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

August 5, 2011

[redacted]
WEINBERG, ROGER & ROSENFELD
1001 MARINA VILLAGE PKWY
STE 200
ALAMEDA, CA 94501-6430

Re: Prime Healthcare Services d/b/a Shasta Regional Medical Center
Case 20-CA-035380

Dear [redacted]

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

The appeal is denied. Insufficient evidence was presented to establish that the Employer unlawfully withdrew recognition from the Union, as alleged. Rather, the evidence established that the Employer relied on direct evidence of an actual numerical loss of support for union representation, e.g., a petition signed by a majority of the unit employees. The petition was signed by more than fifty percent of the employees in the unit as of January 5, 2011, the date the Employer withdrew recognition. Also, sufficient evidence was presented to establish that the signatures on the petition were facially authentic, based on comparisons with records in the Employer's file and by witness authentication. Therefore, the Employer met its burden of proving that the incumbent union suffered a valid, untainted numerical loss of its majority status, and did not violate the National Labor Relations Act by withdrawing recognition from the Union. Accordingly, further proceedings are unwarranted.

Sincerely,

Lafe E. Solomon
Acting General Counsel

By _____
Yvonne T. Dixon, Director
Office of Appeals

cc: JOSEPH NORELLI
REGIONAL DIRECTOR
NATIONAL LABOR RELATIONS
BOARD
901 MARKET ST
STE 400
SAN FRANCISCO, CA 94103-1738

[redacted]
PRIME HEALTHCARE SERVICES
DBA SHASTA REGIONAL MEDICAL
CENTER
1100 BUTTE ST
REDDING, CA 96001-0852

[redacted]
LITTLER MENDELSON
501 W BROADWAY STE 900
SAN DIEGO, CA 92101-3546

SEIU UNITED HEALTHCARE
WORKERS-WEST
560 THOMAS L. BERKLEY WAY
OAKLAND, CA 94612-1602

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