

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

**GREENBRIER, VMC, LLC D/B/A GREENBRIER
VALLEY MEDICAL CENTER, COMMUNITY
HEALTH SYSTEMS, INC., AND/OR COMMUNITY
HEALTH SYSTEMS PROFESSIONAL SERVICES
CORPORATION, LLC, A SINGLE EMPLOYER
AND/OR JOINT EMPLOYERS**

and

Case 10-CA-150997

**NATIONAL NURSES ORGANIZING COMMITTEE
(NNOC), AFL-CIO**

DECISION AND ORDER

Statement of the Case

On March 11, 2020, Greenbrier, VMC, LLC d/b/a Greenbrier Valley Medical Center (Respondent Greenbrier), Community Health Systems, Inc. (CHSI), Community Health Systems Professional Services Corporation, LLC (CHSPSC), National Nurses Organizing Committee (NNOC), AFL-CIO (Charging Party or NNOC), and the General Counsel of the National Labor Relations Board entered into a Formal Settlement Stipulation, approved by the administrative law judge and 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, Respondent Greenbrier has been an employer engaged in commerce within the meaning of Section 2(2), (6) and (7) of the Act and has been a health care institution within the meaning of Section 2(14) of the Act.

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

3. The appropriate unit

At all times since September 25, 2012, based on Section 9(a) of the Act, NNOC has been the exclusive collective-bargaining representative of the following appropriate bargaining unit:

All full time, regular part-time, and per diem Registered Nurses, including those who serve as relief charge nurses, employed by Respondent Greenbrier at its 202 Maplewood Avenue, Ronceverte, West Virginia hospital; excluding all other employees, including managers, confidential employees, physicians, technical employees, service and maintenance employees, employees of outside registries and other agencies supplying labor to Respondent Greenbrier, guards and supervisors as defined in the Act.

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, Greenbrier, VMC, LLC d/b/a Greenbrier Valley Medical Center, Ronceverte, West Virginia, its officers, agents, successors, and assigns, shall take the following affirmative action necessary to effectuate the policies of the Act:¹

¹ The General Counsel and the Respondent also negotiated an informal settlement agreement that provides, among other things, for the posting, reading, emailing, and mailing of a Notice to Employees that includes the allegations of the Third Amended Consolidated Complaint covered by this Formal Settlement Stipulation. The administrative law judge further issued an Order Granting Motions to Correct Notices and Clarify Settlement Agreements that, for the purposes of this Formal Settlement, corrects the heading of the notice.

In addition, par. 6(B)(6) of the settlement stipulation twice refers to “subsection 8(B)(5).” However, the referenced provision appears in par. 6(B)(5). We correct the inadvertent errors.

(a) Make Respondent Greenbrier's bargaining unit employees whole for any loss of wages or benefits suffered as a result of any requirement enforced beginning in or about October 2014 to reduce Paid Time Off accrual banks to 80 hours.

Dated, Washington, D.C., June 17, 2020.

John F. Ring, Chairman

Marvin E. Kaplan, Member

William J. Emanuel, Member

(SEAL)

NATIONAL LABOR RELATIONS BOARD

The Board's decision can be found at www.nlr.gov/case/10-CA-150997 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.

