

Professional Research, Inc., d/b/a Westside Hospital and Service and Hospital Employees Union, Local 399, SEIU, AFL-CIO, Petitioner

Service and Hospital Employees Union, Local 399, SEIU, AFL-CIO and Professional Research, Inc., d/b/a Westside Hospital. Cases 31-RC-2687 and 31-CB-1629

May 30, 1975

**DECISION, ORDER, AND DIRECTION
OF SECOND ELECTION**

BY CHAIRMAN MURPHY AND MEMBERS
FANNING AND JENKINS

On January 30, 1975, Administrative Law Judge Allen Sinsheimer, Jr., issued the attached Decision in this proceeding. Thereafter, the Employer-Charging Party filed exceptions and a supporting brief.

Pursuant to the provisions of Section 3(b) of the National Labor Relations Act, as amended, the National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

The Board has considered the record and the attached Decision in light of the exceptions and brief and has decided to affirm the rulings, findings, and conclusions of the Administrative Law Judge only to the extent consistent herewith and to adopt his recommended Order.

The un rebutted facts show that Sanchez, 1 of 18 to 20 Spanish-speaking employees in the bargaining unit, is the spokesman for all of the Employer's Spanish-speaking employees with regard to their work-related problems which he presents to and discusses with the "boss." In January or February 1974, during the early stages of Respondent's organizing drive, Sanchez, along with 10 or 11 other Spanish-speaking employees, was persuaded to sign an authorization card by one of the Employer's supervisors under threat of discharge if he refused to do so. These cards, along with others supporting Respondent's petition for an election, were submitted to the Regional Director who rejected all of the cards, ostensibly because of the supervisory taint, but who permitted Respondent to submit new cards.

Several weeks prior to the election¹ Respondent's staff representative, Organizer Vallero, threatened Sanchez with deportation unless Sanchez sided with, and signed an authorization card for, Respondent. Sanchez related the threat to his wife, whom he told to "get ready because perhaps we are going to Mexico," and to five of his Spanish-speaking cowork-

ers in the kitchen. One of those coworkers, S. Garcia, further discussed the threat with two of the aforesaid five employees, as well as with three other employees who are not identified in the record, and who may or may not be among those five. These facts constitute the basis of both the unfair labor practice charge and the Employer's Objection 3 to the election.

The Administrative Law Judge found that the threat of deportation, regardless of whether Sanchez was subject to deportation, violated Section 8(b)(1)(A) of the Act.² He also found, however, that this same misconduct does not warrant setting aside the election, and recommended that Objection 3 be overruled.

The Administrative Law Judge found, in essence, and we agree, that the test to be used to determine whether Respondent's conduct destroyed the laboratory atmosphere necessary to the exercise of free choice in the election is, basically, whether that conduct was coercive and also had a tendency to affect or interfere with the employees' actions at the polls. We conclude, however, that the Administrative Law Judge applied that test in a manner inconsistent with applicable law. More specifically, while we agree with his findings that Respondent's threat to Sanchez was coercive and "could reasonably be anticipated" to affect his vote, we do not agree with the substance of the Administrative Law Judge's subsequent findings that that conduct probably did not affect any employee other than Sanchez because (1) there is no evidence of an illegal entry into the United States by any other employee, and there is a similar absence of evidence that any other employee was threatened with deportation, and (2) none of the five or eight Spanish-speaking employees who were aware of the threat were affected in their election choice since there is no objective evidence to indicate that they were in fact coerced, but, if they were, their votes nevertheless "would not be decisive to alter the election results." These findings constitute improper bases on which to evaluate the nature of the conduct involved and the tendency of its effect on the electorate's free choice.

The question of whether there has been unwarranted interference with free expression of choice does not turn on election results, or the probable election results.³ Moreover, the impact of the threat is not necessarily limited to Sanchez only, since experience has shown, as demonstrated herein, that statements made during an election campaign are the subject of discussion, repetition, and dissemination among the electorate.⁴ Furthermore, there is no legal basis for concluding that Respondent's conduct lost its coer-

¹ The election was conducted on May 31, 1974, in a unit of approximately 117 eligible voters. The results were that 58 cast ballots for, and 35 against, Respondent, along with 1 void and 2 challenged ballots.

² In the absence of exceptions thereto, we adopt this finding *pro forma*.

