

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 10, SUBREGION 11**

**AMERICAN HOSPITAL SERVICES GROUP, LLC**

**and**

**Cases 10-CA-251871  
10-CA-252101**

**INTERNATIONAL ASSOCIATION OF  
MACHINISTS AND AEROSPACE WORKERS,  
AFL-CIO, CLC, LOCAL LODGE 47**

**MOTION TO RESCHEDULE HEARING**

Pursuant to Section 102.16 of the Rules and Regulations of the National Labor Relations Board (the Board), Respondent American Hospital Services Group, LLC (“ASHG” or “Respondent”) moves to reschedule the hearing due to a pre-existing conflicting hearing before another federal agency.

1. On June 10, 2020, the Board issued the Complaint and set the hearing for October 20, 2020.
2. Counsel for the employer was previously scheduled to appear at a hearing before the Occupational Safety and Health Commission from October 19, 2020 through October 30, 2020 in the matter of Secretary of Labor v. UHS of Denver, Inc., DBA Highlands Behavioral Health Systems, OSHRC Docket No. 19-0550. (*See Attachment 1*).
3. Counsel for the employer has contacted counsel for the Charging Party and has been unable to get a response as to whether they oppose this request.
4. Counsel for Respondent is available for a new hearing date for the remainder of 2020 any dates other than October 12-30, 2020. Respondent is unaware as to the dates Charging Party and their counsel are available for a new hearing date.

WHEREFORE, Respondent respectfully request that the hearing in this matter be rescheduled.

This 10th day of July, 2020.

Respectfully submitted,

JACKSON LEWIS PC  
171 17<sup>th</sup> St, NW  
Suite 1200  
Atlanta, GA 30363  
(404) 525-8200

By: /s/ Dion Y. Kohler  
Dion Y. Kohler

ATTORNEYS FOR RESPONDENT AMERICAN  
HOSPITAL SERVICES GROUP, LLC

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AFL-CIO, CLC, LOCAL LODGE 47**

**CERTIFICATE OF SERVICE**

This is to certify that one copy of Respondent's Motion to Reschedule the Hearing has been served on the below-named individuals this 10th day of July, 2020, by sending said copy via First Class U.S. Mail to:

Randa Ruge  
International Association of Machinists and  
Aerospace Workers, Local Lodge 47  
5621 Bowen Ct.  
Commerce City, CO 80022-4008

Caroline N. Cohen, Esq.  
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1001 Marine Village Parkway, Suite 200  
Alameda, CA 94501

David W. M. Fujimoto, Esq.  
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Terry D. Combs  
Acting Regional Director  
National Labor Relations Board, Region 10  
by Scott C. Thompson  
Officer-In-Charge  
National Labor Relations Board, Subregion 11  
4035 University Pkwy, Suite 200  
Winston Salem, NC 27106-3275

*/s/ Dion Y. Kohler*  
\_\_\_\_\_  
Dion Y. Kohler

# **ATTACHMENT “1”**



United States of America  
**OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION**  
U.S. Custom House  
721 19<sup>th</sup> Street, Room 407  
Denver, CO 80202-2517

SECRETARY OF LABOR,

Complainant,

v.

UHS OF DENVER INC., DBA HIGHLANDS  
BEHAVIORAL HEALTH CENTER,

Respondent.

OSHRC Docket No. 19-0550

**ORDER GRANTING CONTINUANCE OF TRIAL**

This matter comes before the Court regarding the Pretrial Conference held telephonically on March 20, 2020 and the *Joint Motion to Continue Hearing Date and Pretrial Schedule* (Motion). Such Motion is *GRANTED*.

The trial will now be held **October 19-30, 2020 in Denver, Colorado.**

The *Notice of Trial* dated August 27, 2019 is *VACATED*.

**NO FURTHER CONTINUANCES WILL BE GRANTED.**

SO ORDERED:

*/s/ Peggy S Ball*

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Judge Peggy S. Ball  
Occupational Safety and Health Review Commission

Dated: March 27, 2020  
Denver, Colorado

## CERTIFICATE OF SERVICE

Service of the foregoing Order has been made by electronic mail on March 27, 2020 to the following.

### ***For the Complainant***

Timothy Williams, Esq  
Tracy Smith  
Paula Klein  
United States Department of Labor  
Office of the Solicitor  
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[Smith.tracy.l@dol.gov](mailto:Smith.tracy.l@dol.gov)  
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### ***For the Respondent***

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*/s/ Joanne M Hills*

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Joanne Hills  
Legal Assistant for  
Judge Peggy Ball  
United States Custom House  
Occupational Safety and Health Review  
Commission  
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