

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 91-36

May 13, 1991

TO : All Regional Directors, Officers-in-Charge,
and Resident Officers

FROM : Joseph E. DeSio, Associate General Counsel

SUBJECT: Health Care Facilities

On April 23, 1991, the Supreme Court, by unanimous decision, upheld the Board's Rule with respect to appropriate units in the hospital industry. The Rule, which is the Board's first use of substantive rulemaking and which should significantly reduce the time needed to conduct hearings in acute care hospital cases, will permit the Agency to process petitions in the health care industry more efficiently.

The guideline memorandum (GC 91-3 dated May 9, 1991) reviews the contents of the Rule and the procedures to be followed in its implementation. The Rule is published at 284 NLRB 1515. It is imperative that all professional employees become familiar with the Rule and the guideline memorandum as soon as possible. In this regard, each Region should establish a training committee to conduct training sessions on the Rule. A video recording depicting some of the unique aspects of the Rule during the processing of representation petitions is being prepared and will be available in the near future. The tape will be useful to assist the committee in conducting some of its training sessions.

Please contact your Assistant General Counsel if you have any questions regarding this matter.

J. E. D.

cc: NLRBU

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