³ Cf. *Steak House Meat Company, Inc.*, 206 NLRB 28 (1973).

⁴ Cf. *Standard Knitting Mills, Inc.*, 172 NLRB 1122 (1968).

give tendency merely because of an absence of direct evidence showing that some employees are illegal aliens, or that those employees aware of that conduct were not in fact coerced. The absence of such evidence hardly indicates that such conduct had no tendency to affect their actions at the polls.

Here, the sole Spanish-speaking employee threatened with loss of home and job unless he supported Respondent in its organizing drive was one of some prominence—the spokesmen for all Spanish-speaking employees with regard to their work-related problems. Apart from whether knowledge of the threat by Sanchez only would constitute unwarranted election interference, five or eight other Spanish-speaking employees were aware of it and of the message that harsh threat was meant to convey: unless Spanish-speaking employees supported Respondent, they not only risked the loss of their spokesman, but they also could have been marked for similar reprisals with which they may or may not have been able to cope. This message, we conclude, clearly was coercive and did have a tendency to restrain the exercise of free choice in the election.

Accordingly, we shall sustain Objection 3, set aside the election, and direct a new election.⁵

ORDER

Pursuant to Section 10(c) of the National Labor Relations Act, as amended, the National Labor Relations Board adopts as its Order the recommended Order of the Administrative Law Judge and hereby orders that the Respondent, Service and Hospital Employees Union, Local 399, SEIU, AFL-CIO, its officers, agents, and representatives, should take the action set forth in the said recommended Order.

IT IS FURTHER ORDERED that the election conducted on May 31, 1974, among the Employer's employees be, and it hereby is, set aside, and that Case 31-RC-2687 be, and it hereby is, severed and remanded to the Regional Director for Region 31 for the purpose of conducting a new election at such time as he deems that circumstances permit the free choice of a bargaining representative.

[Direction of Second Election and *Excelsior* footnote omitted from publication.]

⁵ In view of our disposition of this proceeding, we find it unnecessary to resolve the Employer's Objection 2 to the election.

DECISION

STATEMENT OF THE CASE

ALLEN SINSHEIMER, JR., Administrative Law Judge: The above proceeding was heard in Los Angeles, California, on October 29 and 30, 1974. On May 31, 1974, pursuant to a Stipulation for Certification Upon Consent Election, an election was conducted in the above representation matter which was won by the Union.¹ Thereafter, timely objections to conduct affecting the results of the election were filed. On August 2, 1974, the Regional Director issued and served a Report on Objections and subsequently, on September 19, a Supplemental Report on Objections, to which the Employer filed timely exceptions. On October 23, 1974, the Board issued an order directing hearing on Objection 3 which was, and is, also the subject of the unfair labor practices alleged herein in Case 31-CB-1629. The Board further ordered that the hearing on said Objection "may be consolidated with any hearing in Case 31-CB-1629." It also stated that, with respect to the Employer's exceptions to the Regional Director's recommendations that Objection 2 be overruled, it was reserving judgment as to the merits of said Objection 2² pending the outcome of the hearing which the Board had directed.

On August 27, 1974, the complaint³ in Case 31-CB-1629 was issued. On October 25, 1974, pursuant to the Board's order, *supra*, an order consolidating cases and notice of hearing was issued by the Regional Director for Region 31.

The issues are: (1) Did the Union threaten an employee with deportation, in violation of Section 8(b)(1)(a)? (2) If so, did it engage in conduct which should result in setting aside the aforesaid election?

Upon the entire record, including my observation of the witnesses, and after due consideration of the briefs of the General Counsel, the Petitioner-Charging Party and the Respondent-Employer, I make the following findings and conclusions:

I. THE BUSINESS OF THE EMPLOYER-CHARGING PARTY

Professional Research, Inc. d/b/a Westside Hospital, herein called the Employer, a California corporation, has a facility in Los Angeles, California, where, at all times material it has been engaged in the operation of an acute medical proprietary hospital. During the past calendar or fiscal year, the Employer received gross revenues in excess of \$250,000 and purchased goods valued in excess of \$5,000 from firms located in California which in turn had purchased said goods in substantially the same form directly from outside the State of California. I find the Employer is, and at all times material has been, an employer engaged in commerce within the meaning of the Act.

