

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**PROVIDENCE HEALTH AND SERVICES
WASHINGTON d/b/a PROVIDENCE
ST. PETER HOSPITAL**

and

Case 19-CA-222331

**SERVICE EMPLOYEES INTERNATIONAL
UNION, SEIU 1199NW**

DECISION AND ORDER

Statement of the Case

On February 18, 2020, Providence Health and Services Washington d/b/a Providence St. Peter Hospital (the Respondent), Service Employees International Union, SEIU 1199NW (the Union), and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, subject to Board approval, providing for the entry of a consent order by the Board and a consent judgment by any appropriate United States Court of Appeals. The Respondent waived all further and other proceedings before the Board to which it may be entitled under the National Labor Relations Act (the Act) and the Board's Rules and Regulations, and the Respondent waived its right to contest the entry of a consent judgment or to receive further notice of the application therefor.

The Formal Settlement Stipulation is approved and made a part of the record, and the proceeding is transferred to and continued before the Board in Washington, D.C., for the entry of a Decision and Order pursuant to the provisions of the Formal Settlement Stipulation.

Based on the Formal Settlement Stipulation and the entire record, the Board makes the following

Findings of Fact

1. The Respondent's business

At all material times, the Respondent has been a not-for-profit corporation with its headquarters in Renton, Washington, and a facility in Olympia, Washington ("Olympia facility"), engaged in operating a hospital providing inpatient and outpatient medical care. In conducting its operations described above during the 12 months preceding the settlement stipulation, which is representative of all material times, the Respondent

derived gross revenues in excess of \$250,000. In conducting its operations described above during the 12 months preceding the settlement stipulation, which is representative of all material times, the Respondent purchased and received at its Olympia facility goods valued in excess of \$50,000 directly from points outside the State of Washington. At all material times, the Respondent has been engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act, and a health care institution within the meaning of Section 2(14) of the Act.

2. The labor organization involved

At all material times, the Union has been a labor organization within the meaning of Section 2(5) of the Act.

3. The appropriate unit

The following employees of the Respondent (the "Unit") constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All full-time, part-time, and per diem employees designated by the job classifications set forth in the wage schedule attached to the collective-bargaining agreement between the Union and the Respondent with an effective period of October 20, 2017, through April 30, 2020, excluding other technical employees, professional employees, business office and clerical employees, all other employees, guards and supervisors as defined in the Act.

Since at least February 7, 2014, the Union has been the designated exclusive collective-bargaining representative of the Unit and has been recognized as such by the Respondent. This recognition has been embodied in successive collective-bargaining agreements, the most recent of which is effective from October 20, 2017, through April 30, 2020.

At all material times, based on Section 9(a) of the Act, the Union has been the exclusive collective-bargaining representative of the Unit.

ORDER

Based on the above findings of fact, the Formal Settlement Stipulation, and the entire record, and pursuant to Section 10(c) of the National Labor Relations Act, the National Labor Relations Board orders that the Respondent, Providence Health and Services Washington d/b/a Providence St. Peter Hospital, Renton and Olympia, Washington, its officers, agents, successors, and assigns, shall:

1. Cease and desist from:

(a) Refusing to provide the Union with information in its possession or control that is relevant and necessary to its role as the bargaining representative of Unit employees and/or refusing to request that information from third parties; and

(b) Delaying in providing the Union with information in its possession or control that is relevant and necessary to its role as the bargaining representative of Unit employees, and/or delaying in either requesting or providing that information or the responses to those requests for information, from third parties.

2. Take the following affirmative action necessary to effectuate the policies of the Act:

(a) Within 14 days of service by the Region, post at the Respondent's Olympia facility copies of the attached Notice to Employees ("Notice") marked Appendix A, on forms provided by Region 19, after being signed by the Respondent's authorized representative. Said Notice shall be posted by the Respondent and maintained for a period of sixty (60) days, in conspicuous places, including all places where notices to employees are normally posted.

(b) The Respondent will also e-mail a copy of the Notice in English, to all members of the Unit. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to an Order of the National Labor Relations Board approving a Settlement Agreement in Case 19-CA-222331."

(c) Within twenty (20) days of the issuance of the Board's Order, file with the Regional Director of Region 19 of the Board, a sworn affidavit from a responsible official describing with specificity the manner in which the Respondent has complied with the terms of the Board's Order, including forwarding a copy of the e-mail message transmitted with the Notice, along with all of the recipients' e-mail addresses, and the locations of the posted copies of the Notice.

Dated, Washington, D.C., April 8, 2020.

John F. Ring, Chairman

Marvin E. Kaplan, Member

William J. Emanuel, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

APPENDIX A

**NOTICE TO EMPLOYEES
POSTED BY ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government**

**POSTED PURSUANT TO A STIPULATION PROVIDING FOR A BOARD ORDER
AND A CONSENT JUDGMENT BY ANY APPROPRIATE
UNITED STATES COURT OF APPEALS**

FEDERAL LAW GIVES YOU THE RIGHT TO:

Form, join, or assist a union;
Choose a representative to bargain with us on your behalf;
Act together with other employees for your benefit and protection;
Choose not to engage in any of these protected activities.

WE WILL NOT interfere with, restrain, or coerce you in the exercise of the above rights.

SEIU Healthcare 1199NW (the Union) is the exclusive collective-bargaining representative of the following unit of employees:

All full-time, part-time, and per diem employees designated by the job classifications set forth in the wage schedule attached to the collective-bargaining agreement between the Union and the Respondent with an effective period of October 20, 2017, through April 30, 2020, excluding other technical employees, professional employees, business office and clerical employees, all other employees, guards and supervisors as defined in the Act.

WE WILL NOT refuse to provide the Union with information in our possession or control that is relevant and necessary to its role as your bargaining representative.

WE WILL NOT delay providing the Union with information in our possession or control that is relevant and necessary to its role as your bargaining representative.

WE WILL NOT refuse to or delay in making requests to third-party entities to obtain information for the Union that is not in our possession or control.

WE WILL NOT delay providing the Union with the responses we receive from third-party entities to our requests for information to provide to the Union.

**PROVIDENCE HEALTH AND SERVICES
WASHINGTON d/b/a PROVIDENCE ST.
PETER HOSPITAL**

The Board's decision can be found at www.nlr.gov/case/19-CA-222331 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.

