

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

LAKELAND REGIONAL MEDICAL CENTER	)	
	)	
EMPLOYER,	)	
and	)	CASE 12-RC-089467
	)	
INTERNATIONAL UNION, SECURITY, POLICE	)	
AND FIRE PROFESSIONALS OF AMERICA,	)	
	)	
PETITIONER.	)	
	)	

**REQUEST FOR REVIEW**

Lakeland Regional Medical Center (“LRMC”) respectfully requests review of the Regional Director’s (“RD”) October 10, 2012 decision approving the International Union, Security, Police and Fire Professionals of America’s (“SPFPA” or “the Union”) request to withdrawal its petition in this case without prejudice. *See* Order Approving Withdrawal of Petition, attached hereto as Ex. A. The SPFPA failed to appear for its October 1, 2012 pre-election hearing and, after the hearing was scheduled to begin, attempted to withdraw its petition via email. LRMC objected on the record and filed a post-hearing brief requesting that the RD invoke the Board’s inherent authority to protect its R-Case processes by approving the withdrawal with prejudice, prohibiting a duplicative filing for six months. However, the Regional Director denied that request. LRMC respectfully requests that the Board review the RD’s decision approving the withdrawal without prejudice, resulting in SPFPA immediately re-filing an identical petition, which “has resulted in prejudicial error” and involves “compelling reasons for reconsideration of an important Board . . . policy.” *See* 29 C.F.R. § 102.67(c)(3), (4).

Levying prejudice on SPFPA is justified based on the Union's conduct leading up to, and failure to appear for, the pre-election hearing scheduled for Monday, October 1, 2012. On that day, LRMC, its counsel, two of its witnesses, a NLRB hearing officer, and a court reporter all attended a hearing in Tampa, Florida. The purpose of the hearing was to determine the scope of the proposed voting unit and whether and when an election would be held on the SPFPA's petition to represent guards employed by LRMC. All necessary parties were present and prepared to discuss the relevant issues—except for Petitioner SPFPA, who requested the hearing. *See* Tr. of Oct. 1, 2012 Hr'g ("Tr.") 5, 6, attached hereto as Ex. B. No representative of the Petitioner ever appeared. *See generally id.*

After the hearing was scheduled to begin, an individual purporting to represent the SPFPA sent an e-mail to the Board stating: "I represent the SPFPA. Please withdraw this Petition. Thank you." *See id.* 7; Bd. Ex. No. 2.<sup>1</sup> The e-mail from Scott Brooks—who had not entered an appearance as a representative for the SPFPA, Tr. 8—was the first time any individual from the Union had notified the Regional Office that the Union would not appear at the hearing or that it was going to withdraw its petition. *Id.* 8-9. Indeed, the Hearing Officer scheduled a conference call on the Friday prior to the hearing, but the Union failed to participate in such call or to be available for a rescheduled call. *Id.* 9.

Counsel for LRMC, G. Roger King of the law firm of Jones Day, communicated with representatives of Region 12 on numerous occasions prior to the scheduled hearing, including working with the Hearing Officer, Mr. Mark Heaton, to schedule the Friday, September 28 conference call with Petitioner regarding the status of the scheduled hearing. *See* Ex. C, Er. Ex. No. 1. Mr. King and Mr. Heaton, "ha[d] repeatedly tried to reach[] Steve Maritas, Organizing

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<sup>1</sup> Courtesy copies of the hearing exhibits cited in this brief are attached hereto as Ex. C.

Director for the petitioning union” in an attempt to stipulate to issues prior to the hearing, but Mr. Maritas never responded. *Id.*

Indeed, Mr. King repeatedly attempted to contact Mr. Maritas by e-mail, text messages, and phone calls to both his personal cell phone and his office number prior to Monday, October 1, 2012, all to no avail. Mr. King informed Mr. Maritas that he was in Seattle, Washington, negotiating two effects bargaining agreements and that it would be extremely difficult for him and costly for LRMC for Mr. King to travel thousands of miles from Seattle to Tampa for the hearing. Mr. King asked Mr. Maritas, both as a matter of professional courtesy and as a practical matter, to notify him if the Union was going to withdraw its petition. Additionally, Mr. King called Mr. Maritas Sunday morning, September 30th, shortly before boarding a flight from Seattle to Tampa (connecting in Atlanta) and again asked the Union’s position as to whether the hearing would go forward. Again, Mr. Maritas never responded.<sup>2</sup>