¹ A tally of ballots shows that, of approximately 117 eligible voters, 96 ballots were cast, of which 1 was void; 58 were cast for the Petitioner, 35 against the Petitioner, and 2 were challenged.

² This objection, according to the Board, "charges essentially that the Petitioner unlawfully influenced the results of the election of May 31, 1974, by compensating election observers who were eligible voters in a sum which was disproportionate to the employees' normal wage rate."

³ Based on a charge filed July 29, 1974.

II. THE LABOR ORGANIZATION INVOLVED

Service and Hospital Employees Union, Local 399, Service Employees International Union, AFL-CIO, herein called the Union, is a labor organization within the meaning of the Act.

III. THE ALLEGED UNFAIR LABOR PRACTICES

About January or February 1974, Respondent commenced an organizing campaign among the Employer's employees. Adam Small, organizer for Respondent, was in charge of the campaign. Small testified he submitted some 42 authorization cards from employees of the Employer to the Region, together with an election petition on February 8. However, these cards were found unacceptable apparently because a supervisor of the Respondent had assisted in obtaining the cards including the card of one, Louis Sanchez. The Regional Director then allowed Respondent 5 or 6 days within which to submit new authorization cards or face dismissal of its petition. In order to accomplish this, Respondent assigned additional organizers to assist Small. One of these was Ernest Vallero, assigned to the campaign in April, both because he was experienced and could speak Spanish.

Louis Sanchez is employed by the Employer in the kitchen as a cook's helper and has been employed in that and other capacities for 5 years. He is originally from Mexico and speaks Spanish almost exclusively.⁴ Sanchez was one of the more senior Spanish-speaking employees in the kitchen at the Employer and at times when fellow Spanish-speaking employees have come to him with work-related problems he has acted as spokesman for these employees and proceeded to take up and present these problems to the "boss." According to Sanchez, there are about 10 to 11 Spanish-speaking employees working in the kitchen and about 18 to 20 Spanish-speaking employees throughout the hospital and bargaining unit.

Evidently the Union did obtain sufficient cards within the time allowed by the Regional Director and according to Small they then had obtained and submitted either 58 or 62 cards. Small also testified that among the first group of rejected cards there were 10 or 12 signed by Spanish-speaking persons and possibly 1 or 2 more among the second group of cards.

About 2 weeks before the election on May 31, Vallero visited Sanchez at Sanchez' apartment house. Sanchez testified that Vallero was waiting outside his apartment house about 8 p.m., that Vallero introduced himself to Sanchez as a representative of the Respondent Union and stated he wanted to talk to Sanchez about the Union. Sanchez testified that he initially told Vallero he did not want to discuss the Union, that Vallero insisted and Sanchez then agreed to talk to him. He did not take Vallero to his apartment but to that of his brother, David Sanchez, in the same building. David was not present when Vallero and Louis Sanchez arrived. Two other persons, Gregorio Marron and Jesus Velasquez, David's roommates, allowed Vallero and Louis Sanchez into the apartment. Velasquez

was in the kitchen and Marron was in the dining room, where Sanchez and Vallero talked. Marron accordingly heard part of the conversation, although a television set was in operation.

According to Sanchez, Vallero told him that a black man from the Union (apparently Adam Small) was "very angry with" him. Sanchez was asked if Vallero said the black man would do anything to him and responded: "A. He said to me that the black man was far more angry with me, because he knew that I was one of the ones who did not want the union."

Sanchez also testified that in the conversation Vallero also said, "In case you don't side with us, there are many problems that are going to come to you because the employees of the hospital who prefer the union and those of the union are angry with you and they are going to get the police and the immigration after you so that they will put you out of the country." Sanchez further testified that Vallero told him he could help him with his problems and:

A. That he said to me that if I went in favor of the union that he would protect me against anything that happened to me.

Sanchez further testified:

Q. What else did he say?

A. He said, "Don't do it for yourself. Do it for your family." He then said to me, "I want you to be with me so that then I can go and tell my friends and the people at the hospital that you are with me, that you are my friend and I want you to sign this paper for me." He said, "I want to take proofs to my friend so they believe that you are not against the union."

Q. What did he present to you?

A. He gave me, he drew out a paper so I could sign it. I said, "I can't, because I have to talk to my friends first."

Q. What happened next?

A. He then said, "Well, perhaps you will change your mind tomorrow and I will leave you a paper. I will leave you a card." He left me another card. He insisted that I sign the paper.

