

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**STIPULATED ELECTION AGREEMENT**

Tempus AI, Inc.

Case 13-RC-335172

The parties **AGREE AS FOLLOWS:**

**1. PROCEDURAL MATTERS.** The parties waive their right to a hearing and agree that any notice of hearing previously issued in this matter is withdrawn, that the petition is amended to conform to this Agreement, and that the record of this case shall include this Agreement and be governed by the Board's Rules and Regulations.

**2. COMMERCE.** The Employer is engaged in commerce within the meaning of Section 2(6) and (7) of the National Labor Relations Act and a question affecting commerce has arisen concerning the representation of employees within the meaning of Section 9(c).

The Employer, Tempus AI, Inc., a Delaware corporation with an office and place of business in Chicago, Illinois, is engaged in the business of health technology. During the last calendar year, a representative period, the Employer, from its Chicago facility, provided services valued in excess of \$50,000 to customers located directly outside the State of Illinois.

**3. LABOR ORGANIZATION.** The Petitioner is an organization in which employees participate, and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work and is a labor organization within the meaning of Section 2(5) of the Act.

**4. ELECTION.** A secret-ballot election under the Board's Rules and Regulations shall be held under the supervision of the Regional Director on the date and at the hours and places specified below.

**DATE: Wednesday, March 6, 2024**

**HOURS: 7:00AM to 9:00AM  
and  
3:00PM to 5:00PM**

**PLACE: Training Room  
600 West Chicago Avenue  
#510  
Chicago, IL**

**DATE: Thursday, March 7, 2024**

**HOURS: 7:00AM to 9:00AM  
and  
3:00PM to 5:00PM**

**PLACE: Training Room  
600 West Chicago Avenue  
#510  
Chicago, IL**

If the election is postponed or canceled, the Regional Director, in his or her discretion, may reschedule the date, time, and place of the election.

Initials: 

The Regional Director has and retains the full and complete discretion to determine whether it is unsafe, for any reason, to conduct a manual election on the stipulated date. Further, if the Regional Director determines a manual election is unsafe, or if the election is postponed or cancelled for any other reason, the Regional Director has and retains sole and complete discretion to reschedule the date, time, location, and/or manner of the election, including converting the election to a mail ballot election, as she or he deems appropriate.

**5. UNIT AND ELIGIBLE VOTERS.** The following unit is appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

**VOTING GROUP – UNIT A (Professional Employees)**

**Included:** All full-time and regular part-time Application Scientists; Assay Implementation Scientists; Lab Automation Engineers; Associate Engineer – Lab Automation; Project Engineer – Lab Automation; Senior Engineer – Lab Automation; Lab Documentation Specialists; Process Documentation Specialists; Associate Scientists; Staff Scientists; Part Time Histotechnologists; Histotechnologists II, III, and IV (including Leads); Pathology Lab Coordinators I, II, and III (including Leads); Quality Control Technologists I, II, and III (including Leads); and Molecular Technologists II, III, and IV (including Leads) employed by the Employer at its facility currently located at 600 W. Chicago Avenue, Chicago, IL.

**Excluded:** All non-professional employees, confidential employees, managerial employees, guards and supervisors as defined by the Act.

**VOTING GROUP – UNIT B (Non-professional Employees)**

**Included:** All full-time and regular part-time Clinical Lab Associates I – Accessioning; Clinical Lab Associates II – Accessioning; Clinical Lab Associates I – Order Processing; Clinical Lab Associates II – Order Processing; Clinical Lab Associates I – Returns; Clinical Lab Associates II – Returns; Clinical Lab Associates – Sample Returns; Extraction Coordinators; Facilities Associates II; Facilities Associates IV; Histology Assistants; Histology Associates; Histotechnologists I; Inventory Coordinator I; Inventory & Receiving Coordinators I; Lead Inventory & Receiving Coordinators III; Lab Operations Asset Archivists; Lab Operators Associates - Asset Archivist I; Lab Operations Associates – Asset Archivist II; Lab Operations Associates I and II; Lead Lab Operations Associates III; Lead Clinical Lab Associates I – Accessioning; Lead Clinical Lab Associates II – Accessioning; Lead Clinical Lab Associates III – Accessioning; Lead Clinical Lab Associates I – Order Processing; Lead Clinical Lab Associates II – Order Processing; Lead Clinical Lab Associates I – Returns; Lead Clinical Lab Associates III – Returns; Molecular Technologists I; and Quality Control Associates II employed by the Employer at its facility currently located at 600 W. Chicago Avenue, Chicago, IL.