LRMC requested that the Region continue the October 1st hearing to permit additional time for renewed contacts with the Petitioner to determine whether the hearing was necessary or whether the Union was going to withdraw its petition. *Id.*; Tr. 9. LRMC’s request for a continuance was verbally denied by the Region on Friday afternoon, September 28, 2012. Mr. King, thereafter, made arrangements to travel to Tampa, Florida, and also requested that his client begin preparations for the October 1, 2012, hearing.<sup>3</sup>

In light of SPFPA’s failure to cooperate at any point leading up to the hearing and its failure to appear at the hearing, LRMC’s counsel requested that the Region treat the Union’s withdrawal request of its petition as a withdrawal with prejudice. Tr. 11. The Board’s

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<sup>2</sup> It appears that SPFPA has developed a pattern of requiring parties and the Board to prepare for a hearing only to fail to attend. See *The Sea Gate Ass’n*, Case No. 29-RC-080589, at 9 (July 5, 2012) (noting SPFPA failed to appear for a hearing.)

<sup>3</sup> LRMC’s request for a continuance is attached hereto and was entered into the record as Employer Exhibit No. 1 as is in the attached Exhibit C. The Region never issued a written response to LRMC’s written continuance request.

Casehandling Manual for Representation Procedures notes that “[w]here, after the approval of an election agreement or the close of a hearing, but before the holding of the election, the petitioning union, the sole union involved, requests timely withdrawal of its petition, the request should be approved . . . with 6 months prejudice . . . and the election should be cancelled.”

Casehandling Manual, Part Two, Representation Proceedings, § 11112.1(a); *Sears, Roebuck & Co.*, 107 N.L.R.B. 716 (1954). The Manual further states that “the purpose of levying prejudice is to conserve the Agency’s resources by discouraging repetitive and duplicative filings.”

Casehandling Manual, Part Two, Representation Proceedings, § 11118; *see also Ekco Prods. Co.*, 117 N.L.R.B. 137, 191 (1957) (Intermediate Report and Recommended Order) (noting that the Board has barred the filing of subsequent petitions for six months to ensure that “the invocation of its representation processes is not abused.”).

LRMC respectfully submits that the RD erred in denying its request that the withdrawal be treated with prejudice. Levying prejudice would further the important Board policies of deterring the Union’s waste of the Board’s resources. *See* Casehandling Manual, Part Two, Representation Proceedings, § 11118. Specifically, both the Regional Office and LRMC expended significant resources attempting to reach the Union, Tr. 8, arranging conference calls that the Union failed to participate in, *id.* 9, and holding a hearing where the Union failed to appear. *Id.* 5, 6. Second, levying prejudice properly sanctions the SPFPA’s behavior of engaging in “repetitive and duplicative filings.” Casehandling Manual, Part Two, Representation Proceedings, § 11118. SPFPA re-filed its “withdrawn” petition on the same day that it failed to appear at the hearing and attempted to withdrawal its prior petition. *See* Petition, attached hereto as Ex. D.

Although Section 11112.1(a) technically applies to withdrawals made after the “close of a hearing,” Regional Directors have noted that the “Case Handling Manual guidelines serve as a procedural and operational guide” and “is ‘not intended to be and should not be viewed as binding procedural rules.’” *MV Transport, Inc.*, Case No. 31-RC-8032, at 6 (Sept. 11, 2001) (quoting Casehandling Manual, Part Two, Representation Proceedings, Purpose of the Manual). “Rather, they provide a framework for the application of the Board’s decisional law and rules to the facts of the particular situations presented to the Regional Directors.” *Id.*

Here, the only reason that SPFPA’s withdrawal was submitted prior to the close of the hearing is because the start of the hearing was delayed while waiting for the Union’s representative to appear and then attempting to determine whether Mr. Brooks, who had not filed his appearance, had the authority to act on behalf of the SPFPA. Nonetheless, the fact that Mr. Brooks entered his purported withdrawal a few moments prior to when the hearing actually closed does not change the operative facts of the case. There is no significant difference between whether SPFPA’s withdrawal request was submitted before or after the close of the hearing because the SPFPA never intended to participate in the hearing, but failed to inform the Region or representatives of the Employer of its intention, creating the same waste of resources as if the hearing had occurred.

