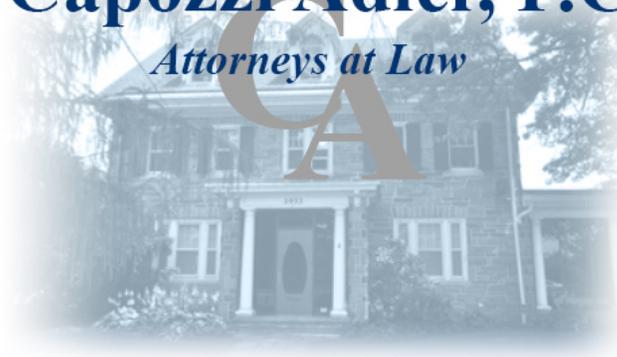


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May 28, 2015

Executive Secretary
National Labor Relations Board
1099 14th Street NW
Washington, DC 20570-0001

ELECTRONICALLY FILED

RE: REQUEST FOR REVIEW OF DISMISSAL OF RM PETITION
Case 04-RM-145463 - Linwood Care Center
Dismissal of RM Petition Notice of May 14, 2015
Our Matter No. 130-15

Dear Executive Secretary:

Our Firm is the legal representative for the Employer, Linwood Care Center, which filed the RM Petition at issue in this matter. The Regional Director on May 14, 2015 issued a Decision to Dismiss the RM Petition (copy attached as Exhibit A). Pursuant to NLRB Regulations at 29 CFR § 102.71, we are filing this Request for Review of the Regional Director's Decision. We submit that the grounds for review as identified in 29 CFR § 102.71(b) are present in this case based on the facts and reasons presented below. We request that the Board review the matter, vacate the Regional Director's dismissal of the RM Petition, and remand this matter with directions to approve the parties Stipulated Election Agreement.

The facts relevant to this Request for Review are as follows:

1. CPL (Linwood) LLC d/b/a Linwood Care Center operates a licensed nursing facility in Linwood, New Jersey (hereinafter, Linwood).
2. On December 13, 2013, 1199 SEIU United Healthcare Workers East was certified as the collective-bargaining agent for designated Linwood employees (hereinafter, the Union).
3. Linwood and the Union commenced negotiations for a first contract in May 2014 and have not reached agreement to date..
4. Prior to the Unfair Labor Practices identified in the Regional Director's Decision, there were no Unfair Labor Practices filed by the Union against Linwood.
5. On February 2, 2015, Linwood filed its RM Petition with accompanying documentation of signed petitions Linwood received from a clear majority of its employees indicating that the Union no longer had majority support.

6. On February 2, 2015, the Regional Director served the parties, including the Union, with Notice of the RM Petition and a Notice of Hearing on the Petition for February 9, 2015.
7. On February 6, 2015, the Union requested information for bargaining from Linwood.
8. On February 7, 2015, Linwood and the Union signed a Stipulated Election Agreement scheduling an election to resolve the question of the Union's continuing majority status for March 13, 2015, as a result of which no hearing was held on the RM Petition.
9. On February 11, 2015, the NLRB Agent took the Affidavit of Kristine Howell, a Linwood employee (copy attached as Exhibit B)
10. On February 12, 2015, the Union filed an Unfair Labor Practice Charge against Linwood at 04-CA-146362, which the Union amended twice thereafter, alleging actions by Linwood tainting the RM Petition.
11. On February 16, 2015, the NLRB Regional Office had not provided Linwood with any substantial evidence supporting the Union's allegations in Case 04-CA-146362.
12. On February 18, 2015, the NLRB Agent took the Affidavit of Lynda Adams, a Linwood employee (copy attached as Exhibit C).
13. The NLRB Agent also took Affidavits from Linwood's Executive Director and its Human Resources Director.
14. On February 19, 2015, the Union filed an Unfair Labor Practice Charge against Linwood at 04-CA-146670, which the Union subsequently amended to deal only with failure to provide information requested on February 6, 2015, deleting a prior allegation of improper surveillance.
15. On February 19, 2015, Linwood's Counsel wrote to the NLRB Agent noting that under the Board's decision in Levitz, 333 NLRN 717 at FN57 (2001), the Regional Director had discretion to proceed with the election even after blocking ULP charges had been filed and were being investigated, submitting that was the proper course in this matter pursuant to the Board's Casehandling Manual Guidance at §§ 11042.1 and 11731.2, since Linwood Care Center had provided objective evidence recognized in Levitz, at 725, to constitute evidence of actual loss of majority support.
16. On May 14, 2015, the Regional Director dismissed the RM Petition based on his review of the two pending ULP Charges (04-CA-146362 and 04-CA-146670) and his analysis that "agents of the Employer...solicited employees to sign papers indicating that they no longer wished to be represented by the Union," thereby triggering, along with other alleged Employee actions, a *Hearst* presumption against the validity of the RM Petition, citing SFO Good-Night Inn, LLC v. NLRB, 700 F.3d 1 (D.C. Cir. 2012).
17. There is no dispute below that a clear majority of Linwood's employees signed the documents attached to the RM Petition seeking an election to decertify the Union.
18. The Regional Director Decision does not suggest that any individual who signed the documents attached to the RM Petition presented evidence that their signatures were the result of any action by Linwood or its agents.