Gregorio Marron testified that, although the TV was on, when he saw Vallero and Sanchez were talking, he paid more attention to the conversation. Marron testified they began talking about the Union, that Vallero said, "Don't be a fool . . ." Marron further testified:

Q. Can you repeat to me what Mr. Vallero said to Mr. Sanchez concerning immigration?

A. Yes, that if he [Sanchez] didn't side with him [Vallero], if he didn't go in the Union that he was going to have problems with immigration . . .

Marron added that Vallero was speaking in a very loud manner.

Sanchez testified that following the meeting with Vallero he "told the Spanish-speaking employees who were working there that a man from the Union had gone to threaten me with having the police and the immigration after me." Evidently, Sanchez was referring to persons who worked in the kitchen and he mentioned seven persons by name. Subsequently, after being referred to an affidavit in

⁴ He testified through an interpreter as did several of the witnesses.

which he listed only three persons by name whom he told the next day, Sanchez testified he could recall specifically telling *five* of the seven *named* persons, either the next day or thereafter, of the threat.

Vallero did not testify. Testimony was adduced to the effect that he had left in July, after the objections had been filed and, although aware that he would be needed as a witness, had gone to Seattle on a family emergency, and that the Union had endeavored to locate him, but could not do so. Small testified Vallero never told him that Vallero had threatened an employee with deportation. Small also testified he was not angry with Sanchez, that the reports the Union had were that Sanchez favored the Union, and that (he) Small was the only black male employee of the Union participating in the organizational drive. The Union accordingly argues that it is highly unlikely that Vallero would inform Sanchez that a black male employee of the Union was angry with him because Sanchez did not favor the Union. The Union also raises other questions as to whether Sanchez paid full rent for the apartment he lived in. There was testimony that Sanchez did some work for his apartment as did others, and that the building was owned by one, Jerry Flannigan, a supervisor of the Employer.⁵

The Union also points out that although on direct examination Sanchez testified that he had subsequent to the alleged conversation with Vallero informed seven Spanish surname employees in the kitchen of the threat that in an affidavit he referred only to three persons by name. As stated above, in subsequent testimony Sanchez specifically named five people, and I find that Sanchez did tell five persons in the kitchen of the threat made to him. The Union further asserts that Marron did not have sufficient recollection of the conversation, that his testimony was at variance with Sanchez' in testifying that Vallero said if Sanchez didn't side with him on the Union Sanchez was going to have trouble with the immigration authorities, while Sanchez testified that Vallero said that it was employees of the Employer and a black male employee of the Union who would have him deported. The Union also contends that Marron's watching television also affected his testimony so that it should be discredited.

The purported variation in testimony between Sanchez and Marron as to who would have him deported insofar as there may be any variation appears to be that one person stated his understanding one way and the other in a slightly different way. However, the meaning is clear and essentially the same to the listener — the Union through its representative was threatening deportation. The threat emanated from a union representative with the implication that the Union would make certain things known with the result that Sanchez would be deported. I do not consider this difference in testimony to be significant.

Finally, in evaluating the testimony after considering the Union's contentions, I find that Sanchez testified consistently and credibly on both direct and cross-examination, that he appeared to be a careful, conscientious witness and

that on the matter of the threat of deportation he was corroborated by Marron. Further, as noted, there is no testimony to the contrary. I accordingly credit Sanchez' testimony that he was threatened with deportation by an admitted union representative for which the Union is responsible. I find that the Union, by such threats, regardless of whether Sanchez was or was not subject to deportation violated Section 8(b)(1)(A) of the Act.

IV. THE OBJECTIONS TO THE ELECTION

I have found that the Respondent Union violated Section 8(b)(1)(A) of the Act by its threat to Louis Sanchez, a Spanish-speaking employee, that the Union would seek to have him deported. The question is whether such threat to one employee is sufficient to warrant setting aside the election. I have also found above that Sanchez reported this threat to some five other employees in the kitchen. Also as set forth, the total number of Spanish-speaking employees in the kitchen appears to have been about 10 or 11 and in the entire hospital some 18 to 20 Spanish-speaking employees. Sanchez testified that the persons in the kitchen to whom he talked did not tell him that any of them had been threatened and that he knew of no such threat to anyone else. Further there is no evidence that such a threat was made to any other employee, Spanish or otherwise. There is no evidence of any nature as to whether any other employee might be subject to deportation in any case. There is some evidence, *supra*, that Sanchez was contacted on occasion by certain employees in the kitchen about complaints as to working conditions, etc., and that he took these matters up with the "boss."