The Union repeatedly failed to participate in the investigation of the petition, costing both the Board and LRMC time and resources in preparing for a hearing in which the Union did not intend to participate. Regional Directors have noted that when a petition is withdrawn at or after the close of a hearing, “a variety of circumstances may arise” that warrant approving the withdrawal with prejudice. *Id.* (quoting Casehandling Manual, Part Two, Representation Proceedings, § 11112). Even where it might be appropriate, under the letter of the Casehandling

Manual, to approve the withdrawal without prejudice, Regional Directors have noted that an employer might still be able to demonstrate circumstances warranting withdrawal with prejudice. *Cf. Durham Sch. Servs., LLP*, Case No. 30-RC-6632 (Apr. 21, 2006).

By refusing to hold the SPFPA accountable for its abuse of the Board's process, the RD's decision prejudiced LRMC by subjecting it to added expenses, in dollars and hours, to reappear for a hearing just days after SPFPA unilaterally cancelled its requested October 1 hearing. Had the RD approved the withdrawal *with* prejudice, SPFPA could have still re-filed its petition. However, it would have been required to establish good cause to allow filing within six months of the prior petition. As the Casehandling Manual notes, "[n]o investigation, evaluation, or opinion as to what might constitute the good cause [to allow filing within six months of the prior petition] . . . should be made at the time of withdrawal. Such assessments should be made on the filing of a new petition by the affected union." Casehandling Manual, Part Two, Representation Proceedings, § 11118. Thus, in the event that SPFPA had good cause for withdrawing and immediately re-filing its petition, they would be free to explain those reasons to the Region as it processes the new petition. However, by applying the Casehandling Manual in an extremely rigid manner despite being made aware of (1) the egregiousness of SPFPA's prior conduct and (2) the fact that SPFPA had already engaged in duplicative and repetitive filings, the RD's decision was error and prejudiced LRMC.

The RD's decision also undermines the Board's important policy of protecting its processes from abuse. As noted above, Regional Directors have stated that the "Case Handling Manual guidelines serve as a procedural and operational guide" and "is 'not intended to be and should not be viewed as binding procedural rules.'" *MV Transport., Inc.*, Case No. 31-RC-8032, at 6 (Sept. 11, 2001) (quoting Casehandling Manual, Part Two, Representation Proceedings,

Purpose of the Manual). However, that is exactly what the RD did in this case. By failing to hold SPFPA accountable for its actions, including immediately re-filing the petition, the decision undermines the Board's policy of conserving "the Agency's resources by discouraging repetitive and duplicative filings." Casehandling Manual, Part Two, Representation Proceedings, § 11118.

### CONCLUSION

For the reasons set forth above, LRMC respectfully requests that the Board grant LRMC's Request for Review of the Regional Director's October 10, 2012 decision approving SPFPA's withdrawal without prejudice.<sup>4</sup> Further, LRMC requests that the Board reverse that decision and instruct the Regional Director to require SPFPA to demonstrate why its subsequent petition (12-RC-090423) should be processed within six months of its withdrawal of its prior petition.

Respectfully submitted,



G. Roger King

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Suite 600

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(614) 281-3939

rking@jonesday.com

Dated: October 19, 2012

Counsel for Lakeland Regional Medical Center

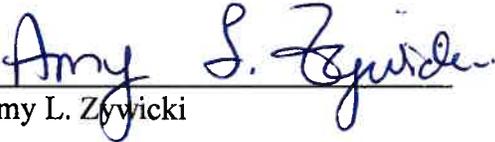
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<sup>4</sup> LRMC also requested that the RD award LRMC its' expenses related to the hearing, including travel expenses for counsel appearing at the hearing. The RD denied that request, and LRMC does not seek review of her decision to deny that request.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 19th day of October 2012, a true and correct copy of the foregoing was (1) electronically filed with the National Labor Relations Board and with the Regional Director, (2) served by electronic mail upon Scott A. Brooks at [scott@unionlaw.net](mailto:scott@unionlaw.net) and Steve Maritas at [spfpaunionyes1@aol.com](mailto:spfpaunionyes1@aol.com), and (3) served by U.S. First Class Mail to Mr. Brooks at the address listed below:

Scott A. Brooks  
Gregory, Moore, Jeakle & Brooks  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226

  
\_\_\_\_\_  
Amy L. Zywicki

# **EXHIBIT A**

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 12

In the matter of:

LAKELAND REGIONAL MEDICAL CENTER

Employer

and

Case 12-RC-089467

INTERNATIONAL UNION, SECURITY, POLICE  
AND FIRE PROFESSIONALS OF AMERICA (SPFPA)

Petitioner

**ORDER APPROVING WITHDRAWAL OF PETITION**

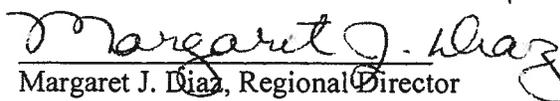
On September 19, 2012, the Regional Director issued a Notice of Hearing in the above-captioned case scheduling a hearing for October 1, 2012, pursuant to a petition filed on September 19, 2012. On October 1, 2012, the Petitioner, by counsel, requested written withdrawal of the petition via e-mail prior to the closing of the hearing.