There are compelling reasons for the Board to reconsider the application of the *Hearst* presumption in the context of RM Petitions and this RM Petition case raises substantial questions of law as to which Board rules and policies are silent.

SFO Good-Night Inn is a withdrawal of recognition case in which the Employer withdrew recognition based on employee signatures on petitions that the Union argued were tainted. The Union filed ULPs against the Employer for the withdrawal of recognition and the acts tainting the petition; and, the facts of the ULPs were thereafter established after a hearing and review by the Board. No hearing has been held on the ULPs in this case. Instead, the employees who signed the petitions have been denied both a hearing and their rights to decertification under the NLRA without due process, based on allegations by the Union that have not been subject to cross examination. In Tenneco Automotive, Inc. v. NLRB, 716 F.3d 640 (D.C. Cir. 2013), another withdrawal of recognition case, the Court did not apply *Hearst*, finding, at 648, that the Board was required to and failed to adduce substantial evidence to support its finding that an employer's unfair labor practices have significantly contributed to the erosion of a union's majority support. In Tenneco, as well, there was a hearing on the ULPs before Board's determination of the representational issue.

In *Hearst*, the Board emphasized that the presumption applies only in the narrow circumstances where an employer unlawfully instigates and propels a decertification campaign, and then invokes the results of the campaign to justify its unilateral withdrawal of recognition from its employees' representative. SFO Good-Night Inn at 8. Where there is no unilateral withdrawal of recognition, but rather a RM Petition and a Stipulated Election Agreement, the basis for the presumption in *Hearst* fails because the Board established in Levitz, at 725, that it was lowering the showing necessary for employers to obtain elections and the standards for processing RM Petitions. While the Board noted in *Shaw's Supermarkets, Inc.*, 350 NLRB No. 55 at page 5 (2007) (applying Levitz), that an employer, in possession of facts showing an actual loss of majority support for an incumbent union should have wider freedom of action than an employer lacking such knowledge, the application of *Hearst* in an RM Petition context does the opposite by delaying employees' and employers' due process rights.

In Levitz, at 725 and 726 FN51, the Board advised that it was making it easier for employers to test union majority support in Board elections. Levitz established that "elections are the preferred method of testing employees' support for unions. In this case, the Regional Director is denying Linwood's employees their rights to an election based on allegations that have not been tested at a hearing, in face of sworn statements from the Linwood employees who developed and circulated the petitions that they did so without any help or guidance from Linwood or its agents. In this case, the Regional Director is substituting his judgment of the evidence produced by his investigation for that of an ALJ at a hearing.

