

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

**PROFESSIONAL MEDICAL TRANSPORT, INC.**

**and**

**Cases 28-CA-89300  
28-CA-99144**

**INDEPENDENT CERTIFIED EMERGENCY  
PROFESSIONALS OF ARIZONA, LOCAL #1**

**GENERAL COUNSEL'S EXCEPTIONS**

Counsel for the General Counsel (CGC), pursuant to Section 102.46 of the Board's Rules and Regulations, files the following exceptions to the Decision of Administrative Law Judge Jeffrey D. Wedekind [JD(SF)- 1-14] (ALJD), issued on January 9, 2014, in the above captioned cases:

1. The Administrative Law Judge's (ALJ) failure to find that Professional Medical Transport, Inc. (Respondent) shut down Unit 603 in violation of Section 8(a)(3) of the Act. (ALJD at 9) In support of this exception, the CGC relies upon the testimony of testimony of Joshua Barkley (Barkley) (Tr. 482-487), and the record exhibits contained therein.

2. The ALJ's failure to find that Respondent dealt directly with employees represented by the Independent Certified Emergency Professionals of Arizona, Local #1 (the Union), when it offered employees a ratification bonus that had not been negotiated with the Union in violation of Section 8(a)(1) and (5) of the Act. (ALJD at 3-4) In support of this exception, the CGC relies upon the testimony of John Wilson (Tr. 143-145), Barkley (Tr. 476-477), and the record exhibits contained therein.

3. The ALJ's failure to find that Respondent's action in transferring employees and moving employees in the City of Chandler was a unilateral change in violation of Section 8(a)(1) and (5), and that there was a valid impasse.. (ALJD at 22) In support of this exception, the CGC relies upon the testimony of Barkley (Tr. 490-495) and the relevant exhibits contained therein.

4. The ALJ's failure to find that Respondent's action in transferring employees from Station Two to Station Three was a unilateral change in violation of Section 8(a)(1) and (5) of the Act. (ALJD at 22) In support of this exception, the CGC relies upon the testimony of Barkley (Tr. 496) and the relevant exhibits contained therein.

5. The ALJ's failure to find that Respondent's failure to provide relevant and necessary information to the Union was a violation of Section 8(a)(1) and (5) of the Act. (ALJD at 24) In support of this exception, the CGC relies upon the testimony of Barkley (Tr. 499), Joy Carpenter (Tr. 158-160) and the relevant exhibits contained therein.

6. The ALJs failure to order a *Transmarine Navigation Corp.*, remedy for those employees who were unilaterally transferred in violation of Section 8(a)(1) and (5) of the Act. (ALJD at 27)

Dated at Phoenix, Arizona, this 6<sup>th</sup> day of February 2014.

Respectfully submitted,

/s/ Sandra L. Lyons

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