

National Labor Relations Board

Weekly Summary of NLRB Cases



Division of Information

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CASES SUMMARIZED
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Atrium at Princeton, LLC d/b/a Pavilions at Forrestal, et al.	Wayne, NJ	1
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Atrium at Princeton, LLC d/b/a Pavilions at Forrestal and Princeton Healthcare, LLC d/b/a Pavilions at Forrestal (22-CA-27066, et al.; 353 NLRB No. 60) Wayne, NJ Dec. 5, 2008. In this case, the Board adopted the administrative law judge's finding that Respondent Princeton violated Section 8(a)(5) of the Act by bypassing the Union and dealing directly with unit employees. The Board also adopted, on modified grounds, the judge's finding that Respondent Atrium, the successor to Respondent Princeton, violated Section 8(a)(5) by failing and refusing to meet with the Union for the purpose of negotiating a successor collective-bargaining agreement. The Board found it unnecessary to pass on the judge's finding that Respondent Princeton also violated Section 8(a)(5) by failing and refusing to bargain for a successor agreement prior to the transfer of operations to Respondent Atrium, as any such finding would be cumulative and would not materially affect the remedy. [\[HTML\]](#) [\[PDF\]](#)

The Board further affirmed the judge's findings that Respondent Atrium violated Section 8(a)(5) by making unilateral changes and by refusing to supply information requested by the Union. However, reversing the judge, the Board found that the social security numbers requested by the Union were not presumptively relevant and it therefore modified the recommended order to exclude social security numbers from the information Respondent Atrium was required to provide.

Finally, the Board observed that the judge's recommended order would effectively require the Respondents jointly and severally to remedy all of the unfair labor practices. The Board found no basis in the record for imposing joint and several liabilities and in order to clarify the remedial obligations of the Respondents, it substituted separate orders and notices for the common order and notice recommended by the judge.

(Chairman Schaumber and Member Liebman participated.)

Charges filed by SEIU 1199 New Jersey Health Care Union; complaint alleged violation of Section 8(a)(1) and (5). Hearing at Newark, July 9, 10, 13, and Oct. 9 and 18, 2007. Adm. Law Judge Steven Davis issued his decision April 15, 2008.

LIST OF DECISIONS OF ADMINISTRATIVE LAW JUDGES

Susan Oles, an individual, d/b/a Susan Oles, DMD (Individuals) Phoenix, AZ Dec. 1, 2008. 28-CA-21951, 22095; JD(SF)-50-08, Judge Gregory Z. Meyerson.

SPECIAL MASTER'S REPORT AND RECOMMENDATIONS

CNN America, Inc. and Team Video Services, LLC (Communications Workers Locals 31 and 11) Washington, DC Dec. 1, 2008. 5-CA-31828, 33125; JDR-1-08, Judge Paul Buxbaum.

**LIST OF UNPUBLISHED BOARD DECISIONS AND ORDERS
IN REPRESENTATION CASES**

*(In the following cases, the Board adopted Reports of
Regional Directors or Hearing Officers in the absence of exceptions)*

DECISION AND CERTIFICATION OF REPRESENTATIVE

Inter-Con Security Systems, Inc., Pasadena, CA, 5-RC-16244, Dec. 2, 2008

Robinson Solutions, Inc., Pontiac, MI, 7-RC-23208, 23210, Dec.5, 2008

**DECISION AND ORDER [remanding proceeding
to Regional Director for further appropriate action]**

Imperial Sanitation Corp., Astoria, NY, 29-RC-11663, Dec. 5, 2008

*(In the following cases, the Board denied requests for review
of Decisions and Directions of Elections (D&DE) and
Decisions and Orders (D&O) of Regional Directors)*

The Research Foundation of State University of New York, Deer Park, NY, 29-RC-11666,
Dec. 3, 2008 (Chairman Schaumber and Member Liebman)

Miscellaneous Board Decisions and Orders

**ORDER RESCINDING [Board's Decision and
Certification of Results of Election issued Nov. 5, 2008]**

Cuming Corp., Avon, MA, 1-RC-22222, Dec. 2, 2008
