

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
DIVISION OF JUDGES

**CEASARS ENTERTAINMENT  
CORPORATION d/b/a  
RIO ALL-SUITES HOTEL AND CASINO**  
**Respondent,**

**28–CA–060841**

**and**

**INTERNATIONAL UNION OF PAINTERS  
AND ALLIED TRADES, DISTRICT COUNCIL 15,  
LOCAL 159, AFL-CIO,**  
**Charging Party.**

*Steven Kopstein and Larry A. Smith, Esqs.,*  
for the General Counsel.

*James M. Walters and David Dornak, Esqs.*  
*(Fisher & Phillips, LLP)* for the Respondent.

*David Rosenfeld and Caren Sencer, Esq.*  
*(Weinberg, Roger & Rosenfeld)* for the Charging Party.

DECISION

STATEMENT OF THE CASE

MARA-LOUISE ANZALONE, Administrative Law Judge. The initial decision in this case was issued by Administrative Law Judge William L. Schmidt on March 20, 2012.<sup>1</sup> The General Counsel, Respondent Caesars Entertainment Corporation d/b/a Rio All-Suites Hotel and Casino (Respondent), and the Charging Party International Union of Painters and Allied Trades, District Council 15, Local 159, AFL–CIO (Charging Party or the Union)<sup>2</sup> filed exceptions to that decision and, on August 27, 2015, the National Labor Relations Board (the Board) issued a Decision that, inter alia, severed and remanded the allegation that the Respondent violated Section 8(a)(1) of the Act by maintaining a rule entitled: “Use of Company Systems, Equipment,

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<sup>1</sup> Subsequent to issuing the underlying decision in this case, Judge Schmidt retired from the National Labor Relations Board.

<sup>2</sup> The transcript of this proceeding incorrectly identifies the Charging Party as “Local 19” of the International Union of Painters and Allied Trades. The record is hereby corrected to reflect its correct name, as set forth in the caption of this decision.

and Resources” as set forth in the complaint dated September 30, 2011 (the Computer Usage Rule or the rule). 362 NLRB No. 190, slip op. at 5, 7 (2015) (Board Decision).

5 The Board’s remand was based on its issuance, during the instant case’s pendency before the Board, of its decision in *Purple Communications, Inc.*, 361 NLRB No. 126 (2014). In that case, the Board overruled its prior ruling in *Register Guard*,<sup>3</sup> and established a new presumption, discussed below, regarding employees’ usage of work email systems. The Board’s remand directs me to evaluate the Computer Usage Rule under the standard set forth in *Purple Communications*, supra, insofar as it applies to employees’ use of Respondent’s email system.

10 At hearing on the remanded issue, all parties were afforded the right to call, examine, and cross-examine witnesses, to present any relevant documentary evidence, to argue their respective legal positions orally, and to file posthearing briefs on the application of the new presumption.<sup>4</sup> All parties filed briefs, and they have been carefully considered.

## 15 I. FACTS

### *A. Respondent’s Operation and the Alleged Unlawful Computer Resources Rule*

20 Respondent employs approximately 3,000 employees (about half of whom are union-represented) at the Rio All-Suites Hotel and Casino (the Rio) in Las Vegas, Nevada. Board Decision at 5, fn.13.

25 As found by the Board, Respondent distributes an employee handbook to its employees working at the Rio. The handbook advises employees that noncompliance with its provisions may result in discipline, including discharge. Board Decision at 1.

30 The rule at issue is contained within Respondent’s employee handbook. Under the heading, “Use of Company Systems, Equipment, and Resources,” the handbook states in relevant part:

Do not disclose or distribute outside of [Rio’s] any information that is marked or considered confidential or proprietary unless you have received a signed non-disclosure agreement through the Law Department. In some cases, such as with Trade Secrets, distribution within the Company should be limited and controlled (e.g., numbered copies and a record of who has received the information). You are responsible for contacting your department manager or the Law Department for instructions.

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<sup>3</sup> 351 NLRB 1110 (2007), enfd. in relevant part and remanded sub nom. *Guard Publishing v. NLRB*, 571 F.3d 53 (D.C. Cir. 2009).

<sup>4</sup> Abbreviations used in this decision are as follows: “Tr.” for transcript; “GC Exh.” for General Counsel’s Exhibit; “R. Exh.” for Respondent’s Exhibit; and “R Br.” for Respondent’s posthearing brief.

