

Kingston, NY

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

BENEDICTINE HOSPITAL

Employer

and

NEW YORK STATE NURSES ASSOCIATION

Case 3-RD-1594

Union

and

PATRICIA R. O'BRIEN

Petitioner

DECISION AND CERTIFICATION OF REPRESENTATIVE

The National Labor Relations Board has considered objections to an election held June 23, 2011, and the Hearing Officer's report recommending disposition of them. The election was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 91 ballots cast for Union and 62 ballots cast against the Union, with 5 challenged ballots, an insufficient number to affect the results.

No exceptions have been filed to the hearing officer's report within the time provided. Accordingly, the Board adopts the Hearing Officer's findings and recommendations, and finds that a certification of representative should be issued.

CERTIFICATION OF REPRESENTATIVE

IT IS CERTIFIED that a majority of the valid ballots have been cast for New York State Nurses Association and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit:

All full-time, regular part-time and per diem levels I, II, III and IV registered nurses, clinical nurse specialists, SWAT nurses, discharge nurses, care coordination nurses, staff educators, admission assessment registered nurses, and registered nurses on permit employed by the Employer, excluding office clerical employees, service and maintenance employees, technical employees, guards, all non-supervisory professional employees not working as registered nurses, and all managerial and supervisory employees, including the chief nursing officer, the program director of the rehabilitation unit, the director of surgical services, the administrative director of patient care services, the manager of infusion therapy, the director of care coordinators, denial management coordinators, infection control coordinators, quality assurance improvement (QAI) coordinators, risk management coordinator, the vice-president of patient care services, nurses managers, administrative directors, clinical coordinators, nursing supervisors and evening/night charge nurses and operating room nurses, including but not limited to pre-surgical testing nurses and ambulatory surgery nurses, circulating registered nurses, scrub registered nurses, and recovery room registered nurses employed by a third party.

Dated, Washington, D.C., January 30, 2012.

By direction of the Board:

/s/Henry S. Breiteneicher

Associate Executive Secretary