Accordingly, having duly considered the matter, including the positions of the parties submitted for my consideration<sup>1</sup>,

**IT IS HEREBY ORDERED** that the request to withdraw the petition be, and it hereby is, approved *without prejudice* to the filing of a new petition.<sup>2</sup>

Signed at Tampa, Florida this 10th day of October, 2012.



  
Margaret J. Diaz, Regional Director  
National Labor Relations Board, Region 12  
201 East Kennedy Boulevard, Suite 530  
Tampa, Florida 33602-5824

<sup>1</sup> The Employer requested that the Petitioner reimburse it for its expenses related to the hearing, including travel expenses for its counsel appearing on October 1, 2012. Even assuming that the Petitioner engaged in misconduct warranting such relief when it failed to timely advise the Employer or Region that it would not appear at the hearing (and no such finding is being made here), a Regional Director has no authority to order the payment of such expenses.

<sup>2</sup> On October 1, 2012, the Petitioner refiled its petition which was docketed and is currently being processed as Case 12-RC-090423.

# **EXHIBIT B**

BEFORE THE  
NATIONAL LABOR RELATIONS BOARD  
REGION 12

In the Matter of:

**LAKELAND REGIONAL MEDICAL  
CENTER,**

Employer,

and

**SECURITY, POLICE AND FIRE  
PROFESSIONALS OF AMERICA,**

Petitioner.

Case No. **12-RC-089467**

The above-entitled matter came on for hearing pursuant to notice, before **MARK HEATON**, Hearing Officer, at the **National Labor Relations Board, 201 East Kennedy Boulevard, Suite 530, Tampa, Florida, on Monday, October 1, 2012, at 10:00 a.m.**

Free State Reporting, Inc.  
1378 Cape St. Claire Road  
Annapolis, MD 21409  
(410) 974-0947

**A P P E A R A N C E S****On Behalf of the Employer:**

G. ROGER KING  
Jones Day  
325 John H. McConnell Boulevard, Suite 600  
Columbus, Ohio 43215  
P.O. Box 165017  
Columbus, Ohio 43216-5017  
(614) 469-3939  
(614) 461-4198 fax  
gking@jonesday.com

Free State Reporting, Inc.  
1378 Cape St. Claire Road  
Annapolis, MD 21409  
(410) 974-0947

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I N D E X

WITNESSES

DIRECT

CROSS

REDIRECT

RECROSS

VOIR

DIRE

No testimony taken.



P R O C E E D I N G S

(Time Noted: 10:25 a.m.)

1  
2  
3 HEARING OFFICER HEATON: This is a formal hearing in the  
4 matter of Lakeland Regional Medical Center, Case Number  
5 12-RC-089467, before the National Labor Relations Board. The  
6 Hearing Officer appearing for the National Labor Relations  
7 Board today is Mark Heaton, M-a-r-k H-e-a-t-o-n.

8 All parties have been informed of the procedures at  
9 formal hearings before the Board by service of a statement of  
10 standard procedures with the notice of hearing. I have  
11 additional copies of this statement for distribution, if any  
12 party wishes more.

13 Will the counsel please state their appearances for the  
14 record? For the Petitioner?

15 **(No response.)**

16 HEARING OFFICER HEATON: Let the record show that no one  
17 has appeared for the Petitioner.

18 For the Employer?

19 MR. KING: Thank you, Mr. Heaton.

20 My name is Roger King with the law firm of Jones Day. I  
21 am labor counsel for Lakeland Regional Medical Center, the  
22 Employer in this proceeding.

23 HEARING OFFICER HEATON: Are there any other  
24 appearances?

25 **(No response.)**

1 HEARING OFFICER HEATON: Let the record show no further  
2 response.

3 Are there any other persons, parties, or labor  
4 organizations in the hearing room at this time who claim an  
5 interest in this proceeding?