Computer resources may not be used to:

- Commit, aid or abet in the commission of a crime
- Violate local, state or federal laws
- 5       • Violate copyright and trade secret laws
- *Share confidential information with the general public, including discussing the company, its financial results or prospects, or the performance or value of company stock by using an internet message board to post any message, in whole or in part, or by*
- 10       *engaging in an internet or online chatroom*
- *Convey or display anything fraudulent, pornographic, abusive, profane, offensive, libelous or slanderous*
- *Send chain letters or other forms of non-business information*
- Seek employment opportunities outside of the Company
- 15       • Invade the privacy of or harass other people
- *Solicit for personal gain or advancement of personal views*
- *Violate rules or policies of the Company*

20       Do not visit inappropriate (non-business) websites, including but not limited to online auctions, day trading, retail/wholesale, chat rooms, message boards and journals. Limit the use of personal email, including using streaming media (e.g., video and audio clips) and downloading photos.

25       362 NLRB No. 190, slip op. at 5 fn. 13 (emphasis in original).

#### *B. Employee Access to Respondent’s Email System*

30       Only one witness testified at the hearing on remand: Aisha Collins. Collins serves as human resources manager for three of Respondent’s Las Vegas properties, including the Rio. She has held this position since 2008. (Tr. 19) Collins testified that access to Respondent’s email system, Microsoft Outlook (Outlook), is not limited to supervisory employees, and a number of nonsupervisory employees are issued company email addresses and allowed to use the system for work purposes. She explained that, when a new employee is hired for a particular

35       department, that department’s manager determines whether the employee will be granted email access. (Tr. 25) The manager then fills out paperwork to grant the employee access, and this paperwork is forwarded to human resources. Respondent has for several years maintained written procedures for granting new employees access to Outlook. (Tr. 22, 25, 26, 28, 41–42, 46–47; R. Exh. 2)

40       Collins testified that she was unaware of what percentage of Rio employees have been granted Outlook access. (Tr. 39, 54–55) Oddly, she was able to identify a very specific group of employees—“VIP front desk agents”—who are granted such access. (Tr. 56) Overall, I found Collins’ testimony forced and unconvincing. I also find it inherently implausible, especially

45       considering her purview over the department that processes approval of new employees’ email access, that she could not identify what percentage of the Rio work force is granted such access.

### C. Respondent’s Issuance of a New Employee Handbook

5 According to Respondent’s counsel, during the pendency of this proceeding before the Board, Respondent issued a revised employee handbook. Collins testified that a “Team Member Handbook” dated May 2015, was distributed to Respondent’s employees, although she did not specify when this occurred. (See R. Exh. 1) The new handbook, which counsel described as “organically revised,” does refashion several portions of the Computer Usage Rule, now listed under a heading, “Rules of the Road” and the subheading, “Computer, Electronic Devices, Systems and Data.” For example, the 2015 rule qualifies that employees may not solicit “during working time or the working time of the persons being solicited.” It maintains, however, a ban on employee use of Respondent’s email system to distribute “non-business information” at any time. *Id.* at 25.

15 In any event, there is no claim that Respondent’s issuance of the new handbook acted to remedy the unfair labor practices at issue here. See *Passavant Health Center*, 278 NLRB 483 (1986).

## II. ANALYSIS

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### A. The Applicable Law

#### 1. Restrictions on employee communications generally

25 Section 7 provides employees with the right to self-organization and collective bargaining, as well as the right to act together for their mutual aid or protection. These rights have long been interpreted to “necessarily encompass[] the right effectively to communicate with one another regarding self-organization at the jobsite.” *Beth Israel Hospital v. NLRB*, 437 U.S. 483, 491 (1978). This includes employee communications regarding their terms and conditions of employment. *Central Hardware Co. v. NLRB*, 407 U.S. 539, 542-43 (1972); *Parexel International, LLC*, 356 NLRB 516, 518 (2011), citing *Aroostook County Regional Ophthalmology Center*, 317 NLRB 218, 220 (1995), *enfd.* in part 81 F.3d 209 (D.C. Cir. 1996) (discussions regarding wages, the core of Section 7 rights, are the grist on which concerted activity feeds).