By applying *Hearst* in the context of an RM Petition, the Board undercuts its rebuttal of the dissent in Levitz, at 726, that the use of RM Petitions instead of withdrawal of recognition is ineffectual because of the very kinds of blocking tactics used by the Union in this case. In this case, the dismissal of the RM Petition puts Linwood and the actual majority of its

employees in a worse posture than in a withdrawal of recognition situation. In a withdrawal of recognition case, such as SFO Good-Night Inn, the employer at least gets a hearing on the ULPs prior to the Board's determination of the propriety of the withdrawal of recognition.

In Levitz, at 724-725, the Board emphasized that an employer is required to withdraw recognition by Section 8(a)(2) of NLRA if it has objective evidence that a majority of its employees no longer support their union ("Under Board Law, if a union actually has lost majority support, the employer must cease recognizing it, both to give effect to the employees' free choice and to avoid violating Section 8(a)(2) by continuing to recognize a minority union." See also: NLRB v. B.A. Mullican Lumber and Manufacturing Co., 535 F.3d 271 (4th Cir. 2008) (applying Levitz) (Employer presented objective evidence that union had actually lost majority support). In B.A. Mullican Lumber, at 283, the Fourth Circuit cited the Board's principal duty, as articulated by the Supreme Court, in Fall River Dyeing & Finishing Corp v. NLRB, 482 U.S. 27, 38 (1987), to include not impairing the free choice of employees, including the duty of the Board to act in good faith in promoting the will of employees to refrain from being represented by any union. The Fourth Circuit further stated, at 283-284, that it would be improper for the NLRB and its General Counsel to urge a court to enforce a bargaining order if there was evidence that the union no longer actually had majority support, and that its failure to disclose such information to the employer or give up enforcement of bargaining. The Regional Director did not disclose his evidence to Linwood prior to dismissing the RM Petition.

The Board should reconsider its rules to preclude the dismissal of a RM Petition without a hearing on the alleged blocking ULPs, since to do otherwise denies due process, violates the Board's good faith duties to promote the will of employees as to their representation, and encourages withdrawal of recognition as the most efficient path to determine majority status.

The Regional Director's reliance on Case 04-CA-146670 is clearly arbitrary and capricious on its face, as the actions involved in that Charge are all after the RM Petition was filed and patently could have no effect on the free choice of employees who signed documents supporting the RM Petition. The Union did not request any of the information until after the RM Petition had been filed. A Union cannot be permitted to sustain minority status by requesting information after the fact and delaying a Stipulated Election Agreement while the information is produced or the request disputed. This is precisely the kind of frivolous blocking of RM Petitions the dissent in Levitz referenced. The Board and Regional Director would violate their obligations under the NLRA to act in good faith in promoting the will of employees by permitting such tactics. See: B.A. Mullican Lumber citing Fall River, supra.

WHEREFORE, Linwood requests the Board to review the Regional Director's Decision; to vacate it as improvidently entered; and, to remand this matter with directions to approve the Stipulated Election Agreement without prejudice to the parties' rights to hearing on the 03-CA-04-CA-146362.

Respectfully submitted,



CAPOZZI ADLER, P.C. by
Bruce G. Baron, Esquire
[Legal Representative for Linwood]

Attachments (3)

cc: RD Dennis P. Walsh
Jay Jaffe, Esquire (Union Counsel)

CERTIFICATE OF SERVICE

I hereby certified, pursuant to 29 CFR § 102.71(c) that a true and accurate copy of the attached Request for Review has been served electronically upon the parties to this matter by emailing copies of their email addresses used by the Regional Office in the matter below, as follows:

Jay Jaffe, Senior Managing Counsel Emailed to: jayj@1199.org
SEIU Local 1199
310 West 43rd Street
New York, New York 10036-6407
[Attorney for 1199 SEIU United Healthcare Workers East]

A copy also was served on the Regional Director, Dennis P. Walsh (Region 4), by filing through the NLRB Electronic System concurrently with the electronic filing of the Request for Review.