6 **(No response.)**

7 HEARING OFFICER HEATON: Let the record show no  
8 response.

9 I now propose to receive the formal papers. They have  
10 been marked as Board's Exhibit 1(a) through 1(e), inclusive,  
11 Exhibit 1(e) being an index and description of the entire  
12 exhibit.

13 **(Board's Exhibit 1(a) through 1(e) marked for**  
14 **identification.)**

15 HEARING OFFICER HEATON: The exhibit has already been  
16 shown to all parties. Are there any objections? For the  
17 Petitioner?

18 **(No response.)**

19 HEARING OFFICER HEATON: Let the record show the  
20 Petitioner is absent. There is no one representing the  
21 Petitioner.

22 For the Employer?

23 MR. KING: The Employer has no objection to the formal  
24 papers.

25 HEARING OFFICER HEATON: Hearing no objections, the

1 formal papers are received into evidence.

2 **(Board's Exhibit 1(a) through 1(e) received in evidence.)**

3 HEARING OFFICER HEATON: Are there any motions to  
4 intervene in these proceedings to be submitted to the Hearing  
5 Officer at this time?

6 **(No response.)**

7 HEARING OFFICER HEATON: The Hearing Officer hears no  
8 response.

9 Will the company please state its full and correct name  
10 for the record?

11 MR. KING: Lakeland Regional Medical Center, Lakeland,  
12 Florida.

13 HEARING OFFICER HEATON: Let the record show that the  
14 time is now 10:28 Eastern Daylight Standard time by Verizon  
15 wireless phone, and no representative for the union has  
16 appeared at this time. The Region did receive today's date,  
17 October 1, at 10:11 a.m., an e-mail from Scott A. Brooks of  
18 the law firm Gregory, Moore, Jeakle and Brooks, 65 Cadillac  
19 Square, Suite 3727, Detroit, Michigan, zip code 48226, phone  
20 number area code 313-964-6500, fax number 313-964-2125, from  
21 Scott Brooks; the message reads as follows: Subject,  
22 Lakeland Regional Medical Center, 12-RC-089467. "I represent  
23 the SPFPA. Please withdraw this petition. Thank you, Scott  
24 Brooks."

25 For the Employer, do you wish to make a statement at

1 this time?

2 MR. KING: Yes. Thank you, Mr. Hearing Officer.

3 Representatives for the Employer, including myself as  
4 its labor counsel, arrived at the Regional Offices of the  
5 Board at approximate 9:45 a.m., today's date October 1, 2012.  
6 As noted by the Hearing Officer, no representative of the  
7 Petitioner was present and no representative of the  
8 Petitioner is still not in the area, has made no appearance  
9 in this proceeding. In fact, to my knowledge, no notice of  
10 appearance was filed by Mr. Brooks or anyone on behalf of the  
11 union. Is that correct, Mr. Hearing Officer?

12 HEARING OFFICER HEATON: To my knowledge, there has been  
13 no notice of appearance filed by any attorney.

14 MR. KING: As the Hearing Officer is aware, numerous  
15 attempts were made by the Employer to contact any  
16 representative of the Petitioner, specifically I undertook to  
17 talk with Mr. Steve Maritas, who is the organizing director  
18 of the Petitioner who signed the petition for representation,  
19 to discuss a stipulation for an agreed upon voting unit.  
20 Mr. Maritas at no point in time returned any of my phone  
21 calls, including calls not only to his office, but to his  
22 personal cell phone. He failed to respond to text messages  
23 from me. He failed to respond to e-mail messages from me. I  
24 started my attempts last week to contact Mr. Maritas or to  
25 talk with any representative of the Petitioner and had

1 absolutely no cooperation and no responses.

2 Further, the Hearing Officer scheduled a conference call  
3 on Friday morning, the 28th of September. Mr. Maritas, as I  
4 understand it, had agreed to participate in that conference  
5 call. Is that correct, Mr. Hearing Officer?

6 HEARING OFFICER HEATON: That is correct.

7 MR. KING: And then failed to participate, citing  
8 alleged travel problems.

9 Both the Hearing Officer and myself attempted to  
10 reschedule that conference call on the 28th of September to  
11 no avail. No representative of Petitioner was available or  
12 agreed to be available.

13 In the afternoon of the 28th, I therefore, on behalf of  
14 the Employer, filed a motion with the Region to continue the  
15 matter until Wednesday, October 3, 2012, to see if a  
16 stipulation for the voting unit could be reached and/or some  
17 other agreement reached so a hearing would not be necessary.  
18 That motion was filed electronically with the Region. I  
19 never did receive a written response to the Region. I was  
20 informed by the Hearing Officer verbally that the motion had  
21 been rejected or denied.