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If a rule explicitly restricts Section 7 rights, it is unlawful. *Lutheran Heritage Village-Livonia*, 343 NLRB 646, 646 (2004). Even a rule that does not restrict Section 7 conduct on its face will be found unlawful if employees would reasonably construe it to do so. *Id.* at 647; *Hyundai America Shipping Agency*, 357 NLRB 860, 861 (2011); *Lafayette Park Hotel*, 326 NLRB 824, 825 (1998), *enfd.* 203 F.3d 52 (D.C. Cir. 1999). Rules that are ambiguous, and could therefore be interpreted to ban Section 7 conduct, are to be construed against the employer; employees “should not have to decide at their own peril what information is not lawfully subject to such a prohibition.” *Hyundai America Shipping Agency*, *supra* at 862.

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Despite these broad protections, employees’ right to communicate in the workplace is not unlimited, and employee access to the workplace for the purpose of self-organization must on occasion give way to employers’ need to maintain productivity and discipline. *Republic Aviation*, 324 U.S. 793, 797-98 (1945). Historically, the Board, with court approval, has

fashioned presumptions regarding various forms of access, which serve both to facilitate decisions in this area and to guide employers in formulating lawful work rules.

5 These presumptions have aimed to balance employer and employee interests depending on the form of communication at issue. For example, an employee who orally solicits on behalf of a union is presumably allowed to do so at work during non-working time, absent special circumstances justifying restrictions necessary for maintaining production or discipline. *Id.* at 803 fn.10. However, where an employee’s communication relies on use of the employer’s property or equipment (such as its bulletin board, copy machine or telephone system), the Board has taken a different approach. In such cases (sometimes referred to as the “equipment cases”), the Board has focused on the employer’s property rights, including its legitimate interest in maintaining order in the workplace, to uphold restrictions on access that do not discriminate against Section 7 communications.<sup>5</sup> *Id.*

## 15 2. Employee access to workplace email Pre-*Purple Communications*

20 With the emergence of email as a widespread form of workplace communication, employees began using workplace email systems as a forum for engaging in conduct arguably protected by the Act. In *Register Guard*, 351 NLRB at 1114, the Board squarely addressed the question of whether employees have a presumed right to use their employer’s email system for Section 7 communications. Based on the rationale of its “equipment cases,” the Board found that employees enjoyed no such right. Echoing the rationale of the those cases, it held that “being rightfully on the premises . . . confers no additional right on employees to use the employer’s equipment for Section 7 purposes regardless of whether the employees are authorized to use that equipment for work purposes.” *Id.* at 1116. An employer would, however, violate the Act by placing “discriminatory” restrictions on email use; that is, those drawn explicitly on “Section 7 lines.” *Id.* at 1118.

30 Notably, although *Register Guard* allowed employers to institute flat (albeit nondiscriminatory) bans on the nonbusiness use of workplace email, it also left open the possibility that an employer that grants employees some, but not unrestricted, access may be found to have violated the Act. Thus, an employer (such as Respondent in this case) that permits some, but not all, nonbusiness email usage risks violating the Act if its restrictions are deemed overbroad or ambiguous (i.e., leaving employees guessing at their peril what portion of their protected conduct was permitted). See *Costco Wholesale Corp.*, 358 NLRB 1100, 1101 fn. 6 (2012).

## 3. Judge Schmidt’s analysis of the “Computer Resources Rule” under *Register-Guard*

40 Based on the *Register Guard* presumption that the Act does not grant employees the presumptive right to use their employer’s email system, Judge Schmidt found the Computer Usage Rule lawful. Deferring the Board on the wisdom of continuing to adhere to *Register Guard*, he nonetheless faithfully applied its holding, finding that the General Counsel had failed to demonstrate that the rule was unlawful in that Respondent’s restrictions on employee

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<sup>5</sup> For example, an employee may generally be forbidden from physically distributing written literature (including a written solicitation) both during working time and throughout “working areas” on her employer’s property. *Stoddard-Quick Mfg. Co.*, 138 NLRB 615 (1962).

computer usage “contain[ed] no explicit restriction on Section 7 rights.” 362 NLRB No. 190, slip op. at 12.

Judge Schmidt also rejected the General Counsel’s argument that the rule should be deemed unlawful despite *Register Guard*, because it contained ambiguous language that could be construed by employees to prohibit prohibiting Section 7 activity. *Id.* In so doing, he concluded that the General Counsel had failed to demonstrate that employees would reasonably understand the rule to be broad enough to apply to their use of Respondent’s email system for Section 7 activities during nonworking time.

