

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
SAN FRANCISCO DIVISION OF JUDGES

VISTA DEL SOL HEALTH SERVICES, INC.
DBA VISTA DEL SOL HEALTHCARE, and VISTA
DEL SOL LTC, INC. D/B/A VISTA DEL SOL
HEALTHCARE

and

SEIU-ULTCW, SERVICE EMPLOYEES
INTERNATIONAL UNION, UNITED LONG TERM
CARE WORKERS

Cases 31-CA-115318
31-CA-115332
31-CA-116089
31-CA-116096
31-CA-116483
31-CA-116484
31-CA-116481
31-CA-116485
31-CA-116486
31-CA-116487
31-CA-116488
31-CA-118685
31-CA-118686
31-CA-118682
31-CA-137770
31-CA-138045
31-CA-140185

**ORDER GRANTING UNOPPOSED MOTION FOR SHORT POSTPONEMENT OF
COMPLIANCE HEARING FROM 11/28/16 to 12/1/16**

A compliance hearing in the above-entitled proceeding is currently scheduled for November 28, 2016, at 9:00 a.m. at the Hearing Room of National Labor Relations Board Region 31, 11500 West Olympic Boulevard, Suite 600, Los Angeles, California, and on consecutive days thereafter until concluded. This matter has been postponed once already.

Earlier this afternoon, November 22, 2016, counsel for alleged successor Respondent filed an unopposed motion to postpone hearing (the Motion) from November 28, 2016 to Thursday, December 1, 2016, “[i]n an effort to avoid that hearing, the parties have engaged in extensive discussions to settle this matter. Those discussions continue, but are hampered at present by the unavailability of one of the key parties to a potential agreement. It is hoped that such unavailability will end shortly, and that the parties can then work towards a final resolution of this matter. For that reason, request is hereby made to continue the hearing in this matter until Thursday, December 1, 2016.” The Motion further represents that “[t]his Motion was discussed on a conference call today with ALJ Lisa Thompson and counsel representing all parties – General Counsel, Predecessor Respondent and the Union. ALJ Thompson indicated that she has no objection to this Motion, and counsel for all parties have likewise indicated that they have no objection.”

I find that the unusual combination of unanimous non-opposition to the Motion combined with the short period of postponement and the continued settlement efforts of the parties provide good cause to grant the Motion and allow for a second trial postponement.

ORDER

For the reasons stated above:

IT IS ORDERED that Respondent's unopposed motion to postpone the November 28, 2016 hearing in this matter is **GRANTED** and the hearing is **POSTPONED** from November 28, 2016 to **Thursday, December 1, 2016 at 9:00 a.m.**, and consecutive days thereafter until concluded, at the Region 31 location referenced above.

IT IS FURTHER ORDERED that Respondents and their counsel shall make this matter a priority for scheduling purposes. *No further trial postponements shall be considered absent exigent circumstances pursuant to this Order.*

Dated: November 22, 2016, San Francisco, California.



Gerald M. Etchingham,
Associate Chief
Administrative Law Judge

Served by facsimile and e-mail upon the following:

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Sent: Tuesday, November 22, 2016 3:45 PM
To: Goetz, Kathryn
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Subject: Re: [NASS] Scan-to-FAX Delivery - [REPORT]

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From: Goetz, Kathryn
Sent: Tuesday, November 22, 2016 3:40 PM
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Subject: ORDER GRANTING UNOPPOSED MOTION FOR SHORT POSTPONEMENT OF COMPLIANCE HEARING FROM 11/28/16 to 12/1/16
Attachments: VistaDeISolOG2dMPP11-22-16.pdf

Please see attached document.

Kathy Goetz

NLRB, Division of Judges
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