22 Accordingly, I again, starting Friday afternoon the  
23 28th, Saturday the 29th of September, and again the morning  
24 of the 30th of September attempted to reach a representative  
25 of the Petitioner to attempt to secure cooperation and to

1 hopefully enter into a stipulation for an election. Again,  
2 absolutely no response, not even a courtesy response.

3 At the time I was initiating these contacts starting on  
4 the 27th of September, I was in Seattle, Washington and  
5 negotiating two effects collective bargaining agreements for  
6 the closure of Auburn Regional Medical Center. One of the  
7 effects bargaining was with the Service Employees  
8 International Union, 1199 Northwest. The other one was with  
9 United Food and Commercial Workers, Local 21, also of  
10 Seattle, Washington.

11 I negotiated through the weekend. Fortunately, we  
12 reached agreement on behalf of the Employer with both unions.  
13 Those agreements were consummated the morning of September  
14 30th. I made one last call before boarding a flight from  
15 Seattle to Tampa by way of Atlanta to Mr. Maritas, again no  
16 response.

17 I arrived at my hotel last night after 10:00 p.m. here  
18 in Tampa, Florida, and during the flight from Seattle to  
19 Tampa, I prepared for this hearing.

20 During the weekend I was in constant contact with  
21 representatives of the Regional Medical Center to appear for  
22 this hearing. With me today is Mr. Jeff Payne, the senior  
23 director of human resources for Lakeland Regional Medical  
24 Center, and also the director of security, Mr. Tim Jones.  
25 Both of them spent time over the weekend preparing for this

1 hearing and traveled to Tampa, Florida this morning.

2 From the Employer's perspective, this petition should be  
3 dismissed with prejudice. Board rules so provide. I refer  
4 to the National Labor Relations Board Case Handling Manual,  
5 the Representation Case Handling Manual Sections 11110-11118.  
6 There should be a six-month prohibition for this labor  
7 organization, assuming it is a labor organization, to file a  
8 petition for representation for this unit with this Employer.

9 The record speaks for itself.

10 It's my understanding that the Hearing Officer also  
11 incurred great difficulty, as did other representatives of  
12 the Region, in getting any cooperation whatsoever from this  
13 union.

14 To date as we sit here at 10:36 Eastern Time on  
15 October 1, 2012, all we have is an e-mail message from an  
16 alleged representative of the union. We have no formal  
17 motion to withdraw still has not been filed.

18 In addition to a request from the Employer that the  
19 petition be dismissed with prejudice, the Employer is asking  
20 for its costs and legal expenses in appearing here today.  
21 This is a clear case of abuse of process. This Petitioner  
22 has abused the processes of the National Labor Relations  
23 Board, its agency generally and its staff time and resources.

24 Further, clearly this has not only been a physical  
25 inconvenience for counsel for the Employer traveling

1 thousands of miles to get here just to have an alleged  
2 petition revocation after 10:00 a.m., I might add, the  
3 starting time of this proceeding, but it is beyond not being  
4 courteous, it's not appropriate. It's not professional. But  
5 in addition to that, as a matter of fact, in law there is a  
6 common law standard for abuse of process. This is clearly a  
7 case of that, and a request will be made in writing for fees  
8 and expenses for this Petitioner to reimburse the Employer.

9 Thank you for receiving that statement, Mr. Hearing  
10 Officer.

11 HEARING OFFICER HEATON: Okay. The e-mail from  
12 Scott Brooks withdrawing the petition has been marked as  
13 Board Exhibit 2.

14 **(Board's Exhibit 2 marked for identification.)**

15 HEARING OFFICER HEATON: Does the Employer stipulate to  
16 including that in the record?

17 MR. KING: Mr. Hearing Officer, we will agree to put it  
18 in the record. I want to not -- I do not believe that is an  
19 appropriate withdrawal of the petition, but we will agree to  
20 have it as part of the record. If the Petitioner was going  
21 to withdraw its petition, it should do so in a formal manner.  
22 It has not yet done so.

23 HEARING OFFICER HEATON: As there is no representative  
24 for the Petition, the Board Exhibit 2 is entered into  
25 evidence, the 1 October 2012, 10:11 a.m. e-mail from Scott A.

