

United States Government

NATIONAL LABOR RELATIONS BOARD

Region 31

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January 19, 2005

Mr. Torren Colcord
President, NEMSA
1007 7th Street, Suite 200
Sacramento, CA 95814

Re American Medical Response
Case No. 31-RC-8463

Dear Mr. Colcord:

The Region has carefully investigated and considered your petition decertification of representative and certification of representative under Section 9(c) of the National Labor Relations Act, as amended.

Decision to Dismiss: Based on that investigation, I have concluded that further proceedings are not warranted, and I am dismissing your petition for the following reasons:

The instant petition is not supported by an adequate showing of interest. Section 101.17 of the Board's Rules and Regulations provides that a showing must be submitted within 48 hours of the filing of the petition, but in no event later than the last day a petition might timely be filed.

The Petitioner filed the instant petition on December 1, 2004. On December 5, 2004, the incumbent union, International Association of EMTs and Paramedics, and American Medical Response executed a new contract covering the bargaining unit which is the subject of this petition. Thus, the last day for the Petitioner to submit the adequate showing in support of the petition was December 4, 2004. *Mallinckrodt Chemical Works*, 200 NLRB 1 (1972).

Your Right to Request Review: The National Labor Relations Board Rules and Regulations permit you to obtain a request for review of this action by filing a request for review with the National Labor Relations Board. If you wish to file a request for review, your attention is directed to the following.

Request for Review Due Date: The request for review (8 copies) must be received by the Board in Washington, D.C. by close of business at 5:00 p.m. on February 2, 2005. However, if you mail the request for review and it is postmarked no later than one day before the due date, it

will be considered timely. The request for review may be filed by facsimile transmission. See Memorandum OM 05-30 for E-Filing requirements.

Extension of Time to File Request for Review: Upon good cause shown, the Board in Washington D.C. may grant you an extension of time to file the request for review. You may file a request for an extension of time by mail or by facsimile transmission. The fax number is (202) 273-4270. A statement of service must accompany the request for extension of time. A copy of any request for extension of time should be sent to me and to all other parties to this proceeding in the same or faster manner as that utilized in filing the request with the Board.

Request for Review Contents: The request for review must contain a complete and legible statement setting forth the facts and the reasons why you want to request review of the decision to dismiss your petition. You must submit eight (8) copies to the Board.

Address for Request for Review: The request for review should be sent to the National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570. You should send a copy of the request for review to me.

Very truly yours,

/s/ James J. McDermott

James J. McDermott
Regional Director

cc: Collins & Bellenghi, LLP, Attn.: Mr. Julian B. Bellenghi, Esq., 2600 Michelson Drive,
Suite 420, Irvine, CA 92612-6593

American Medical Response, Attn.: Mr. Giovanni Chiarhella, 970 Knox Blvd., Torrance,
CA 90502

AMR, Attn.: Mr. Christopher Comma, Regional HR Manager, 20101 Hamilton Avenue,
Suite 300, Torrance, CA 90502

Int. Association of EMTs & Paramedics, Attn.: Mr. Richard L. Barry, Jr., Chief Counsel
159 Burin Parkway, Quincy, MA 02169

Weinberg, Roger & Rosenfeld, Attn.: Mr. William A. Sokol, Esq., 180 Grand Avenue,
Suite 1400, Oakland, CA 94612

IAEP Locals 187 and 77, NAGE, Attn.: Union Rep., 1819 Knoll Drive, No. 107
Ventura, CA 93003

National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570