Bruce G. Baron, Esquire
[Attorney for Linwood Care Center]



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 04
615 Chestnut St Ste 710
Philadelphia, PA 19106-4413

Agency Website: www.nlr.gov
Telephone: (215)597-7601
Fax: (215)597-7658



May 14, 2015

Bruce G. Baron, Esquire
Capozzi & Associates, P.C.
PO Box 5866
Harrisburg, PA 17110-0866

Re: Linwood Care Center
Case 04-RM-145463

Dear Mr. Baron:

The above-captioned case, petitioning for an investigation and determination of representative under Section 9(c) of the National Labor Relations Act, has been carefully investigated and considered.

Decision to Dismiss: As a result of the investigation, I find that further proceedings are unwarranted. Accordingly, I am dismissing the petition in this matter. The following constitutes the Region's basis for dismissal.

CPL (Linwood) LLC d/b/a Linwood Care Center operates a skilled nursing home facility at 201 New Road and Central Road, Linwood, New Jersey, the only location involved in this proceeding. On December 13, 2013, 1199 SEIU United Healthcare Workers East, herein the Union, was certified as the collective-bargaining representative in a unit of Certified Nursing Assistants (CNAs), Unit Clerks and Licensed Practical Nurses (LPNs) employed at the Employer's facility. In November 2014, the Employer and Union commenced negotiations for a first contract and have not reached agreement. On February 2, 2015, the Employer filed this petition supported by evidence that allegedly indicated that it had a good-faith reasonable uncertainty concerning the Union's majority status. The Employer and Union reached agreement on terms for an election and signed a Stipulated Election Agreement. Prior to my approval of the Stipulated Election Agreement, the Union filed unfair labor practice charges alleging that the Employer engaged in conduct that violated Sections 8(a)(1) and (5) of the Act. Therefore, I did not approve the proposed Stipulated Election Agreement.

The Region investigated the Union's unfair labor practice charges in Cases 04-CA-146362 and 04-CA-146670, and found merit to the allegations of both charges. The investigation disclosed that following the first four sessions of bargaining, the Employer placed independent contractors at Linwood Manor to speak to its employees on a variety of subjects, both in group meetings and individually. While the Employer asserts that the independent contractors were engaged at the facility to act as "communications liaisons between employees

and management to provide updates on the status of ongoing contract negotiations," the investigation revealed that the independent contractors acted as agents for the Employer and solicited employees to sign papers indicating that they no longer wished to be represented by the Union. An employer representation (RM) petition must be supported by evidence that the employer possesses a good faith reasonable uncertainty concerning the union's majority status. *Levitz Furniture Co. of the Pacific*, 333 NLRB 717, 717 (2001). Here, the evidence fails to establish a good faith reasonable uncertainty under *Levitz*, because when an employer has actively solicited employee signatures seeking to decertify a union, the Board "presumes that the employer's [actions] tainted any resulting expression of employee disaffection, without specific proof of causation, and precludes the employer from relying on that expressed disaffection to overcome the union's continuing presumption of majority support." *SFO Good-Nite Inn, LLC*, 357 NLRB No. 16, slip op. at 2 (2011), *enfd.* 700 F.3d 1 (D.C. Cir. 2012).

The investigation further revealed that the Employer and its agents committed numerous other unfair labor practices including: (1) interrogating employees; (2) advising employees that they should get rid of the Union; (3) soliciting grievances; (4) creating the impression of surveillance of employees' union activities; (5) promising improved benefits and better working conditions; (6) blaming the Union for the Employer's inability to make positive changes; (7) threatening employees that they could not get raises if they went on strike; (8) threatening that negotiations could go on for years; (9) directly dealing with employees; and (10) refusing to furnish information requested by the Union. Accordingly, it is my intention to issue a complaint concerning this conduct as alleged in the Union's unfair labor practice charges. The evidence established that the petition in support of the Employer's objective considerations was promulgated in January 2015, the same time period when the Employer committed the unfair labor practices described above. These unfair labor practices, which occurred around the same time as, and in the context of, the Employer's own participation in obtaining the objective considerations in support of its petition, also taint the employee disaffection with the Union. Therefore, I am dismissing the above petition.

