

NOT INCLUDED
IN BOUND VOLUMES

RKE
Millinocket, ME

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

MILLINOCKET REGIONAL HOSPITAL

and

Cases 01-CA-233166
01-CA-234864
01-CA-237386

MAINE STATE NURSES ASSOCIATION/
NATIONAL NURSES ORGANIZING COMMITTEE
(MSNA/CNA/NNOC) LOCAL 1082

ORDER APPROVING STIPULATION, GRANTING MOTION,
AND TRANSFERRING PROCEEDING TO THE BOARD

This matter comes before the National Labor Relations Board upon the joint motion of Respondent Millinocket Regional Hospital; Charging Party, Maine State Nurses Association/National Nurses Organizing Committee (MSNA/CNA/NNOC) Local 1082; and the General Counsel, to waive a hearing and decision by an administrative law judge and to transfer the proceeding to the Board for a decision based on the stipulated record.

On May 16, 2019, the General Counsel, through the Regional Director for Region 1, issued an order consolidating cases, consolidated complaint and notice of hearing alleging that since about September 12, 2018, the Respondent bypassed the Charging Party and dealt directly with employees in violation of Section 8(a)(5) and (1) by announcing at "Town Hall" meetings the removal of employee spousal health care coverage and the implementation of its employee early retirement programs. The consolidated complaint also alleges that the Respondent violated Section 8(a)(5) and (1) of the Act on September 12, 2018, by implementing the early retirement program

without giving the Charging Party notice and an opportunity to bargaining over the change and/or the effects of the change. Additionally, the consolidated complaint alleges that, on January 1, 2019, the Respondent rescinded spousal healthcare benefits, without prior notice to the Union, and without affording the Union an opportunity to bargain over the change or the effects of the change, in violation of Section 8(a)(5) and (1) of the Act. Finally, the complaint alleges that the Respondent eliminated the spousal healthcare benefits without the consent of the Charging Party during the term of a collective bargaining agreement in violation of Section 8(a)(5) within the meaning of Section 8(d).

On January 13, 2020, the parties filed a joint motion and stipulation of facts with the Board. Pursuant to Section 102.35(a)(9) of the Board's Rules and Regulations, the parties have waived a hearing before an administrative law judge and agreed to submit the record in this case directly to the Board for findings of fact, conclusions of law, and a Decision and Order. The parties have requested that the Board set a time for the filing of briefs.

The Board having considered the matter,

IT IS ORDERED that the joint motion is granted and the case is transferred to and continued before the Board in Washington, D.C., for the purpose of issuing findings of fact, conclusions of law, and a Decision and Order.

IT IS FURTHER ORDERED that the stipulated record, which consists of the joint motion and stipulation of facts and Joint Exhibits 1-34 is approved and made part of the record.

The parties may file initial briefs with the Board in Washington, D.C., on or before April 10, 2020, and answering briefs within 14 days thereafter in accordance with Section 102.35(a)(9) of the Board's Rules and Regulations.

Dated, Washington, D.C., March 19, 2020.

By direction of the Board:

Roxanne L. Rothschild

Executive Secretary