One employee, Salvador Garcia, after being told by Sanchez of the threat, in essence told Sanchez not to worry because he had his papers and would help. Garcia said he spoke to Guillermo Aguilar⁶ and approximately three other persons concerning this conversation with Sanchez. One employee, Socorro Leon, testified that she had been a practical nurse at the hospital during the preelection period, that she had been visited by two union representatives, one of whom spoke Spanish, who were friendly to her and did not threaten her with deportation. Leon has been in the country for some 10 years and speaks English well enough to testify without an interpreter. Leon apparently indicated to the union representatives that she was friendly to the Union.

I have found, *supra*, that Sanchez related the threat of deportation to five persons who worked in the kitchen. Garcia testified, *supra*, he so informed by name one of these same five and three other persons who may or may not have been among the five. There is no evidence of any other person being subject to such threats. There is no evidence of any kind appertaining to any illegal entry into the U.S.A. on the part of other persons in the unit. As set forth, one of the persons to whom Sanchez spoke, Garcia, specifically said he had papers and offered to help. The election as stated involved 117 eligible voters, of whom 96 cast ballots with 1 void, 58 for the Union, 35 against the

effect on credibility such might have would not be sufficient to warrant entering into such an area.

⁶ Aguilar was also one of the persons whom Sanchez informed of the threat by Vallero.

⁵ The Union also objected to my sustaining of an objection to a question to Sanchez about whether he had informed the Employer as to whether he had immigration papers. The objection was sustained on the basis that any

Union, and 2 challenges. There were 18 to 20 Spanish-speaking employees in all, of whom 10 or 11 worked in the kitchen. Besides Sanchez five were specifically named as having been informed of the threat by Sanchez with possibly three of the same persons or possibly three others so informed by Garcia. There is no evidence of anyone else being so threatened nor of being possibly subject to deportation. As stated, Sanchez on occasion took up matters with the "boss" on behalf of fellow employees in the kitchen as were the employees he informed of the threat. Under these circumstances should the election be set aside?

Conclusions

Certainly Vallero's conduct cannot be countenanced. However, can it be said to have, under all the circumstances, so affected the election and the Board's requisites for a fair election that the results thereof should not be allowed to stand?

Was the conduct such that it could be said to be of such nature and so pervasive as to raise doubt about the election results. Is it reasonable to infer that employees other than Sanchez were coerced into supporting the Union or alternately deemed it necessary to do so to protect Sanchez?

Admittedly no precise or absolute answer can be given to such questions. The test to apply (apparently where union conduct is involved) according to the Board in *Great Atlantic and Pacific Tea Company, Inc.*, 177 NLRB 942 (1969), is "Conduct upon which an election is set aside must be found to have affected the outcome of the election, i.e., likely to coerce prospective voters to cast their ballot in a particular manner." The Board thereupon quoted with approval from *N.L.R.B. v. Zelrich Company*, 344 F.2d 1011 (C.A. 5, 1965), as follows:

For conduct to warrant setting aside an election not only must that conduct be coercive, but it must be so related to the election as to have had a *probable* effect upon the employees' actions at the polls.⁷ [Emphasis supplied.]

From the facts set forth above, it could reasonably be anticipated that Sanchez' vote would be affected. But could it reasonably be anticipated that other votes would *probably* be so affected. I question such *probable* effect. Further, even if so, there is the question in any case of how many votes might be affected. Certainly even the five or possibly eight votes of the employees directly advised thereof⁸ would not be decisive in any event as a change of at least 11 votes⁹ plus challenges would be required to alter the election results.

⁷ To same effect, *N.L.R.B. v. Golden Age Beverage Company*, 415 F.2d 26 (C.A. 5, 1969); The court indicated in fn 5 of said decision that it deemed it immaterial that the incidents involved rank-and-file employees rather than union representatives. The Board appears to apply a different standard to conduct of employees who are not union representatives, namely, "whether the character of the conduct was so aggravated as to create a general atmosphere of fear and reprisal rendering a free expression of choice of representatives impossible." *Steak House Meat Company, Inc.*, 206 NLRB 28 (1973), *Central Photocolor Co., Incorporated* 195 NLRB 839 (1972).

