



# United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, NW  
Washington, DC 20240

## Memorandum

To: Regional Directors

From: Associate Director, Business Services

Subject: Guidance on Labor Practices under National Park Service Concession Contracts

This memorandum provides guidance on NPS policy and procedures related to labor practices under concession contracts.

The National Labor Relations Act (NLRA) (29 U.S.C. §§ 151–69), passed in 1935, declares that the policy of the United States is to encourage worker organizing and collective bargaining and to promote equality of bargaining power between employers and employees. The NLRA prohibits employers from interfering with, restraining, or coercing employees in the exercise of rights relating to organizing, forming, joining, or assisting a labor organization for collective bargaining purposes, or from working together to improve terms and conditions of employment, or refraining from any such activity. Similarly, labor organizations may not restrain or coerce employees in the exercise of these rights. Examples of concessioner employee rights under the NLRA include:

- Forming, or attempting to form, a union in the workplace,
- Joining a union whether the union is recognized by the employer or not,
- Assisting a union in organizing of fellow employees,
- Refusing to do any or all of these things,
- To be fairly represented by a union.

Additional information is available from the [National Labor Relations Board](#) (NLRB).

NPS concessioners are required to comply with all applicable laws in fulfilling their obligations under concession contracts, which include the NLRA and applicable rules, regulations, and orders of the Secretary of Labor.

To reinforce these compliance requirements in concession contracts, parks are instructed to add the paragraph provided as Attachment A to this memorandum as a new subsection under the Human Resources Management section in the Concession Contract Operating Plan during its annual review and update.

If the park becomes aware of a potential noncompliance with the NLRA the park should advise the complainant(s) of their right to file charges with the NLRB. Information about how to file charges can be found on the NLRB's [E-file Charge/Petition website](#). Parks and regions should be

mindful that not every concern raised by concession employees is the purview of the NLRB. Questions about unpaid wages, safety on the job, employment discrimination, workers' compensation are responsibility of other Federal agencies. Information regarding those agencies can be found on the [NLRB Related Agencies webpage](#).

Parks and regional offices may work with concessioners and their employees to resolve informal issues or to clarify NPS policies, but should not attempt to mediate formal workplace disputes covered by "applicable laws" (including the NLRA). If a park becomes aware that a concessioner is found non-compliant with their obligations under the NLRA or other applicable labor laws the park should contact their regional office to determine the most appropriate course of action.

Please forward this memorandum to all parks in your region with concession contracts. For further information, please contact [Kurt Rausch](#), Chief, Commercial Services Program, at [kurt\\_rausch@nps.gov](mailto:kurt_rausch@nps.gov).

cc: Regional Chiefs of Concessions

**Attachment A**  
**Concession Contract Operating Plan Insertion**

**(Insert Applicable Subsection number)**      Organized Labor Activity

The Concessioner is required to comply fully with the National Labor Relations Act (NLRA), 29 U.S.C. §§ 151–169, and the applicable rules, regulations, and orders of the Secretary of Labor. The NLRA prohibits employers from interfering with, restraining, or coercing employees in the exercise of their rights relating to organizing, forming, joining, or assisting a labor organization for collective bargaining purposes; working together to improve terms and conditions of employment; or refraining from any such activity. Similarly, labor organizations may not restrain or coerce employees in the exercise of these rights.