

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
THIRTIETH REGION**

SUPERIOR HEALTH LINENS, LLC

Employer-Petitioner

**Cases 30-RM-553
30-RM-554**

and

UNITE HERE

Union

ORDER DISMISSING PETITIONS

Upon petitions filed under Section 9(a) of the National Labor Relations Act, as amended, an investigation was conducted into the Employer's claims that the Union made present demands for recognition. The Region, by letter dated April 17, 2008, determined that no such demands had been made, and dismissed the petitions. On May 2, 2008, the Employer filed a Request for Review of the Region's decision. The Board, by Order dated October 14, 2008, remanded the case to the Region for further investigation.

By letter dated October 23, 2008, the Union disclaimed interest in both units. By letter dated October 24, 2008 the Employer, responding to the Union's disclaimers asserted that the disclaimers "... conclusively [establish] that the requisite organizational demand and intent ... did in fact exist and as a result these matters should be promptly scheduled for election." The Employer further asserts at least "... an issue for resolution at hearing has been raised."

Given the Union's October 23, 2008 disclaimer, it is unnecessary to reconsider whether the parties' earlier communications establish a claim of representative status. No evidence of action inconsistent with the Union's disclaimers has been presented. Consistent with Section 11124.1 of the Board's Casehandling Manual Representation Proceedings this matter is

appropriate for dismissal since the Union has disclaimed interest in representing the affected employees.

Accordingly, it is ORDERED that the petitions are dismissed.

Pursuant to the Board's Rules and Regulations, any party may obtain review of this action by filing eight copies of the appeal with the National Labor Relations Board, Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, DC 20570. A copy of the appeal must be served upon each of the other parties to this proceeding, including the undersigned. This appeal must contain a complete statement setting forth the facts and reasons upon which it is based. The appeal should be filed with the Board by the close of business on November 13, 2008, except that the Board may, upon good cause shown, grant permission for a longer period within which to file. A copy of any such request to the Board for an extension of time should be permitted to the undersigned and to the other parties in this proceeding.

If a party wishes to file an appeal of this action electronically, please refer to the National Labor Relations Board web site at www.nlr.gov for guidance in doing so. On the home page of the website, select the **E-Gov** tab and click on **E-Filing**. Then select the Board/Office of the Executive Secretary link. Detailed E-filing instructions explaining how to file the documents electronically will be displayed.

DATED at Milwaukee, Wisconsin on **October 30, 2008**.

/s/Benjamin Mandelman
Benjamin Mandelman, Acting Regional Director
National Labor Relations Board
Thirtieth Region
310 West Wisconsin Avenue, Suite 700
Milwaukee, Wisconsin 53203