#### 4. The *Purple Communications* standard

As noted, while Judge Schmidt’s recommended decision was pending before the Board, *Register Guard* was overruled by *Purple Communications*. The Board rejected the *Register Guard* standard in favor of a presumption, based on the Supreme Court’s analysis in *Republic Aviation*, that employees who have been given access to the employer’s email system in the course of their work are entitled to use the system to engage in statutorily protected Section 7 discussions while on nonworking time. 361 NLRB No. 126, slip op. at 5.

Noting that email “is fundamentally a forum for communication,” the Board found it inappropriate to treat email as “solicitation” or “distribution” per se. *Id.* at 11-12. The Board did, however, adopt the *Republic Aviation* framework, finding that an employer will be presumed to violate the Act by maintaining a prohibition on nonbusiness use of its email system that is broad enough to encompass employees’ use of the system for Section 7 activities during nonworking time. A respondent may, however, rebut this presumption by demonstrating that its restrictions are justified by “special circumstances” (adopted from *Republic Aviation*) necessary to maintain production or discipline. *Id.* at 14.

Regarding the “special circumstances” burden, the Board stated:

[A]n employer contending that special circumstances justify a particular restriction must demonstrate the connection between the interest it asserts and the restriction. The mere assertion of an interest that could theoretically support a restriction will not suffice. And, ordinarily, an employer’s interests will establish special circumstances only to the extent that those interests are not similarly affected by employee email use that the employer has authorized.

*Id.* Following *Purple Communications*, the Board applied this standard to reject an employer’s claim that patient-safety concerns justified its ban on email solicitations, where it failed to prove that such concerns would not be “similarly affected by employee email use that employer had already authorized.” *UPMC*, 362 NLRB No. 191, slip op. at 4 (2015).

*B. Application of Purple Communications to Respondent’s Computer Resources Rule*

- 5                   1. Respondent has granted certain of its employees access to  
its email system, triggering the Board’s new presumption

10                   As a preliminary matter, I find that Respondent routinely grants an unspecified number of its  
employees access to its email system. This was made clear from the testimony of Respondent’s  
own witness, Collins, as well as the remaining record, including Respondent’s maintenance of  
detailed technical procedures regarding the manner in which employees are to be granted such  
access, as well as the very rule alleged as unlawful, which explicitly instructs employees to limit  
the use of personal email.

15                   In its post-hearing brief, Respondent argues that only a “tiny fraction” or “handful” of its  
employees have access to its email system and that they do not use the system to communicate  
with each other “to a significant degree.” As discussed, the record evidence does not support  
such a finding. In any event, I reject Respondent’s suggestion that *Purple Communications*  
applies only to employer email systems used by a minimum number of employees or with a  
20                   minimum level of frequency. To the contrary, the Board’s decision on its face applies to all  
restrictions on *any* employee’s otherwise authorized use of work email. As such, I find that,  
because Respondent grants employees access to its email system for nonwork purposes, any  
restriction on their use of the system for Section 7 purposes is presumptively invalid pursuant to  
*Purple Communications*.

- 25                   2. The Computer Resources Rule’s restriction on emailing nonbusiness  
information violates the Act, pursuant to *Purple Communications*

30                   By its terms, the rule (as promulgated and currently maintained) forbids employees from  
“send[ing] chain letters or other forms of non-business information.” Under *Register Guard*,  
Judge Schmidt was constrained to find this restriction valid because Respondent was free to  
restrict employee access on any nondiscriminatory basis. Because this rule, which essentially  
constitutes a ban on all nonbusiness communication via email, is not explicitly drawn on  
“Section 7 lines,” he found that, pursuant to *Register Guard*, it was lawful.

35                   Because *Purple Communication* granted a presumption of email access for Section 7  
purposes, I am not so constrained. Instead, to determine whether Respondent’s rule violates the  
Board’s new standard, I must decide whether it prohibits employees’ nonbusiness use of its  
email system in a manner that is broad enough to encompass employees’ use of the system for  
40                   Section 7 activities during nonworking time. I find that, insofar as the rule bans all use of  
Respondent’s email system for nonbusiness distribution and solicitation, it is squarely covered  
by the new presumption and violates the *Purple Communications* dictate that “employee use of  
email for statutorily protected communications on nonworking time must presumptively be  
permitted by employers who have chosen to give employees access to their email.” *Id.* at 1. As  
45                   such, I find this portion of the rule presumptively invalid.