Right to Request Review: Pursuant to Section 102.67 of the National Labor Relations Board's Rules and Regulations, you may obtain a review of this action by filing a request with the Executive Secretary, National Labor Relations Board, 1099 14th Street NW, Washington, DC 20570-0001. The request for review must contain a complete statement of the facts and reasons on which it is based.

Procedures for Filing Request for Review: A request for review must be received by the Executive Secretary of the Board in Washington, DC, by close of business (**5 p.m. Eastern Time**) on **May 28, 2015**, unless filed electronically. If filed electronically, it will be considered timely if the transmission of the entire document through the Agency's website is **accomplished by no later than 11:59 p.m. Eastern Time on Thursday, May 28, 2015**.

Consistent with the Agency's E-Government initiative, parties are encouraged, but not required, to file a request for review electronically. Section 102.114 of the Board's Rules do not permit a request for review to be filed by facsimile transmission. A copy of the request

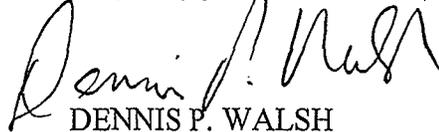
May 14, 2015

for review must be served on each of the other parties to the proceeding, as well as on the undersigned, in accordance with the requirements of the Board's Rules and Regulations.

Filing a request for review electronically may be accomplished by using the E-filing system on the Agency's website at www.nlr.gov. Once the website is accessed, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. The responsibility for the receipt of the request for review rests exclusively with the sender. A failure to timely file the request for review will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off line or unavailable for some other reason, absent a determination of technical failure of the site, with notice of such posted on the website.

Upon good cause shown, the Board may grant special permission for a longer period within which to file a request for review. A request for extension of time, which may also be filed electronically, should be submitted to the Executive Secretary in Washington, and a copy of such request for extension of time should be submitted to the Regional Director and to each of the other parties to this proceeding. A request for an extension of time must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding in the same manner or a faster manner as that utilized in filing the request with the Board.

Very truly yours,



DENNIS P. WALSH
Regional Director

cc: Office of the Executive Secretary (by e-mail)

Diane Delaney, Administrator
CPL (Linwood) LLC d/b/a Linwood Care Center
201 New Road & Central Avenue
Linwood, NJ 08221

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Capozzi Adler
1200 Camp Hill Bypass
Camp Hill, PA 17011-3700

Linwood Care Center
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SEIU 1199 United Healthcare Workers East
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3rd Floor
Iselin, NJ 08830-3179

Angela Hansen
PO Box 22
Absecon, NJ 08201-0022

Linwood Care Center
Case 04-RM-145463



Confidential Witness Affidavit

I, Kristine Howell, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at 40117 Spruce Ave, Egg Harbor township, NJ 08234

My home telephone number (including area code) is 609-432-2716

My cell phone number (including area code) is

My e-mail address is forbjronly@yahoo.com

I employed by Linwood Care Center *at other facilities* *in* *Linwood, NJ*

I am employed as a per diem LPN. I work approximately *40* hours per week. I have worked for Linwood since 2013. *30*

voluntary information session

In or around mid - January 2015, I attended a ~~meeting~~ at work. The meeting was held in the main conference room. There were about 10 to 15 employees present. There were a number of meetings scheduled to accommodate all of the shifts during that week in January 2015. The people leading the meeting said that they were hired by Rivera *to educate employees* due to employee satisfaction surveys. They may have mentioned morale. The meeting lasted for about 15 to 20 minutes. There were two men and two women. One man's name was John _____. John did most of the talking. I do not know the names of the other people. They gave each employee a booklet which explained how different government agencies took care of certain worker problems. The booklet had the information highlighted. I do not recall exactly what was said *based on info on the*