**Excluded:** All professional employees, confidential employees, managerial employees, guards and supervisors as defined by the Act.

If a majority of the professional employees voting in Unit A vote “Yes” to the first question, indicating their desire to be included in a unit with nonprofessional employees, they will be so included, and their votes on the second question will be counted together with the votes of the nonprofessional employees in Unit B to decide the question concerning representation for the overall unit (Unit C) consisting of the employees in Units A and B and thereby the following employees will constitute a unit appropriate for the purposes of collective bargaining within the meaning of 9(b) of the Act.

Initials:           J.W.L

## UNIT C

**Included:** All full-time and regular part-time Application Scientists; Assay Implementation Scientists; Lab Automation Engineers; Associate Engineer – Lab Automation; Project Engineer – Lab Automation; Senior Engineer – Lab Automation; Lab Documentation Specialists; Process Documentation Specialists; Associate Scientists; Staff Scientists; Part Time Histotechnologists; Histotechnologists II, III, and IV (including Leads); Pathology Lab Coordinators I, II, and III (including Leads); Quality Control Technologists I, II, and III (including Leads); and Molecular Technologists II, III, and IV (including Leads); Clinical Lab Associates I – Accessioning; Clinical Lab Associates II – Accessioning; Clinical Lab Associates I – Order Processing; Clinical Lab Associates II – Order Processing; Clinical Lab Associates I – Returns; Clinical Lab Associates II – Returns; Clinical Lab Associates – Sample Returns; Extraction Coordinators; Facilities Associates II; Facilities Associates IV; Histology Assistants; Histology Associates; Histotechnologists I; Inventory Coordinator I; Inventory & Receiving Coordinators I; Lead Inventory & Receiving Coordinators III; Lab Operations Asset Archivists; Lab Operators Associates – Asset Archivist I; Lab Operations Associates – Asset Archivist II; Lab Operations Associates I and II; Lead Lab Operations Associates III; Lead Clinical Lab Associates I – Accessioning; Lead Clinical Lab Associates II – Accessioning; Lead Clinical Lab Associates III – Accessioning; Lead Clinical Lab Associates I – Order Processing; Lead Clinical Lab Associates II – Order Processing; Lead Clinical Lab Associates I – Returns; Lead Clinical Lab Associates III – Returns; Molecular Technologists I; and Quality Control Associates II employed by the Employer at its facility currently located at 600 W. Chicago Avenue, Chicago, IL.

**Excluded:** All confidential employees, managerial employees, guards and supervisors as defined by the Act.

Those eligible to vote in the election are employees in the above unit who were employed during the **payroll period ending February 9, 2024**, including employees who did not work during that period because they were ill, on vacation, or were temporarily laid off. In a mail ballot election, employees are eligible to vote if they are in the above unit on both the payroll period ending date and on the date they mail in their ballots to the Board's designated office.

Employees engaged in any economic strike, who have retained their status as strikers and who have not been permanently replaced are also eligible to vote. In addition, employees engaged in an economic strike which commenced less than 12 months before the election date, who have retained their status as strikers but who have been permanently replaced, as well as their replacements are eligible to vote. Employees who are otherwise eligible but who are in the military services of the United States may vote if they appear in person at the polls.

Ineligible to vote are (1) employees who have quit or been discharged for cause after the designated payroll period for eligibility, and, in a mail ballot election, before they mail in their ballots to the Board's designated office, (2) employees engaged in a strike who have been discharged for cause since the commencement thereof and who have not been rehired or reinstated before the election date, and (3) employees engaged in an economic strike which began more than 12 months before the election date who have been permanently replaced.

**6. VOTER LIST.** Within 2 business days after the Regional Director has approved this Agreement, the Employer must provide to the Regional Director and all of the other parties a voter list of the full names, work locations, shifts, job classifications, and contact information (including home addresses, available personal email addresses, and available personal home and cellular telephone numbers) of all eligible voters. The Employer must also include, in a separate section of that list, the same information for those individuals whom the parties have

Initials: SJ.W.L

agreed should be permitted to vote subject to challenge. The list must be filed in common, everyday electronic file formats that can be searched. Unless otherwise agreed to by the parties, the list must be provided in a table in a Microsoft Word file (.doc or docx) or a file that is compatible with Microsoft Word (.doc or docx). The first column of the list must begin with each employee's last name and the list must be alphabetized (overall or by department) by last name. The font size of the list must be the equivalent of Times New Roman 10 or larger. That font does not need to be used but the font must be that size or larger. When feasible, the list must be filed electronically with the Regional Director and served electronically on the parties. The Employer must file with the Regional Director a certificate of service of the list on all parties.

