

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

CAYUGA MEDICAL CENTER AT ITHACA, INC.

and

1199 SEIU UNITED HEALTHCARE WORKERS EAST

Cases 03-CA-156375  
03-CA-159354  
03-CA-162848  
03-CA-165167  
03-CA-167194

ORDER REMANDING

On December 16, 2017, the National Labor Relations Board issued a Decision and Order in this proceeding that resolved multiple complaint allegations and severed for further consideration allegations that the Respondent violated Section 8(a)(1) of the Act by maintaining various work rules. See 365 NLRB No. 170 (2017), *enfd. per curiam*, 18-1001 (D.C. Cir. December 21, 2018). On October 15, 2018, the Board issued a Notice to Show Cause why the severed allegations should not be remanded for further consideration under *The Boeing Co.*, 365 NLRB No. 154 (2017). The General Counsel filed a response supporting a partial remand.<sup>1</sup>

Having duly considered the matter,

IT IS ORDERED that this proceeding is remanded to Administrative Law Judge David I. Goldman for the purpose of reopening the record, if necessary, and the preparation of a supplemental decision addressing the complaint allegations affected by *Boeing* and setting forth credibility resolutions, findings of fact, conclusions of law, and a recommended Order. Copies

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<sup>1</sup> The General Counsel requested that the Board dismiss, instead of remand, the allegations covering three of the work rules that he represents are *prima facie* lawful under *Boeing*. The Board denies these requests and remands all seven work-rule allegations to the judge for consideration, including whether certain allegations should be dismissed.

of the supplemental decision shall be served on all parties, after which the provisions of Section 102.46 of the Board's Rules and Regulations shall be applicable.

Dated, Washington, D.C., January 12, 2019.

By direction of the Board:

/s/ Roxanne Rothschild

Executive Secretary