



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

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October 28, 2015

Re: Arden Post Acute Rehab
Case: 20-RC-154840

PETITIONER'S OBJECTIONS

Objection No. 1.

The Employer, by and through its agents, provided an incomplete eligible voter list by excluding challenged voter Andrea Byrd.

Objection No. 2:

The Employer, by and through its agents, including Theresa Walker and Mary Perez, on the day of the election, prevented a pro-union employee from being able to vote by detaining her to discuss the election and thus delaying her until it was too late to vote.

Objection No. 3:

The Employer, by and through its agent Rhoda Hearn, on or about August 4, 2015, threatened several employees that if the employees voted for a union then the building would be sold or shut down and they would lose their jobs.

The Employer, by and through its agents, including Marcus Mettler and Juan Cruz, during the critical period, threatened several employees that if the employees voted for a union then the building would be sold or shut down and they would lose their jobs.

Objection No. 4:

The Employer, by and through its agents, including Juanita Harmon on July 22, 2015, and Rita Hernandez during the pre-election period, repeatedly interrogated employees about how they intended to vote and regarding their support for the Union, destroying the laboratory conditions necessary for the conduct of a fair election.

Objection No. 5:

The Employer, by and through its agents, including Labor Consultant Juan Cruz, on or about July 23, 2015, repeatedly told or threatened employees to "vote no," destroying the laboratory conditions necessary for the conduct of a fair election.

Objection No. 6:

The Employer, by and through its agents, including Mary Perez, Juanita Harmon, and Theresa Walker, discriminately enforced its no-solicitation and no-distribution rule by allowing anti-union supporters to engage in solicitation and distribution of anti-union literature on work time and in work areas, while denying Union supporters the same opportunity. The Employer created a significant imbalance in opportunities to communicate pro-union and anti-union views to employees because of the Employer's active removal of pro-union material from the employee break room, and telling employees not to wear Union logos, which interfered with laboratory conditions-for a fair election. This objection is encompassed in Complaint paragraph 7(b).

Objection No. 7:

The Employer, by and through its agent Juanita Harmon, on or about July 15, 2015, discriminately enforced its no-solicitation and no-distribution rule and created an atmosphere of fear and coercion by ordering and requiring a worker to remove pro-union clothing and put on anti-union clothing instead. This objection is encompassed in Complaint paragraph 6(c)(ii).

Objection No. 8:

The Employer, by and through its agents, including Rhoda Hearn, Mary Perez, Dorothy Machira, and Juanita Harmon, created an atmosphere of fear and coercion, by reducing employment opportunities and overtime for employees who supported the Union by unilaterally canceling the shifts of CNAs Camilla Holcomb and Marlene Anderson on June 26 and June 29, 2015 respectively in retaliation for protected concerted and/or Union activities, and reducing the hours of housekeeping employee Herlinda Medina during the critical period because she supported or assisted the Union and/or engaged in protected concerted activity, thus interfering with the laboratory conditions necessary for the conduct of a fair election. In regards to Camilla Holcomb, this objection is encompassed in Complaint paragraph 8(b).

Objection No. 9:

The Employer, by and through its agents, including Rita Hernandez, on or about July 11, 2015, created an atmosphere of fear and coercion, interfering with the laboratory conditions necessary for the conduct of a fair election, by creating the impression of surveillance. This objection is encompassed in Complaint Paragraph 6(d)

The Employer, by and through its agents, on various dates in June and July 2015, created an atmosphere of fear and coercion, interfering with the laboratory conditions necessary for the

conduct of a fair election, by engaging in video surveillance of workers who were engaged in protected, concerted and/or Union activity. This objection is encompassed in Complaint Paragraph 6(e).

The Employer, by and through its agents, including Mary Perez, during the critical period, created an atmosphere of fear and coercion, interfering with the laboratory conditions necessary for the conduct of a fair election, by maintaining a journal about employees' protected, concerted and/or Union activity.

The Employer, by and through its agents, including Mary Perez, Theresa Walker, Juanita Harmon, and Juan Cruz, during the critical period, created an atmosphere of fear and coercion, interfering with the laboratory conditions necessary for the conduct of a fair election, by engaging in surveillance of employees during their meal and rest breaks.

Objection No. 10:

The Employer, by and through its agents, including Mary Perez, Dorothy Machira, Juanita Harmon, and Rhoda Hearn created an atmosphere of fear and coercion, interfering with the laboratory conditions necessary for the conduct of a fair election, by isolating employees whom the employer knows to be Union supporters, telling other employees not to go near them, and changing break and lunch times to prevent all prospective-bargaining unit employees from speaking with each other during non-work time. This objection is encompassed in Complaint paragraphs 6(b)(i), 6(b)(iii), 6(c)(i), and 8(a).

Objection No. 11

The Employer, by and through its agents, including Marcus Mettler, created an atmosphere of fear and coercion, interfering with the laboratory conditions necessary for the conduct of a fair election, by having increased management presence on the Employer's property during the critical period.