⁸ There does not appear to be any objective evidence to indicate that

While the Board has indicated numbers alone may not be determinative,¹⁰ can they be completely ignored? However, without regard to specific numbers, can it be said that the improper conduct would have probably coerced employees other than Sanchez? As indicated, *supra*, I do not consider that such a finding should be made herein. Based on analysis of all the foregoing and the standards set forth, in my judgment on this record, the conduct of Vallero toward Sanchez does not warrant setting aside the election. I shall accordingly recommend that Objection 3 be overruled.

IV. THE EFFECT OF THE UNFAIR LABOR PRACTICES UPON COMMERCE

The activities of Respondent, set forth in section III above, occurring in connection with the operations of the Employer described in section I, have a close, intimate, and substantial relation to trade, traffic, and commerce among the several States and tend to lead to labor disputes burdening and obstructing commerce and the free flow of commerce.

V. THE REMEDY

Having found that the Respondent has engaged in, and is engaging in, certain unfair labor practices, it will be recommended that it be required to cease and desist therefrom and take certain affirmative action necessary to effectuate the policies of the Act. Upon the basis of the foregoing findings and conclusions and upon the entire record in this case, I make the following:

CONCLUSIONS OF LAW

1. The Charging Party-Employer is engaged in activities affecting commerce within the meaning of the Act.
2. The Union is a labor organization within the meaning of the Act.
3. As found above, the Respondent has violated Section 8(b)(1)(A) of the Act by threatening an employee with deportation if he did not support the Union.
4. The unfair labor practice affects commerce within the meaning of Section 2(6) and (7) of the Act.

Upon the foregoing findings of fact, conclusions of law, and upon the entire record, and pursuant to Section 10(c) of the Act, I hereby issue the following recommended:

ORDER ¹¹

Respondent, Service and Hospital Employees Union, Local 399, SEIU, AFL-CIO, Los Angeles, California, its officers, agents, and representatives, shall:

1. Cease and desist from:

these persons were in fact coerced nor do I consider that such should be inferred from the record herein

⁹ There were at most 10 or 11 in the kitchen

¹⁰ See *Steak House and Photocolor, supra*

¹¹ In the event no exceptions are filed as provided by Sec. 102.46 of the Rules and Regulations of the National Labor Relations Board, the findings, conclusions, and recommended Order herein shall, as provided in Sec. 102.48 of the Rules and Regulations, be adopted by the Board and become its findings, conclusions and Order, and all objections thereto shall be deemed waived for all purposes

(a) Restraining or coercing employees of Professional Research, Inc., d/b/a Westside Hospital by threatening employees with deportation if they do not support the Union.

(b) In any like or related manner restraining or coercing the employees of said employer in the exercise of rights guaranteed in Section 7 of the Act, as amended.

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

(a) Post at its business office, meeting halls, and all other places where notices to members are customarily posted, copies of the attached notice marked "Appendix."¹² Copies of said notice on forms provided by the Regional Director for Region 31, after being duly signed by Respondent's representative shall be posted by the Respondent immediately upon receipt thereof and be maintained by it for 60 consecutive days thereafter, in conspicuous places, including all places where notices to members and employees are customarily posted. Reasonable steps shall be taken by the Respondent to insure that said notices are not altered, defaced, or covered by any other material.

(b) Mail to the Regional Director for Region 31 signed copies of said notices for posting by the aforesaid employer if willing, in places where notices to employees are customarily posted. Copies of said notice, to be provided by the Regional Director for Region 31, after being duly signed by the Respondent Union's official representative, shall be forthwith returned to the Regional Director.

(c) Notify the Regional Director for Region 31, in writing, within 20 days from the date of this Order, what steps Respondent has taken to comply herewith.

As set forth above, it is hereby recommended that the Objection 3 to the election be overruled.

¹² In the event that the Board's 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

WE WILL NOT restrain or coerce employees of Professional Research Inc., d/b/a Westside Hospital, by threatening them with deportation if they do not support the Union.

WE WILL NOT in any like or related manner restrain or coerce the employees of said employer in the exercise of their rights guaranteed in Section 7 of the Act.

SERVICE AND HOSPITAL
EMPLOYEES UNION, LOCAL
399, SEIU, AFL-CIO