



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
Region 20
901 Market Street, Suite 400
San Francisco, California 94103-1735

Telephone 415/356-5130
Fax 415/356-5156
TDD 415/356-5213
Website: www.nlr.gov

July 13, 2011

[REDACTED]
Weinberg Roger & Rosenfeld
1001 Marina Village Parkway Suite 200
Alameda, CA 94501-1091

Re: *Prime Healthcare Services dba Shasta Regional Medical Center*
Case 20-CA-35380

Dear [REDACTED]

The Region has carefully investigated and considered your charge against Prime Healthcare Services dba Shasta Regional Medical Center alleging violations under Section 8 of the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have concluded that further proceedings are not warranted, and I am dismissing your charge and refusing to issue complaint inasmuch as there is insufficient evidence to establish that the Employer has violated the Act in any manner encompassed by the allegations of the charge.

Your Right to Appeal: You have the right to appeal this decision. See attached copy of Form NLRB-4938, Procedures for Filing an Appeal, for instructions applicable for filing an appeal by close of business on July 27, 2011.

Very truly yours,

/s/ J Frankl

Joseph F. Frankl
Regional Director

JFF:mrh

Enclosures: Form NLRB-4938, Procedures for Filing an Appeal
Form NLRB-4767, Appeal form(s)

cc: General Counsel
Attention: Office of Appeals
National Labor Relations Board
Room 8820, 1099 14th Street, NW
Washington, DC 20570

SEIU United Healthcare Workers-West
560 Thomas L. Berkley Way
Oakland, CA 94612-1602

[REDACTED]
Prime Healthcare Services dba Shasta
Regional Medical Center
1100 Butte Street
Redding, CA 96001

[REDACTED]
Littler Mendelson
501 W. Broadway, Suite 900
San Diego, CA 92101-3577

United States of America
National Labor Relations Board
PROCEDURES FOR FILING AN APPEAL

The National Labor Relations Board Rules and Regulations permit you to obtain a review of this action by filing an appeal with the GENERAL COUNSEL of the National Labor Relations Board. Use of the Appeal Form (Form NLRB-4767) will satisfy this requirement. However, you are encouraged to submit a complete statement setting forth the facts and reasons why you believe that the decision was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, or by delivery service. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax. *To file an appeal electronically, go to the Agency's website at www.nlr.gov, click on **File Case Documents**, enter the NLRB Case Number, and follow the detailed instructions.* To file an appeal by mail or delivery service, address the appeal to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street, N.W., Washington D.C. 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date and Time: The appeal is due on _____. If you file the appeal electronically it will be considered timely filed if the transmission of the entire document through the Agency's website is accomplished **no later than 11:59 p.m. Eastern Time** on the due date. If you mail the appeal or send it by a delivery service it must be received by the General Counsel in Washington, D.C. by the close of business at **5:00 p.m. Eastern Time** or be postmarked or given to the delivery service no later than _____.

Extension of Time to File Appeal: Upon good cause shown, the General Counsel may grant you an extension of time to file the appeal. A request for an extension of time may be filed electronically, by fax, by mail, or by delivery service. *To file electronically, go to www.nlr.gov, click on **File Case Documents**, enter the NLRB Case Number and follow the detailed instructions.* The fax number is (202) 273-4283. A request for an extension of time to file an appeal **must be received on or before the original appeal due date**. A request for an extension of time that is mailed or given to the delivery service and is postmarked or delivered to the service before the appeal due date but received after the appeal due date will be rejected as untimely. Unless filed electronically, a copy of any request for extension of time should be sent to me.

Confidentiality/Privilege: Please be advised that we cannot accept any limitations on the use of any appeal statement or evidence in support thereof provided to the Agency. Thus, any claim of confidentiality or privilege cannot be honored, except as provided by the FOIA, 5 U.S.C. 552, and any appeal statement may be subject to discretionary disclosure to a party upon request during the processing of the appeal. In the event the appeal is sustained, any statement or material submitted may be subject to introduction as evidence at any hearing that may be held before an administrative law judge. Because we are required by the Federal Records Act to keep copies of documents used in our case handling for some period of years after a case closes, we may be required by the FOIA to disclose such records upon request, absent some applicable exemption such as those that protect confidential source, commercial/financial information or personal privacy interests (e.g., FOIA Exemptions 4, 6, 7(C) and 7(d), 5 U.S.C. § 552(b)(4), (6), (7)(C), and (7)(D)). Accordingly, we will not honor any requests to place limitations on our use of appeal statements or supporting evidence beyond those prescribed by the foregoing laws, regulations, and policies.

Notice to Other Parties of the Appeal: You should notify the other party(ies) to the case that an appeal has been filed. Therefore, at the time the appeal is sent to the General Counsel, please complete the enclosed Appeal Form (NLRB-4767) and send one copy of the form to all parties whose names and addresses are listed.