

**Instituto Socio Economico Comunitario, Inc. and Unidad Laboral de Enfermeras(os) y Empleados de la Salud.** Cases 24-CA-011762 and 24-CA-011880

October 31, 2014

**DECISION AND ORDER**

BY CHAIRMAN PEARCE AND MEMBERS HIROZAWA  
AND SCHIFFER

On December 10, 2012, the Board issued a Decision and Order in this proceeding, which is reported at 359 NLRB 280. Thereafter, the General Counsel filed an application for enforcement in the United States Court of Appeals for the First Circuit.

At the time of the Decision and Order, the composition of the Board included two persons whose appointments to the Board had been challenged as constitutionally infirm. On June 26, 2014, the United States Supreme Court issued its decision in *NLRB v. Noel Canning*, 134 S.Ct. 2550 (2014), holding that the challenged appointments to the Board were not valid. Thereafter, the court of appeals vacated the Board's Decision and Order and remanded this case for further proceedings consistent with the Supreme Court's decision.

The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

In view of the decision of the Supreme Court in *NLRB v. Noel Canning*, supra, we have considered de novo the decision and the record in light of the exceptions and briefs. We have also considered the now-vacated Decision and Order, and we agree with the rationale set forth therein. Accordingly, we affirm the judge's rulings, findings, and conclusions and adopt the judge's recommended Order<sup>1</sup> to the extent and for the reasons stated in the Decision and Order reported at 359 NLRB 280, which is incorporated herein by reference.

<sup>1</sup> We shall substitute a new notice in accordance with our decision in *Durham School Services*, 360 NLRB 694 (2014).

**APPENDIX**

NOTICE TO EMPLOYEES  
POSTED BY ORDER OF THE

NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

**FEDERAL LAW GIVES YOU THE RIGHT TO**

- Form, join, or assist a union
- Choose representatives to bargain with us on your behalf
- Act together with other employees for your benefit and protection
- Choose not to engage in any of these protected activities.

WE WILL NOT unilaterally require you to take vacation leave during periods not requested, without giving prior notice to Unidad Laboral de Enfermeras(os) y Empleados de la Salud, and without affording the Union an opportunity to bargain with respect thereto.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL reinstate all vacation leave you were compelled to take which you had not specifically requested.

INSTITUTO SOCIO ECONOMICO COMUNITARIO,  
INC.

The Board's decision can be found at [www.nlr.gov/case/24-CA-011762](http://www.nlr.gov/case/24-CA-011762) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.