**7. THE BALLOT.** The Regional Director, in his or her discretion, will decide the language(s) to be used on the election ballot. All parties should notify the Region as soon as possible of the need to have the Notice of Election and/or ballots translated.

Two questions shall appear on the ballot of the professional employees in Voting Group A:

1. "Do you wish to be included with nonprofessional employees in a unit for the purposes of collective bargaining?" The choices on the ballot will be "Yes" or "No".
2. "Do you wish to be represented for purposes of collective bargaining by District Lodge 8, International Association of Machinists & Aerospace Workers, AFL-CIO?" The choices on the ballot will be "Yes" or "No".

The question on the ballot for the non-professional employees in Voting Group B will be:

"Do you wish to be represented for purposes of collective bargaining by District Lodge 8, International Association of Machinists & Aerospace Workers, AFL-CIO?" The choices on the ballot will be "Yes" or "No".

**8. NOTICE OF ELECTION.** The Regional Director, in his or her discretion, will decide the language(s) to be used on the Notice of Election. The Employer must post copies of the Notice of Election in conspicuous places, including all places where notices to employees in the unit are customarily posted, at least three (3) full working days prior to 12:01 a.m. of the day of the election. The Employer must also distribute the Notice of Election electronically, if the Employer customarily communicates with employees in the unit electronically. Failure to post or distribute the Notice of Election as required shall be grounds for setting aside the election whenever proper and timely objections are filed.

**9. NOTICE OF ELECTION ONSITE REPRESENTATIVE.** The following individual will serve as the Employer's designated Notice of Election onsite representative: Lindsey Sheldon, Senior Director of Human Resources, [lindsey.sheldon@tempus.com](mailto:lindsey.sheldon@tempus.com).

**10. ACCOMMODATIONS REQUIRED.** All parties should notify the Region as soon as possible of any voters, potential voters, or other participants in this election who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.503, and who in order to participate in the election need appropriate auxiliary aids, as defined in 29 C.F.R. 100.503, and request the necessary assistance.

**11. OBSERVERS.** Each party may station an equal number of authorized, nonsupervisory-employee observers at the polling places to assist in the election, to challenge the eligibility of voters, and to verify the tally.

**12. TALLY OF BALLOTS.** Upon conclusion of the election, the ballots will be counted and a tally of ballots prepared and immediately made available to the parties.

Initials: 

**13. POSTELECTION AND RUNOFF PROCEDURES.** All procedures after the ballots are counted shall conform with the Board's Rules and Regulations.

**14. SAFETY PROTOCOLS.** Consistent with GC Memo 20-10 (Revised) Suggested Manual Election Protocols, issued on May 16, 2023, the parties acknowledge the following:

A. Individuals should not participate in-person in a manual election (including other in person meetings related to the election) if they have COVID-19, fever or chills, or if they have other new or unexplained symptoms consistent with COVID-19, such as: new or unexplained onset of cough, shortness of breath, or difficulty breathing; new or unexplained loss of taste or smell; or new or unexplained muscle aches.

B. If an individual who participated in a manual election develops symptoms or tests positive for COVID-19 within 10 days after the election or an in-person meeting related to the election, they must promptly notify the Board agent assigned to the case.

C. If the CDC or a state or a locality determines that a mask requirement is necessary in the location in which a manual election is to be held, all individuals must wear a well- fitting, high-quality face mask (N-95, KN-95, N-94, surgical mask, or similar). If masks are required, and the Region or Employer has an adequate supply of N-95 or equivalent masks available, they are strongly encouraged to offer them for use by all election participants. Individuals participating in manual elections in other locations may wear a mask at their choosing.


D. Individuals participating in manual elections are encouraged to maintain reasonable physical distance and avoid overcrowding.

E. Individuals will be encouraged to use hand sanitizer, where available.

**Tempus AI, Inc.**

(Employer)

By:

 2/23/24  
(Signature) (Date)


Print Name:

Joseph S. Turner

**District Lodge 8, International Association  
of Machinists & Aerospace Workers, AFL-  
CIO**

(Petitioner)

By:

 2/13/24  
(Signature) (Date)

Print Name:

William J. LePinske  
Grand Lodge Representative

**Recommended:** \_\_\_\_\_  
Christina Mols, Field Examiner (Date)

**Date approved:** \_\_\_\_\_

\_\_\_\_\_  
**Regional Director, Region 13**  
**National Labor Relations Board**