UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
OFFICE OF THE GENERAL COUNSEL
Washington, D.C. 20570

July 20, 2011

[redacted]
NATIONAL RIGHT TO WORK LEGAL
DEFENSE FOUNDATION
8001 BRADDOCK RD, STE 600
SPRINGFIELD, VA 22160-0002

Re: SEIU United Healthcare Workers-West
(Sutter Roseville Medical Center)
Case 20-CB-013784

Dear [redacted]:

Your appeal from the Acting Regional Director's partial refusal to issue complaint has been carefully considered.

The appeal is denied substantially for the reasons set forth in the Acting Regional Director's letter of June 23, 2011. It was concluded that further proceedings on the allegation that the Union unlawfully failed to reduce your client's dues and fees for the 2010 Fee Year and failed to provide your client with financial information was unwarranted. Your client had become a *Beck* objector in December 2009. By March 2010, she was aware that the Union was not charging her the monthly financial core amount, but was instead charging her the full member amount and later refunding the difference to her. She was also aware of the Union's obligation to timely provide her with financial information after she asserted her *Beck* rights. As she did not file her unfair labor practice charge until nine months after she became aware of these facts, it must be concluded that the charge as to this allegation is untimely pursuant to Section 10(b) of the National Labor Relations Act.

Moreover, in the circumstances of this case, it could not be concluded that the Union's conduct was unlawful because the information packet that the Union sent by certified mail in December 2009 to your client was declined, and the Union subsequently refunded the money that it owed to

her. Thus, it could not be concluded that the Union violated Section 8(b)(1)(A) and (2) of the National Labor Relations Act regarding this allegation. Accordingly, further proceedings on the dismissed portion of the charge are unwarranted.

Sincerely,

Lafe E. Solomon
Acting General Counsel

By _____
Yvonne T. Dixon, Director
Office of Appeals

cc: JOSEPH F. FRANKL
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