Notices may not be posted until a substantial complement of employees have returned to work. A substantial complement of employees is at least 50% of the total number of employees employed by the Employer prior to closing its business due to the Coronavirus pandemic. The Employer should be prepared to provide monthly updates as to the status of operations at its facility.

Electronically Mail Notice:[2] The Settlement Agreement provides that the Employer will also email a copy of the signed and dated Notice to all non-supervisory employees who work at the facility located at 6700 Hollister Street, Houston, Texas 77040. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 16 of the National Labor Relations Board in Case 16-CA-299166." **By August 24, 2022, the Employer must:**

- E-file a copy of its distribution e-mail, with all of the recipients' e-mail addresses visible, along with a copy of the attached Notice and a fully completed Certification of Posting form, via the Agency's e-filing portal at www.nlrb.gov.

Remedial Actions

Rescind Rules: The Settlement Agreement provides that the Employer will rescind from its Standard Operating Procedures any memorandum or provision that states that payroll information and paycheck stubs are confidential, and that the discussion of salary information can result in immediate termination, and it will notify all employees that this rule has been removed from its Standard Operating Procedures. Thereafter, the Employer will issue a revised Standard Operating Procedure to all employees that does not contain any rule prohibiting the discussion of wages. **By August 24, 2022, the Employer must:**

[2] If the Employer's place of business is currently closed due to the Coronavirus pandemic, and the Employer is communicating with its employees by e-mail, the Notice must be e-mailed to employees within 14 days after service from the Region.

- Rescind from its Standard Operating Procedures any memorandum or provision that states that payroll information and paycheck stubs are confidential, and that the discussion of salary information can result in immediate termination
- Notify all employees that this rule has been removed from its Standard Operating Procedures and
- Issue all employees a revised version of the Standard Operating Procedures that does not contain any rule prohibiting the discussing of wages
- Submit documentary evidence, such as a copy of the handbook or intranet site showing that the Employer rescinded the rule, and the notification to employees, via e-file at www.nlrb.gov.

The Settlement Agreement also provides that the Employer will rescind, and no longer issue, any memorandums stating that salary adjustments are strictly confidential and should not be discussed with other employees, and thereafter, notify all employees that all memorandums prohibiting the discussion of salary adjustments have been rescinded and will not be used against any employee in any manner. **By August 24, 2022, the Employer must:**

- Rescind and no longer issue any memorandums stating that salary adjustments are strictly confidential and should not be discussed with other employees
- Notify all employees that all memorandums prohibiting the discussion of salary adjustments have been rescinded and will not be used against any employee in any manner and provide documentary evidence of the Notification to employees.

Certifications of Compliance: Certification of Posting and Compliance forms are enclosed. The Employer must complete and return the following forms by the deadlines listed below:

- By August 24, 2022, return via e-file the completed Certification of Posting form, along with a color copy of the signed Notice and, if applicable, documentary evidence to support the Employer's compliance with distributing the signed Notice to employees through other methods.
- By August 24, 2022, return via e-file the completed Certification of Compliance form, along with any documentary evidence to support the Employer's compliance with the affirmative actions the Employer must take to comply.

Electronic Filing of Documents: The NLRB requires mandatory electronic filing of all case documents. See GC 20-01 for more information. Written instructions for using the Agency's e-filing system and the Agency's Electronic Filing Terms and Conditions have been posted on the Agency's website. The Agency's website also contains a video demonstration which provides step-by-step instructions for e-filing.

Case Closing

When all the affirmative terms of the Settlement Agreement have been fully complied with and there are no reported violations of its negative provisions, you will be notified that this case has been closed on compliance. Timely submission of the Certifications of Posting and

Compliance, along with the documents requested within, will assist the Regional Office in recommending the closing of this case in a timely manner.

Your cooperation in this matter will be appreciated.

Thank you,

/s/ Tracy Y. Williams

TRACY Y. WILLIAMS
COMPLIANCE ASSISTANT

Enclosures: Copy of Conformed Settlement Agreement
Notices to Employees
Certification of Posting Form
Certification of Compliance Form

cc: (b) (6), (b) (7)(C) [redacted]

Rev: 3/16

CERTIFICATION OF POSTING

RE: Reynolds and Reynolds
Case 16-CA-299166

Due Date: August 24, 2022

(If additional space is needed to provide a full response, attach a sheet(s) with the necessary information.)

As required by the Settlement Agreement in this matter, this document is a sworn certification of the steps that the Employer has taken to comply

Delayed Posting

Complete this section only and return to the Region if the Employer's place of business is currently closed or does not have a substantial complement, at least 50% of the employees, due to the Coronavirus Pandemic. On a monthly basis, the Employer should submit updates on the status of the business.

I certify that the Employer's facility is currently closed/operating with a less than a substantial complement of employees. We anticipate reopening the Employer's facility/returning a substantial complement of employees back to work on _____. The Certification of Compliance below will be completed and returned to the Region shortly after the anticipated date above.

CHARGED PARTY

By: _____

Title: _____

Date: _____

Physical Posting

The signed and dated Notice to Employees in the above matter was posted on (date)_____ at the following locations: **(List specific places of posting)**

_____

_____

_____

_____

_____

_____

A legible copy of the signed Notice, displaying full text of the Notice, including the date, signature and title of the responsible official of the Employer was e-filed together with this Certification.

