

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
WASHINGTON, D.C.**

MERCY HEALTH PARTNERS

Respondent,

-and-

Case No. 7-CA-52693

SEIU HEALTHCARE MICHIGAN

Charging Party.

**RESPONDENT'S EXCEPTIONS TO THE
ADMINISTRATIVE LAW JUDGE'S DECISION**

1. Exception is taken to the ALJ's assertion that the preregistration work performed at the consolidated location on the Mercy Campus pursuant to the "shared services" concept of the URO does not differ significantly from the work formerly performed at the Hackley Campus. (Decision p. 6 lines 24-26).
2. Exception is taken to the ALJ's conclusion that the basic nature of the Respondent's operations remains the same. (Decision p. 6 line 29).
3. Exception is taken to the ALJ's finding that implementation of the URO did not constitute a business decision relating to the "scope and direction of the enterprise" and that the basic nature of the Respondent's operations remains the same. (Decision p. 6 lines 41-45).
4. Exception is taken to the ALJ's failure to find that the actions of the Union in failing to request bargaining over the decision to move the preregistration work, which was not to be implemented until two weeks after the formal announcement of the move was made to the employees on November 23, constituted a waiver. (Decision p. 7 lines 17-20).
5. Exception is taken to the ALJ's finding that the General Counsel presented a prima facie case that the relocation of the preregistration work was a mandatory subject of bargaining. (Decision p. 7 lines 22-24).

Respectfully submitted,

BARNES & THORNBURG LLP

Dated: December 30, 2010

By: 
Michael A. Snapper (P24135)
Keith J. Brodie (P51636)

Business Address:

171 Monroe Ave., NW, Suite 1000
Grand Rapids, Michigan 49503
Telephone: (616) 742-3930
Facsimile: (616) 742-3999
Email: msnapper@btlaw.com
keith.brodie@btlaw.com

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CERTIFICATE OF SERVICE

Document Served: *Respondent's Exceptions To The Administrative Law Judge's Decision, Brief In Support Of Its Exceptions To The Administrative Law Judge's Decision and Respondent's Answering Brief To Counsel For The Acting General Counsel's Exceptions To The Administrative Law Judge's Decision*

Person served: Brenda D. Robinson, Esq.
SEIU Healthcare Michigan
brenda.robinson@seiuhealthcaremi.org

Joseph Canfield, Esq.
National Labor Relations Board
joseph.canfield@nlrb.gov

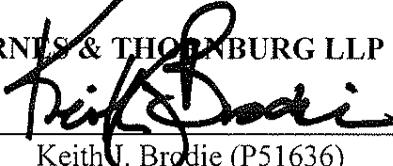
Stephen M. Glasser
National Labor Relations Board
stephen.glasser@nlrb.gov

The undersigned certifies that a copy of the documents listed above was electronically transmitted upon the parties listed above on December 30, 2010.

Dated: December 30, 2010

Respectfully submitted,

BARNES & THORNBURG LLP

By: 
Keith J. Brodie (P51636)

Business Address:

171 Monroe Ave., NW, Suite 1000
Grand Rapids, Michigan 49503
Telephone: (616) 742-3936
Facsimile: (616) 742-3999
Email: kbrodie@btlaw.com