

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

SHANDS JACKSONVILLE MEDICAL CENTER, INC.)	
)	
Respondent,)	
)	
And)	12-CA-26649
)	
AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, COUNCIL 79, AFL-CIO,)	
)	
And)	12-CA-27197
)	
AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, LOCAL 1328,)	
)	
And)	
)	
DELLA HIGGINBOTHAM, an Individual,)	12-CA-26829
)	
Charging Parties)	

**RESPONDENT’S CROSS-EXCEPTIONS
TO ADMINISTRATIVE LAW JUDGE’S DECISION**

NOW COMES Shands Jacksonville Medical Center, Inc., Respondent herein, and files its Cross-Exceptions to Administrative Law Judge’s Decision as follows:

1. The ALJ erred by failing to address Respondent’s alternative argument that even if deferral is inappropriate under *Spielberg/Olin*, the Board lacked jurisdiction to nullify Arbitrator Potter’s denial of backpay and interim seniority accrual. (JD 13-15).

2. The ALJ erred by failing to find, alternatively, that even if deferral is inappropriate under *Spielberg/Olin*, the Board lacked jurisdiction to nullify Arbitrator Potter’s denial of backpay and interim seniority accrual. (JD 13-15).

3. The ALJ erred by failing to find, alternatively, that Palmer's perjury before him on a central issue also precluded her from benefitting from these proceedings or receiving any reinstatement or make-whole remedy. (JD 15 & n. 41).

4. The ALJ erred by finding that Respondent maintained an overly broad no-distribution rule in violation of § 8(a)(1) of the Act. (JD 16: 6-40; 17: 5-7).

5. The ALJ erred by failing to dismiss the Complaint in its entirety and by ordering remedial relief. (JD 17: 10-50; 18, Appendix).

Respectfully submitted this 14th day of August 2012.

/s/ Charles P. Roberts III

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CERTIFICATE OF SERVICE

I hereby certify that on this day, I served the forgoing CROSS-EXCEPTIONS by electronic mail on the following parties:

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This the 14th day of August 2012.

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