

**U.S. Department of Labor**

Administrative Review Board  
200 Constitution Ave. NW  
Washington, DC 20210-0001



**IN THE MATTER OF:**

**TRACY SHANKER, CHIEF,  
DIVISION OF ENFORCEMENT,  
OFFICE OF LABOR MANAGEMENT  
STANDARDS, UNITED STATES  
DEPARTMENT OF LABOR,**

**ARB CASE NO. 2023-0001**

**ALJ CASE NO. 2021-SOC-00002**

**DATE: December 6, 2022**

**COMPLAINANT,**

**v.**

**PATENT OFFICE  
PROFESSIONAL ASSOCIATION,**

**RESPONDENT.**

### **ERRATA**

On November 16, 2022, the Administrative Review Board issued the Decision and Order Affirming Recommended Decision and Order and Ordering New Election in this case. The caption of the Decision and Order listed an incorrect issuance date and omitted a portion of the complainant's complete title. Please replace the first page of the previously issued Decision and Order with the attached, corrected page. In all other respects, the Decision and Order remains unchanged.

**FOR THE ADMINISTRATIVE REVIEW BOARD**

  
**Aubrey Gordon  
General Counsel**

**Note:** Questions regarding any case pending before the Board should be directed to the Board's staff. Telephone: (202) 693-6200, Facsimile: (202) 693-6220

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PROFESSIONAL ASSOCIATION,**

**RESPONDENT.**

**Appearances:**

***For the Complainant:***

**Beverly Dankowitz, Esq.; Eleanore I. Simms, Esq.; and Christa N.  
Henderson, Esq.; *U.S. Department of Labor*; Washington, District of  
Columbia**

***For the Respondent:***

**Richard J. Hirn, Esq.; *Patent Office Professional Association*;  
Washington, District of Columbia**

**Before: HARTHILL, Chief Administrative Appeals Judge, and BURRELL,  
Administrative Appeals Judge**

**DECISION AND ORDER AFFIRMING RECOMMENDED  
DECISION AND ORDER AND ORDERING NEW ELECTION**

**HARTHILL, Chief Administrative Appeals Judge:**

**This case arises under Title VII of the Civil Service Reform Act of 1978**

## CERTIFICATE OF SERVICE

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ARB-2023-0001 Patent Off. Professional Assoc. (Shanker) and Chief, Division of Enforcement, OLMS Tracy  
Shanker v. Patent Off. Professional Assoc. (Shanker) (Case No: 2021-SOC-00002)

I certify that the parties below were served this day.

12/06/2022

(DATE)



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Thomas O. Shepherd, Jr., Esq.  
Clerk of the Appellate Boards

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