

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 34

BRISTOL HOSPITAL EMS, LLC

and

INTERNATIONAL ASSOCIATION OF EMTS  
AND PARAMEDICS SEIU/INAGE LOCAL  
5000

Case 34-CA-12481

DATE OF MAILING October 4, 2010

**AFFIDAVIT OF SERVICE OF copies of COUNSEL FOR THE ACTING GENERAL COUNSEL'S  
MOTION TO WITHDRAW MOTION FOR SUMMARY  
JUDGMENT**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that on the date indicated above I served the above-entitled document(s) by email upon the following persons, addressed to them at the following addresses:

Ms. Jeanine Reckdenwald  
Bristol Hospital EMS  
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International Association of EMTs and  
Paramedics, SEIU/NAGE, Local 5000  
P.O. Box 170  
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sweigand@nage.org

Subscribed and sworn to before me this 4<sup>th</sup> day

of October, 2010

DESIGNATED AGENT

Ferri L. Gupton



Ferri L. Gupton

NATIONAL LABOR RELATIONS BOARD

**UNITED STATES OF AMERICA  
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AND PARAMEDICS SEIU/INAGE, LOCAL  
5000

Case No. 34-CA-12481

**COUNSEL FOR THE ACTING GENERAL COUNSEL'S MOTION  
TO WITHDRAW MOTION FOR SUMMARY JUDGMENT**

On November 2, 2009, the General Counsel filed with the Board a Motion for Summary Judgment and Memorandum in Support of Motion in the above-captioned matter based on Respondent's failure to recognize and bargain in order to test the certification which issued in Case No. 34-RC-2313. On November 6, 2009, the Board issued an Order transferring the matter to the Board and a Notice to Show Cause. By Decision and Order dated December 24, 2009, Chairman Liebman and Member Schaumber granted the Motion for Summary Judgment and ordered that the Respondent recognize and bargain with the Charging Party. 354 NLRB No. 116. On December 29, 2009, the Respondent filed a Petition for Review of the Board's Decision and Order in the United States Court of Appeals for the District of Columbia Circuit. On January 27, 2010, the General Counsel filed a Cross-Application for Enforcement with the Court. On June 17, 2010, the Supreme Court issued its decision in *New Process Steel, L.P. v. NLRB*, 130 S.Ct. 2635, holding that Section 3(b) requires a three-member Board quorum in order for the Board to exercise its delegated authority. Thereafter, the Board issued an order setting aside the Decision and Order, and retained the instant matter for further processing. On August 24, 2010, the Board issued a Decision, Certification of Representative and Notice to Show Cause. On September 17, 2010, pursuant to the Board's Decision and Certification, Respondent posted the required Notice to Employees (copy attached) and has agreed to recognize and bargain with the Charging Party.

Accordingly, Counsel for the Acting General Counsel hereby moves to withdraw its Motion for Summary Judgment in the instant matter.

Dated at Hartford, Connecticut this 4<sup>th</sup> day of October, 2010.

  
\_\_\_\_\_  
Terri A. Craig  
Counsel for the Acting General Counsel  
Region 34, National Labor Relations Board



# NOTICE TO EMPLOYEES

**POSTED BY 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 and refuse to recognize and bargain with International Association of EMTs and Paramedics SEIU/NAGE, Local 5000, as the exclusive collective-bargaining representative of the employees in the bargaining unit.

**WE WILL NOT** in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights guaranteed you by Section 7 of the Act.

**WE WILL**, on request, bargain with the Union and put in writing and sign any agreement reached on terms and conditions of employment for our employees in the following bargaining unit:

All full-time and regular part-time EMT-P's, EMT-I's, EMT-Basics, Secretary III, and Wheel Chair Van Attendants, employed by us at our 371 Terryville Avenue, Bristol, Connecticut facility; but excluding other office clerical employees, the EMS Education Coordinator, EMS Supervisors, the BLS instructor, all other employees, and all guards, professional employees and supervisors as defined in the Act.

### BRISTOL HOSPITAL EMS, LLC

(Employer)

Dated: 9/15/10 By: *Jeanne J. Peckold* *AVP HR*  
 (Representative) (Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. It conducts secret-ballot elections to determine whether employees want union representation and it investigates and remedies unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below. You may also obtain information from the Board's website: [www.nlr.gov](http://www.nlr.gov).

Address: A.A. Ribicoff Federal Building, 450 Main Street, Suite 410, Hartford, CT 06103-3022  
Phone: (860) 240-3006 Hours: 8:30 a.m. to 5:00 p.m.

**THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE.**

THIS NOTICE MUST REMAIN POSTED FOR 60 CONSECUTIVE DAYS FROM THE DATE OF POSTING AND MUST NOT BE ALTERED, DEFACED, OR COVERED BY ANY OTHER MATERIAL. ANY QUESTIONS CONCERNING THIS NOTICE OR COMPLIANCE WITH ITS PROVISIONS MAY BE DIRECTED TO THE ABOVE REGIONAL OFFICE'S COMPLIANCE OFFICER,