

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT

IN THE MATTER OF

**International Union, Security, Police & Fire Professionals of America
SPFPA (Exelon Generation Co. LLC)**

Case 13-CB-222639

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:**

TRANSMISSION OF NOTICE TO AFFILIATED LOCALS - After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party. A responsible official of the Charged Party will then sign and date those Notices. The Charged Party will transmit a copy of the signed Notice to each of its affiliated local unions and will include an accompanying request that those affiliated locals distribute copies of the Notice to their members in the same manner as other notifications to members are dispersed.

INTRANET POSTING - The Charged Party will also post a copy of the Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, on its intranet at www.SPFPA.org and keep it continuously posted there for 60 consecutive days from the date it was originally posted. The Charged Party will send an e-mail to the Region's Compliance Officer when it submits the Certification of Posting and provide a password for a password protected intranet site in the event it is necessary to check the electronic posting.

NON-ADMISSIONS CLAUSE – By entering into this Agreement, the Charged Party does not admit to violating any section of the National Labor Relations Act.

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, 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 for any relevant purpose in the litigation of this or any other case, and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to that evidence. By approving this Agreement, the Regional Director withdraws any Complaint and Notice of Hearing previously issued in the above case, and the Charged Party withdraws any answer(s) filed in response.

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,

Recommended By:

Date

Approved By:

Date

Clinton M. Newman
Field Examiner

Peter Sung Ohr
Regional Director, Region 13

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

FEDERAL LAW GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with your employer 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 maintain the following portions of Article XXI of our Constitution and Bylaws within the Constitution and Bylaws or anywhere else:

Section 1 (page 37)

“Conduct unbecoming a Union member may include actions involving disaffiliation or decertification proceedings or the instigation thereof.”

Section 14 (page 40)

“In any case in which it shall appear to the International President that a member or members have engaged in a conspiracy to commit an offense against this International Union, or in those cases where a member or members have caused or instigated disaffiliation or decertification proceedings, the International President may prefer charges against such member or members of this International Union for violation of this Constitution and By - Laws or for conduct unbecoming a member of this International Union, without regard to the existence of an emergency.”

YOU HAVE THE RIGHT to file election petitions, and to participate in or cooperate in National Labor Relations Board proceedings; and **WE WILL NOT** maintain in our Constitution and Bylaws, or anywhere else, any rules that threaten you with being fined, or with any other punishment, for filing an election petition with the National Labor Relations Board, or otherwise participating or cooperating in National Labor Relations Board proceedings..

WE WILL NOT in any like or related manner restrain or coerce your exercise of rights under Section 7 of the Act.

WE WILL immediately rescind and give no effect to the portions of Article XXI described in the above paragraphs, and **WE WILL** post a copy of our revised Constitution and Bylaws that does not contain the above rules on our website and distribute copies to our affiliated local unions.

**International Union, Security, Police & Fire
Professionals of America (SPFPA)**
(Labor Organization)

Dated: By: _____
(Representative) (Title)

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). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at <https://www.federalrelay.us/tty> (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.

Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Telephone: (312)353-7570

Hours of Operation: 8:30 a.m. to 5 p.m.

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.