1 Brooks.

2 **(Board's Exhibit 2 received in evidence.)**

3 MR. KING: Mr. Hearing Officer, I also would like to  
4 have as part of the record the motion that I filed on behalf  
5 of the Employer on September 28th, asking for a continuance  
6 of this proceeding, be marked as an exhibit and included in  
7 the record.

8 **(Employer's Exhibit 1 marked for identification.)**

9 HEARING OFFICER HEATON: **Let's go off the record please.**  
10 **(Off the record.)**

11 HEARING OFFICER HEATON: Employer has offered into  
12 evidence Employer's Exhibit Number 1, an e-mail from his  
13 office requesting a postponement of the hearing in this  
14 matter.

15 Mr. King, would you like to address that?

16 MR. KING: Yes. Thank you, Mr. Hearing Officer.

17 The Employer at this time moves into the record as  
18 Employer's Exhibit Number 1 a motion filed in written form  
19 with the Region on Friday, September 28th, asking for a  
20 continuance in this matter until Wednesday, October 3, 2012,  
21 with our reasons for such motion are contained therein. I  
22 need not recite them for the record. And as noted previously  
23 in my opening statement, unfortunately this motion was  
24 denied.

25 HEARING OFFICER HEATON: Are there any objections to

1 entering Employer's Exhibit Number 1 into the record, for the  
2 Petitioner?

3 **(No response.)**

4 HEARING OFFICER HEATON: Let the record show no  
5 response.

6 The Employer will move at this time Employer's Exhibit 1  
7 into the record. The Board Exhibit Number 1 is entered into  
8 the record, hearing no objections.

9 MR. KING: Employer Exhibit 1, did you say, Mr. Hearing  
10 Officer?

11 HEARING OFFICER HEATON: Yes, sir. Employer Exhibit  
12 Number 1, thank you. And that is an e-mail sent to  
13 Margaret Diaz, Friday, September 28th, 2012, at 2:49 p.m.

14 **(Employer's Exhibit 1 received in evidence.)**

15 MR. KING: Let the record reflect, Mr. Hearing Officer,  
16 the Employer never did receive a formal written response to  
17 said motion. However, the Hearing Officer did telephonically  
18 leave a message with my office in Columbus, Ohio that the  
19 motion had been denied, and we did receive that Friday  
20 afternoon, September 28th, 2012.

21 HEARING OFFICER HEATON: Is there anything further?

22 MR. KING: Nothing further.

23 HEARING OFFICER HEATON: Okay. Are there any  
24 outstanding motion or stipulations that need to be considered  
25 or entered into the record?

1 MR. KING: Mr. Hearing Officer, I don't believe so. I  
2 just, again, would renew the motion we have for the Employer  
3 as follows: Motion 1 is that the petition hearing, since it  
4 has still not been formally withdrawn, be withdrawn with  
5 prejudice per the Board's rules and regulations and that a  
6 six-month prohibition be placed on a re-filing of any said  
7 petition, any type of petition from this Petitioner for this  
8 Employer.

9 Second, the Employer again renews its motion on abuse of  
10 process and will be filing a request for its fees and  
11 expenses for participating in this proceeding this morning  
12 and an itemization for same will be attached to our brief  
13 that will be filed with the Region.

14 HEARING OFFICER HEATON: Okay. For the court reporter,  
15 the estimated length of the transcript?

16 MS. HARRIS: Ten pages.

17 HEARING OFFICER HEATON: Okay. Thank you. Is the party  
18 willing to file written briefs?

19 MR. KING: The Employer would request an opportunity to  
20 file a brief and in this case, Mr. Hearing Officer, it will  
21 be brief.

22 HEARING OFFICER HEATON: Okay. Briefs will be due by  
23 October 9, 2012.

24 If you feel there are exceptional extenuating  
25 circumstances to extend the date for filing briefs, you may

1 submit the letter to the Regional Director stating the  
2 position of the parties.

3 Is there anything further from the Employer?

4 MR. KING: Nothing further from the Employer.

5 HEARING OFFICER HEATON: From the Petitioner?

6 **(No response.)**

7 HEARING OFFICER HEATON: Let the record show no  
8 response.

9 **The hearing is now closed.**

10 **(Whereupon, at 10:52 a.m., the hearing in the above-entitled**  
11 **matter was closed.)**

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**CERTIFICATION**

23 This is to certify that the attached proceedings before  
24 the National Labor Relations Board (NLRB), Region 12, in the  
25 matter of **LAKELAND REGIONAL MEDICAL CENTER**, Case No. 12-RC-

Free State Reporting, Inc.  
1378 Cape St. Claire Road  
Annapolis, MD 21409  
(410) 974-0947

1 089467, at Tampa, Florida, on October 1, 2012, were held  
2 according to the record, and that this is the original,  
3 complete, and true and accurate transcript that has been  
4 compared to the reporting or recording accomplished at the  
5 hearing, that the exhibit files have been checked for  
6 completeness and no exhibits received in evidence or in the  
7 rejected exhibit files are missing.