Initials: *[Signature]*

in the meeting but I recall the flavor of the meeting. The flavor of the meeting was that that it was an educational session that was neither pro or anti-union. ~~John said that he knew that there was some frustration with contract negotiations.~~ He said that some of us may think our hands are tied. He said that there were laws such as OSHA, which took care of employee complaints about safety. He said there were wage and hour laws if we thought our time cards were not right. He said that these agencies were available to us without representation. He said that we did not need the union's permission or the company's permission to go to these agencies. We could do that on our own. Employees asked questions at the meeting about union negotiations. John said that he did not really know about the progress of negotiations. John said that employees should ask their business agent or negotiations committee. John did not answer questions about negotiations. He directed our attention back to the booklet. Toward the end of the meeting, John said if we were dissatisfied with the Union, it was not too late to do something about it. This was said after employees asked many questions expressing dissatisfaction with the Union. During the meeting, John did not explain what we could do to get rid of the Union. I was not threatened in any way at the meeting and no promises were made. I was the last employee to leave the meeting. I asked John what he meant when we said that it was not too late to get rid of the Union. He asked what was going on. I said that he just heard at the meeting that we were dissatisfied with the progress of negotiations. I asked what the steps are to have the Union no longer represent us. He said that it was not easy. He said that there needs to be an election. He explained that the first step would be getting enough employees to sign a petition to get an election. I asked about the petition, if it was something I could get on line. John gestured toward the window. He said that there were petitions over there. I then walked over to a chair and picked one up. I asked what I should do with it. He said that I could sign it. I asked

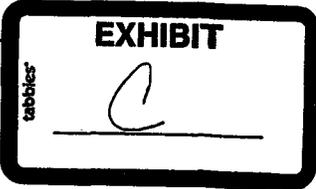
These petitions were not out in the open. They were on a chair in a back corner. -2- *W*

Initials: 

what I should do next. He said that I could sign it and give it to him but he was not supposed to take them. He said that he had to make sure there were no threats or intimidation. He said that I should really give it Diane Delaney. He said that other employees could sign their own petitions if they wanted to do it privately. I then left the meeting.

At the top the petition it said, something about not wanting the Union. On February 12, 2015, The Board Agent showed me a copy of a petition I signed. At the top, it has, "Through statements and petition signing, employees at Linwood Care Center no longer wish to be represented by 1199 SEIU.

Right after the meeting, I took my petition to my unit. I was the first one to come back from one of these meetings. My co-workers asked what the meeting was about. I told them generally what it was about. I showed them the booklet and explained what was said about the booklet. I also told them that it was not too late to get rid of the Union. I showed them the petition and explained the process of getting another election. I made about 20 copies of the blank petition and put them in my nursing bag. Three people signed my petition that day while I was talking to them: Kimberly Sturgis, Elizabeth King, and Kathryn Tomlison. After the three employees signed my petition, I put the signed petition in Diane Delaney 's box. During the next week, I handed out my blank petitions. I told employees that it was a chance to have another election based on the performance of the Union after the past 12-months. I talked to so many people that I do not remember who I gave the petitions to. I handed out about 20 blank petitions. I did tell the employees to put the petitions in Delaney's box. None of the petitions were returned to me.



Linwood Care Center
Case 04-RM-145463

Confidential Witness Affidavit

I, ^{m.} Lynda Adams, being first duly sworn upon my oath, state as follows:

I have been given assurances by an agent of the National Labor Relations Board (NLRB) that this Confidential Witness Affidavit will be considered a confidential law enforcement record by the NLRB and will not be disclosed unless it becomes necessary to produce this Confidential Witness Affidavit in connection with a formal proceeding.

