UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

CROZER-CHESTER MEDICAL CENTER AND DELAWARE COUNTY MEMORIAL HOSPITAL	)	
Petitioner/Cross-Respondent	)	
	)	Nos. 18-1640
v.	)	18-1973
NATIONAL LABOR RELATIONS BOARD	)	
Respondent/Cross-Petitioner	)	

JUDGMENT

Before: CHAGARES and BIBAS, Circuit Judges, and SÁNCHEZ, Chief District Judge.

THIS CAUSE came to be heard upon a petition for review filed by Crozer-Chester Medical Center and Delaware County Memorial Hospital and a cross-petition filed by the National Labor Relations Board to enforce an Order of the National Labor Relations Board dated March 7, 2018, in Case Nos. 04-CA-172296 and 04-CA-172313, reported at 366 NLRB No. 28. The Court heard argument of the parties and has considered the briefs and agency record filed in this cause. On September 24, 2020, the Court, being fully advised in the premises, handed down its opinion granting in part the petition filed by Crozer-Chester Medical Center and Delaware County Memorial Hospital and granting in part the cross-petition filed by the National Labor Relations Board. In conformity therewith, it is hereby

ORDERED AND ADJUDGED by the Court that Crozer-Chester Medical Center and Delaware County Memorial Hospital, its officers, agents, successors, and assigns, shall abide by said order as conformed with the Court's opinion. (See Attached Order and Appendix).

BY THE COURT

s/ Michael A. Chagares
Circuit Judge

DATED: October 21, 2020

CROZER-CHESTER MEDICAL CENTER
AND DELAWARE COUNTY MEMORIAL HOSPITAL

v.

NATIONAL LABOR RELATIONS BOARD

ORDER

Delaware County Memorial Hospital, a Division of Crozer-Keystone Health System, Upper Darby, Pennsylvania, and the Respondent, Crozer-Chester Medical Center, a Division of Crozer-Keystone Health System, Upland, Pennsylvania, their officers, agents, successors, and assigns, shall

1. Cease and desist from

   (a) Failing or refusing to provide information to the Pennsylvania Association of Staff Nurses and Allied Professionals that is relevant and necessary to conduct negotiations or otherwise perform its duties as the exclusive collective-bargaining representative of employees it represents at Delaware County Memorial Hospital and Crozer-Chester Medical Center.

   (b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.

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

   (a) Provide the Pennsylvania Association of Staff Nurses and Allied Professionals with the relevant portions of the Asset Purchase Agreement, including attachments and schedules, it requested on January 18, and February 10 and 11, 2016. The portions of the Asset Purchase Agreement to be provided are to be determined by further Board review.

   (b) Within 14 days after service by the Region, post at the facility in Upper Darby, Pennsylvania, copies of the attached notice marked "Appendix A" and the facility in Upland, Pennsylvania, copies of the attached notice marked "Appendix B." Copies of the notices, on forms provided by the Regional Director for Region 4, after being signed by authorized representatives of the Respondents, shall be posted by the Respondents

and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, the notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondents customarily communicate with their employees by such means. Reasonable steps shall be taken by the Respondents to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, one or both of the Respondents have gone out of business or closed a facility involved in these proceedings, the Respondent(s) shall duplicate and mail, at their own expense, a copy of the notice to all current employees and former employees employed by the Respondent(s) at any time since January 18, 2016.

(c) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondents have taken to comply.

APPENDIX A
NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO
Form, join, or assist a union
Choose representatives 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 fail or refuse to provide information to Pennsylvania Association of Staff Nurses and Allied Professionals (the Union) that is relevant and necessary to conduct negotiations or otherwise perform its duties as the exclusive collective-bargaining representative of employees the Union represents at Delaware County Memorial Hospital and Crozer-Chester Medical Center.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL provide the Union with the relevant portions of the Asset Purchase Agreement, including attachments and schedules, for the sale of Crozer-Keystone Health System to Prospect Medical Holdings, Inc., that the Union requested on January 18, February 10, and February 11, 2016. The portions of the Asset Purchase Agreement to be provided are to be determined by further Board review.

DELAWARE COUNTY MEMORIAL HOSPITAL

APPENDIX B
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CROZER-CHESTER MEDICAL CENTER