

## § 102.106

relating to the same employer are contemporaneously on file in a regional office of the Board, and the general counsel entertains doubt whether the Board would assert jurisdiction over the employer involved, he may file a petition with the Board for a declaratory order disposing of the jurisdictional issue in the cases. Such petition may be withdrawn at any time prior to the issuance of the Board's order.

### § 102.106 Contents of petition for declaratory order.

A petition for a declaratory order shall allege the following:

- (a) The name of the employer.
- (b) The general nature of the employer's business.
- (c) The case numbers of the unfair labor practice and representation cases.
- (d) The commerce data relating to the operations of such business.
- (e) Whether any proceeding involving the same subject matter is pending before an agency or court of a State or territory. Eight copies of the petition shall be filed with the Board in Washington, DC. Such petition shall be printed or otherwise legibly duplicated: *Provided, however,* That carbon copies of typewritten matter shall not be filed and if submitted will not be accepted.
- (f) Seven copies of the petition shall be filed with the Board in Washington, DC. Such petition shall be printed or otherwise legibly duplicated: *Provided, however,* That carbon copies of typewritten matter shall not be filed and if submitted will not be accepted.

[24 FR 9102, Nov. 7, 1959, as amended at 27 FR 5095, May 30, 1962; 29 FR 15922, Nov. 28, 1964]

### § 102.107 Notice of petition, service of petition.

Upon filing a petition, the general counsel shall immediately serve a copy thereof on all parties and shall file a statement of service as provided by § 102.114(b) of these rules.

[51 FR 23749, July 1, 1986]

### § 102.108 Response to petition; service of response.

Any party to the representation or unfair labor practice case may, within 14 days after service thereof, respond to

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the petition, admitting or denying its allegations. Eight copies of such response shall be filed with the Board in Washington, DC. Such response shall be printed or otherwise legibly duplicated: *Provided, however,* That carbon copies of typewritten materials will not be accepted. Such response shall be served on the general counsel and all other parties, and a statement of service shall be filed as provided by § 102.114(b) of these rules.

[51 FR 23749, July 1, 1986]

### § 102.109 Intervention.

Any person desiring to intervene shall make a motion for intervention, stating the grounds upon which such person claims to have an interest in the petition. Eight copies of such motion shall be filed with the Board in Washington, DC. Such motion shall be printed or otherwise legibly duplicated: *Provided, however,* That carbon copies of typewritten matter shall not be filed and if submitted will not be accepted.

[29 FR 15922, Nov. 28, 1964]

### § 102.110 Proceedings before the Board; briefs; declaratory orders.

The Board shall thereupon proceed, upon the petition, responses, and submission of briefs, to determine whether, on the facts before it, the commerce operations of the employer involved are such that it would or would not assert jurisdiction over them. Such determination shall be made by a declaratory order, with like effect as in the case of other orders of the Board, and shall be served upon the parties. Any party desiring to file a brief shall file eight copies with the Board in Washington, DC, with a statement that copies thereof are being served simultaneously on the other parties.

[29 FR 15922, Nov. 28, 1964]

## Subpart I—Service and Filing of Papers

### § 102.111 Time computation.

(a) In computing any period of time prescribed or allowed by these rules, the day of the act, event, or default after which the designated period of