Electronic Mailing

The signed and dated Notice to Employees in the above-captioned matter was electronically mailed on (date)_____ to all non-supervisory employees who work at the facility located at 6700 Hollister Street, Houston, Texas 77040. **A copy of this distribution e-mail, with all of the recipients' e-mail addresses visible, along with a copy of the attached Notice, was e-filed via the Agency's e-filing portal at www.nlrb.gov together with this Certification.**

I have completed this Certification of Posting and state under penalty of perjury that it is true and correct.

CHARGED PARTY

By: _____

Title: _____

Date: _____

This form should be returned to the Regional Office together with **ONE** original Notice, dated and signed in the same manner as those posted. The Certification of Posting form and color-scanned signed Notice should be returned via e-file. Please do not e-mail or physically send hard copies of the Certification of Posting form or Notice at this time. If you need assistance in e-filing case documents, please contact the Compliance Officer or Assistant assigned to this case.

Rev: 3/16

CERTIFICATION OF COMPLIANCE

Due Date: August 24, 2022

RE: Reynolds and Reynolds
Case 16-CA-299166

As required by the Settlement Agreement in this matter, this document is a sworn certification of the steps that the Employer has taken to comply.

Rescinded/Revised Rules

On (date)_____, the Employer rescinded the overly broad rules that were found to be unlawful pursuant to the Settlement Agreement.

On (date)_____, the Employer notified employees that the rules that were found to be unlawful pursuant to the Settlement Agreement have been rescinded. **Documentation of the Notice to employees must be e-filed and any other documentation that these steps have been completed has been e-filed**.

On (date)_____, the Employer issued all employees a revised version of the Standard Operating Procedures that does not contain any rule prohibiting the discussion of wages. **A copy of the revised version of the Standard Operating Procedures Handbook was e-filed.**

On (date)_____, the Employer rescinded and will no longer issue any memorandums stating that salary adjustments are strictly confidential and should not be discussed with other employees.

On (date)_____, the Employer notified all employees that all memorandums prohibiting the discussion of salary adjustments has been rescinded and will not be used against any employee in any manner. **Documentation of the Employer's notice to employees has been e-filed.**

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY

By: _____

Title: _____

Date: _____

This form should be returned to the Regional Office via e-file. Please do not e-mail or physically send hard copies of the Certification of Compliance form at this time. If you need assistance in e-filing case documents, please contact the Compliance Officer or Assistant assigned to this case.

Physical Posting

The signed and dated Notice to Employees in the above matter was posted on (date) August 23, 2022 at the following locations: **(List specific places of posting)**

First Floor Employee Dining Room.

A legible copy of the signed Notice, displaying full text of the Notice, including the date, signature and title of the responsible official of the Employer was e-filed together with this Certification.

Electronic Mailing

The signed and dated Notice to Employees in the above-captioned matter was electronically mailed on (date) August 23, 2022 to all non-supervisory employees who work at the facility located at 6700 Hollister Street, Houston, Texas 77040. **A copy of this distribution e-mail, with all of the recipients' e-mail addresses visible, along with a copy of the attached Notice, was e-filed via the Agency's e-filing portal at www.nlrb.gov together with this Certification.**

I have completed this Certification of Posting and state under penalty of perjury that it is true and correct.

CHARGED PARTY

By: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Date: 8/23/2022

This form should be returned to the Regional Office together with **ONE** original Notice, dated and signed in the same manner as those posted. The Certification of Posting form and color-scanned signed Notice should be returned via e-file. Please do not e-mail or physically send hard copies of the Certification of Posting form or Notice at this time. If you need assistance in e-filing case documents, please contact the Compliance Officer or Assistant assigned to this case.

Rev: 3/16

CERTIFICATION OF COMPLIANCE

Due Date: August 24, 2022

RE: Reynolds and Reynolds
Case 16-CA-299166

As required by the Settlement Agreement in this matter, this document is a sworn certification of the steps that the Employer has taken to comply.

Rescinded/Revised Rules

On (date) August 15, 2022, the Employer rescinded the overly broad rules that were found to be unlawful pursuant to the Settlement Agreement.

On (date) August 23, 2022, the Employer notified employees that the rules that were found to be unlawful pursuant to the Settlement Agreement have been rescinded. **Documentation of the Notice to employees must be e-filed and any other documentation that these steps have been completed has been e-filed.**

On (date) August 18, 2022, the Employer issued all employees a revised version of the Standard Operating Procedures that does not contain any rule prohibiting the discussion of wages. **A copy of the revised version of the Standard Operating Procedures Handbook was e-filed.**

On (date) August 15, 2022, the Employer rescinded and will no longer issue any memorandums stating that salary adjustments are strictly confidential and should not be discussed with other employees.

On (date) August 23, 2022, the Employer notified all employees that all memorandums prohibiting the discussion of salary adjustments has been rescinded and will not be used against any employee in any manner. **Documentation of the Employer's notice to employees has been e-filed.**

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY

By: (b) (6), (b) (7)(C)

Title: (b) (6), (b) (7)(C)

Date: 8/24/22

This form should be returned to the Regional Office via e-file. Please do not e-mail or physically send hard copies of the Certification of Compliance form at this time. If you need assistance in e-filing case documents, please contact the Compliance Officer or Assistant assigned to this case.