The remaining portions of the Computer Usage Rule contain numerous less-than-total bans  
on employees’ nonbusiness email usage, such as restrictions on transmitting “confidential

information” and “solicit[ing] for personal gain or advancement of personal views.” Because these rules do not, by their terms, ban *all* nonbusiness communication, whether they violate the Act depends on whether they would be reasonably interpreted by employees to cover Section 7 conduct. Such is the case regardless of which presumption applies (either *Register Guard* or

5 *Purple Communications*). Based on this, I read the Board’s remand order not to require any reassessment of Judge Schmidt’s ruling regarding as to whether these aspects of Respondent’s Computer Usage Policy would be reasonably understood by employees to encompass Section 7 communications.

- 10           3. Respondent has made no showing that special circumstances exist that justify encroaching on its employees’ right to engage in Section 7 activity

Finally, I do not find that Respondent has established any special circumstances sufficient to justify any portion of its Computer Usage Rule the Board may find unlawful pursuant to *Purple*

15 *Communications*. At hearing, Respondent’s counsel adduced no evidence that any aspect of the rule is necessary to maintain production and discipline within its work force other than Collins’ testimony that Respondent’s VIP agents are granted access to its email system.

By its post-hearing brief, Respondent asserts that, to the extent the rule is found to restrict

20 Section 7 communications, this is justified by “special circumstances inherent to the hotel and casino industry.” (R. Br. at 14) Essentially Respondent argues that Nevada State gaming laws require Respondent to keep its guest information confidential, and that Respondent’s VIP agents (the only group of employees Respondent’s witness could recall being granted email access)

25 have access to this confidential information. To allow the VIP agents to use Respondent’s email system “during business hours,” argues Respondent, would increase the risk that such employees “will transmit confidential VIP guest information, leading to potentially catastrophic disciplinary consequences for Respondent.” *Id.* at 16.

Respondent has not met its burden to establish special circumstances. Respondent’s stated

30 concerns over confidential guest information are theoretical only; Respondent failed to adduce evidence that any VIP agent has ever transmitted guest information via Respondent’s email system, or that Respondent harbors any actual concern that an employee may do so. Indeed, as Respondent’s own witness testified, Respondent has in fact authorized the VIP agents to use its email system, albeit with restrictions. As such, the risk that confidential guest information may

35 be disclosed was created by Respondent when it granted these employees email access during business hours in the first place, and Respondent cannot now justify its “nonbusiness” distinction. See, e.g., *UPMC*, 362 NLRB No. 191, slip op. at 4.

Finally, while the *Purple Communications* Board suggested that an employer could justify

40 “uniform and consistently enforced restrictions, such as prohibiting large attachments or audio-video segments,” upon a showing that such emails would interfere with the efficient operation of its email system, no such showing has been made here, in that Respondent prohibits emailing all nonbusiness information, regardless of size.

## CONCLUSION OF LAW

5 By maintaining an overly broad computer usage policy that effectively prohibits employees' use of Respondent's email system to engage in Section 7 communications during nonworking time, Respondent has engaged in an unfair labor practice affective commerce within the meaning of Section 8(a)(1) of the Act and Section 2(6) and (7) of the Act.

## 10 REMEDY

In a typical case involving unlawful handbook rules, the employer is ordered to rescind the unlawful provisions and post an appropriate notice. The Board in *Purple Communications* made clear that this is the appropriate remedy in a case such as this. 361 NLRB No. 126, slip op. at 17. Therefore, with respect to Respondent's prohibition on email distribution of "non-business information," I will require Respondent to rescind this unlawful rule. Respondent may comply with this order by publishing and distributing to employees a revised employee handbook that either does not contain the unlawful rule, or provide a lawfully worded rule in its place. Alternately, to defray the expense of republishing its entire employee handbook, Respondent may furnish its employees with an insert for its current employee handbook that either advises that the unlawful portion of its policy have been rescinded, or provides a lawfully worded policy on adhesive backing that will cover the one containing the unlawful restriction. *World Color (USA) Corp.*, 360 NLRB No. 37, slip op. at 2 (2014) (citing *SistersFood Group*, 357 NLRB 1816, 1823 fn. 32 (2011); *Guardsmark, LLC*, 344 NLRB 809, 812 fn. 8 (2005), enfd. in relevant part 475 F.3d 369 (D.C. Cir. 2007); see also Board Order, slip op. at 7 (Board's order regarding certain other of Respondent's handbook policies).