I reside at 6303 Palmer Ave., May's Landing, Northfield, NJ 08330

My home telephone number (including area code) is 609-837-2788

My cell phone number (including area code) is 609-402-6347

My e-mail address is h.j.j.m.p@comcast.net

I am employed by Linwood Care Center

located at Linwood, NJ

① I am employed as an LPN. I have worked at Linwood since 1998

The employees at Linwood are represented by SEIU Local 1199. The Union won an election at Linwood around December 2013.

② I drafted a petition to get rid of local 1199. I did this in on or around mid to late January 2015 at home on my computer. I did not want the Union from the start. ^U After the Union was voted in, I started to ask friends in business how to get rid of the Union. ~~U~~ I began to ask more questions as time moved on after the election. Our raises were frozen and we received no information from the Union. ^A I may have said out loud During the past year

tabbies
matters may have heard but

③ I do not recall the exact date I decided to write the petition but it was around January 2015. I talked to some co-workers about my desire to get a petition signed to get rid of the Union. ^{UN before I actually wrote the petition,} I do not want to name the co-workers. They were in favor of getting rid of the Union.

④ I did not get my information about how to vote out the Union from any supervisors or managers at Linwood. As I stated previously, I asked friends who are in business how to get rid of the Union. I spoke to my father about a year or two ago. I also spoke to a friend who runs a grocery store and a friend who is a CPA. They told me that I would need to go through the Labor Board with anything like a petition to get rid of the Union.

⑤ I typed a form that said "through statements and petition signing, employees at Linwood Care Center, no longer wish to be represented to 1199 SEIU." The Board Agent showed me a copy of a form I made. It has my signature on it and signatures of Kathleen Stenson and Sarah Gupton.

⑥ The first time I brought a petition to work was in or around ^{late} January 2015. I carried the petition in my notebook. I asked a few ~~workers~~ ^{UN} CNA's to sign. I spoke to Stenson, Gupton and Tonia Merrill. Merrill ^{UN} said she was

1 under Rose's door as I received them.
 2 Sometimes I put one or two under her door.
 3 At one point in January, 2015, ^{or February} I put a stack
 4 under Rose's door. I put a post-it note
 5 that said "Fax these." I did not say
 6 where the petitions should be faxed. I
 7 did not sign my name. I wanted Rose to
 8 fax the petitions to wherever they should
 9 go. I figured she should know because
 10 she was in human resources. I cannot
 11 estimate whether the stack was about 3 or 4
 12 petitions or about 25. I am just not sure.

13 ⑧ I was openly vocal about not wanting
 14 the Union. I do not know whether or not
 15 anyone in management knows that I
 16 wrote the petition or that I was circulating
 17 it. I did not discuss the petition with
 18 any supervisors or managers at any time.
 19 ~~At the meeting~~ I attended a meeting in or
 20 around January 2015 concerning employee morale.
 21 The meeting was held by people from
 22 corporate. It was held in a conference
 23 room. I believe we signed in. There
 24 were about five or six employees at the
 25 meeting. The union was not mentioned by
 26 the people presenting or the employees
 27 attending the meeting. I do not recall who
 28 was in my meeting. The meeting was about
 29 what we could do to make the building better.
 30 I did not discuss how to get the union out of Linwood
 with the people from corporate or any consultants at Linwood.
 I did not talk about the petition with anyone from corporate or a.

CA I do not know how many signatures were collected on my petition. I do not know if other employees tried to collect signatures.

I am being provided a copy of this Confidential Witness Affidavit for my review. I understand that this affidavit is a confidential law enforcement record and should not be shown to any person other than my attorney or other person representing me in this proceeding.

I have read this Confidential Witness Affidavit consisting of ^{5A} 7 pages, including this page, I fully understand it, and I state under penalty of perjury that it is true and correct. However, if after reviewing this affidavit again, I remember anything else that is important or I wish to make any changes, I will immediately notify the Board agent.

Date: February 18, 2015

Signature:

Lynda Adams

Lynda Adams

Signed and sworn to before me on February 18, 2015 at Northfield, NJ

_____ *K O'Neill*

KATHLEEN O'NEILL
Board Agent
National Labor Relations Board