



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 3
11A CLINTON AVE
STE 342
ALBANY, NY 12207-2366

Agency Website: www.nlr.gov
Telephone: (518)431-4155
Fax: (518)431-4157

Agent's Direct Dial: (518)419-6669

July 11, 2017

Brian Reader, Administrator
Comprehensive Healthcare Maintenance Services
14012 Route 31 West
Albion, NY 14411

Re: Comprehensive at Orleans, LLC
Case 03-CA-196513

Dear Mr. Reader:

Enclosed is a conformed copy of the Settlement Agreement in the above matter which was approved on July 11, 2017. This letter discusses what the Employer needs to do to comply with the Agreement.

Post Notice: Enclosed are 15 copies of the Notice to Employees. In compliance with the Agreement, a responsible official of the Employer, not the Employer's attorney, must sign and date the Notices before posting them. The Notices should be posted in conspicuous places and any other locations where notices are customarily posted for 60 consecutive days at the Employer's place of business located in Albion, NY. The Employer must take reasonable steps to ensure that the Notices are not altered, defaced or covered by other material. If additional Notices are required, please let me know. During the posting period, a member of the Regional Office staff may visit the Employer's facility to inspect the Notices.

Backpay: The Settlement Agreement requires Respondent to pay Willis A. Heise, Sr. and any other affected bargaining unit employee for the wages they lost because of the modification made to the wage provision of the contract without the Union's consent. In order to effectuate compliance with the Settlement Agreement, I am requesting that you produce payroll records for Heise and any other affected employee that would show from December 31, 2016 through the present, each employee's hourly wage as of 12/31/16, the number of regular hours worked since 12/31/16, the number of contractual holiday hours and overtime hours worked since 12/31/16, and pay records that would show precisely when the 1.25% pay adjustment at issue in this matter was finally implemented for each employee. My review of the spreadsheets you provided during the investigation to Field Agent Patricia Petock suggests at a minimum the following individuals were underpaid per the contract and need to receive either all of or a portion of the 1.25% pay adjustment:

ADAMS, DOROTHY
ADAMS, TANYA A

BOSLEY, CRYSTAL
BROWN, MOLLIE
BURWELL, ANTHONY M
CASTRICONE, ASHLEY
CORTES, ERIKA
DENERO, PATRICE J
HAMM, TIJUANA
HARRIS, RANDOLPH
HEISE SR., WILLIS
HOWARD, ELIJAH
KEMP, TEIONA
MCQUEEN, LISA
MOREY JR., WILLIAM
MUOIO, NICHOLAS M
ORAVEC, DEBORAH
PATE, MITCHELL
PORTER, ROSE
RASCHKE, MICHELLE L
REAMER, PAMELA J
RECHTSIEGEL, JILL
RECHTSIEGEL, WILLIA
ROBERTS, BRITTANY
ROULAND, CHERYL
SAMPLE, LEANN
SHEFFER, KAY
SMELTZER, BRIAN
SPOITTA, ANTHONY
TUCKER, MARISA
TWARDOWSKI, LISA
WILSTON, LINDSAY
WOODCOOK, PAMELA A

Please provide the requested payroll records for these individuals and any other affected bargaining unit employee via email to david.turner@nlrb.gov **by the close of business July 19, 2017**. In addition to paper payroll records, please provide the same records in a **sortable, electronic file format**. Please give this your urgent attention. After I complete the analysis of the records, I will advise you of the backpay and interest amounts owing.

Certification of Compliance: Certification of Compliance forms are also enclosed. Certification of Compliance Part One should be completed and returned by not later than July 19, 2017 **with one signed and dated original Notice**. The Certification of Compliance Part Two should be completed and returned at a future date. I will advise you after reviewing the records of the amount owing. If the Certifications of Compliance and signed Notice are returned via e-

file or e-mail, no hard copies of the Certifications of Compliance or Notice are required. You are encouraged to send everything to me directly at david.turner@nlrb.gov.

Remedial Actions:

Please read all the terms of the Settlement Agreement and Notice carefully, as the Employer will be expected to comply with all such provisions. If you have any questions or if I can assist you, please let me know.

Closing the Case: When all the affirmative terms of the Settlement Agreement have been fully complied with and there are no reported violations of its negative terms, you will be notified that the case has been closed on compliance. Timely receipt of the signed and dated Notice to Employees and the Certifications of Compliance will assist the Region in closing the case in a timely manner.

Very truly yours,

/S/ David M. Turner

DAVID M. TURNER
Compliance Officer

Enclosures: Copy of Conformed Settlement Agreement
Notices to Employees
Certification of Compliance

cc: Willis A. Heise Sr.
109 Heritage Estates
Albion, NY 14411

CERTIFICATION OF COMPLIANCE
(PART ONE)

RE: Comprehensive at Orleans, LLC
Case 03-CA-196513

(If additional space is needed to provide a full response, attach a sheet(s) with the necessary information.)

Physical Posting

The signed and dated Notice to Employees in the above matter was posted on

(date) _____ at the following locations: (List specific places of posting)

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY/RESPONDENT

By: _____

Title: _____

Date: _____

This form should be returned to the Compliance Officer, together with **ONE** original Notice, dated and signed in the same manner as those posted. If the Certification of Compliance Part One and signed Notice is returned via e-file or e-mail, no hard copies of the Certification of Compliance Part One or Notice are required.

CERTIFICATION OF COMPLIANCE
(PART TWO)

RE: Comprehensive at Orleans, LLC
Case 03-CA-196513

Backpay

On (date) _____, the Employer made payment to the employee(s) set forth in the attached list in the amounts set forth therein. Proof of payment is attached.

I have completed this Certification of Compliance and state under penalty of perjury that it is true and correct.

CHARGED PARTY/RESPONDENT

By: _____

Title: _____

Date: _____

This form should be returned to the Compliance Officer. If the Certification of Compliance Part Two and signed Notice is returned via e-file or e-mail, no hard copy of the Certification of Compliance Part Two is required.