On these findings of fact and conclusions of law and on the entire record, I issue the following recommended<sup>6</sup>

## 30 ORDER

The Respondent, Ceasars Entertainment d/b/a Rio All-Suites Hotel and Casino, Las Vegas, Nevada, its officers, agents, successors, and assigns, shall

35 1. Cease and desist from

(a) Maintaining the provision in its Team Member Handbook headed: "Rules of the Road" and subheaded: "Computer, Electronic Devices, Systems and Data" to the extent it prohibits employees from using Respondent's email system to send nonbusiness information.

(b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

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<sup>6</sup> If no exceptions are filed as provided by Sec. 102.46 of the Board's Rules and Regulations, the findings, conclusions, and recommended Order shall, as provided in Sec. 102.48 of the Rules, be adopted by the Board and all objections to them shall be deemed waived for all purposes.

2. Take the following affirmative action necessary to effectuate the policies of the Act:

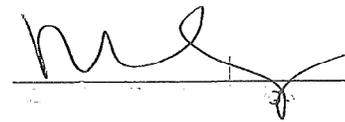
(a) Rescind the language in its Rio Employee Handbook revised May 2015 headed: “Rules of the Road” and subheaded: “Computer, Electronic Devices, Systems and Data” to the extent it states that employees may not use Respondent’s email system to send nonbusiness information.

(b) Within 14 days after service by the Region, post at its Ceasars Entertainment d/b/a Rio All-Suites Hotel and Casino facility in Las Vegas, Nevada, copies of the attached notice marked “Appendix.”<sup>7</sup> Copies of the notice, on forms provided by the Regional Director for Region 28, after being signed by Respondent’s authorized representative, shall be posted by Respondent and maintained for 60 consecutive days in conspicuous places including all places where notices to employees are customarily posted, including by electronic means if available. Reasonable steps shall be taken by Respondent to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, Respondent has gone out of business or closed the facility involved in these proceedings, Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by Respondent at any time since January 5, 2011.

(c) Within 21 days after service by the Region, file with the Regional Director for Region 28 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that Respondent has taken to comply.

It is further ordered that the remanded complaint allegation is dismissed insofar as it alleges violations of the Act not specifically found.

Dated: Washington, D.C. May 3, 2016



Mara-Louise Anzalone  
Administrative Law Judge

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<sup>7</sup> If this Order is enforced by a judgment of a United States court of appeals, the words in the notice reading “Posted by Order of the National Labor Relations Board” shall read “Posted Pursuant to a Judgment of the United States Court of Appeals Enforcing an Order of the National Labor Relations Board.”

**APPENDIX**

**NOTICE TO EMPLOYEES  
Posted by Order of the  
National Labor Relations Board  
An Agency of the United States Government**

The National Labor Relations Board has found that we violated the National Labor Relations Act and has ordered us to post and abide by this notice.

**FEDERAL LAW GIVES YOU THE RIGHT TO**

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

In May 2015, we distributed to you a new employee handbook (the 2015 handbook). Our prior employee handbook contained an overly restrictive policy that interfered with certain of the rights guaranteed you by Section 7 of the Act. Our 2015 handbook maintained this overly restrictive policy, which we will rescind, as explained below.

WE WILL NOT maintain a provision in our employee handbook that states that, if you are authorized to use our email system for work-related purposes, that you may not use our email system to distribute nonbusiness information at any time.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights guaranteed you by Section 7 of the Act.

WE WILL modify our 2015 handbook by rescinding the provision that prohibits employees who are authorized to use our email system for work-related purposes from using our email system to distribute nonbusiness information at any time.

**CAESARS ENTERTAINMENT d/b/a  
RIO ALL-SUITES HOTEL AND CASINO**

\_\_\_\_\_  
(Employer)

Dated \_\_\_\_\_ By \_\_\_\_\_  
(Representative) (Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want union representation and it investigates and remedies 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. You may also obtain information from the Board's website: [www.nlr.gov](http://www.nlr.gov).

2600 North Central Avenue, Suite 1800  
Phoenix, Arizona 85004-3099  
Hours: 8:15 a.m. to 4:45 p.m.  
602-640-2160.

The Administrative Law Judge's decision can be found at [www.nlr.gov/case/28-CA-060841](http://www.nlr.gov/case/28-CA-060841) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.



**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, 602-640-2146.