8

9

10

11

---

Lorene P. Harris

12

Official Reporter

13

14

15

16

---

Letha J. Wheeler

17

Transcriber

18

19

20

21

# **EXHIBIT C**

Er Er No 1

**Heaton, Mark T.**

---

**From:** Rebecca M. Cultice [rmcultice@JonesDay.com]  
**Sent:** Friday, September 28, 2012 2:49 PM  
**To:** Diaz, Margaret J.  
**Cc:** grk; Combs, Terry D.; Heaton, Mark T.; spfpaunionyes1@aol.com  
**Subject:** Lakeland Regional Medical Center, Case No. 12-RC-089467

**NxGen:** Uploaded

**FROM ROGER KING**

Dear Ms. Diaz

I am writing in my capacity as counsel for Lakeland Regional Medical Center in the above-captioned representation matter. I have been working with your Field Examiner, Mark Heaton, to reach an agreement for a stipulated voting unit with respect to the above-captioned petition filed by the Security, Police and Fire Professionals of America. Both Mr. Heaton and myself have repeatedly tried to reach Steve Maritas, Organizing Director for the petitioning union. Mr. Maritas has yet to respond to my messages. Mr. Heaton has also had considerable difficulty reaching Mr. Maritas. We had a conference call scheduled earlier today with Mr. Maritas, myself and Mr. Heaton--Mr. Maritas cancelled such call apparently due to travel difficulties.

Given the fact that the parties have not been able to get together to discuss an agreed upon voting unit, I am requesting, on behalf of the Medical Center, a continuation of the hearing in this matter to Wednesday, October 3, 2012.

I remain optimistic that a voting unit can be stipulated by the parties. With respect to the commerce issue, the Medical Center will stipulate that it is subject to the jurisdiction of the National Labor Relations Board.

Further, under separate cover, the Medical Center will be forwarding to the Region an alphabetized list of the employees in the petitioned-for unit with their job classifications noted.

Please contact me if you are in need of any additional information on behalf of the Medical Center. Thank you for your attention to this matter.

G. Roger King  
[gking@jonesday.com](mailto:gking@jonesday.com)  
Jones Day  
P. O. Box 165017  
Columbus, OH 43216-5017  
Direct dial: (614) 281-3874  
General: (614) 469-3939  
Fax: (614) 461-4198

Physical Address:  
325 John H. McConnell Boulevard, Suite 600  
Columbus, OH 43215-2673

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This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without

copying it and notify sender by reply e-mail, so that our records can be corrected.

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 12

**LAKELAND REGIONAL MEDICAL CENTER**  
**Employer**

**and**

**SECURITY, POLICE AND FIRE PROFESSIONALS  
OF AMERICA**

**Petitioner**

Case 12-RC-089467

INDEX AND DESCRIPTION OF FORMAL DOCUMENTS

Board's Exhibits

- 1(a) Original Petition, docketed September 19, 2012
- 1(b) Notice of Representation Hearing, dated September 19, 2012
- 1(c) Affidavit of Service of 1(a) above, dated September 19, 2012
- 1(d) Affidavit of Service of 1(b) above, dated September 19, 2012
- 1(e) Index and Description of Formal Documents.

Exhibit 1(e)

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

**NOTICE REGARDING REPRESENTATION CASE HEARINGS**

Case 12-RC-089467

**Hearing Cancellation Based on Agreement of Parties:** The issuance of the Notice of Hearing in this case does not mean that the matter cannot be resolved by agreement of the parties. On the contrary, the NLRB encourages prompt voluntary adjustments. The Board agent assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end. An agreement between the parties, approved by me, will cancel the hearing.

**Postponement of the Hearing:** Postponement of the hearing *will not be granted* unless good and sufficient grounds are shown *and* the following requirements are met:

- (1) The request must be in writing and be filed with the Regional Director;
- (2) Copies of the request must be simultaneously served on all other parties, and that fact must be noted on the request;
- (3) Absent extraordinary circumstances, the request must be received no later than 24 hours before the hearing is scheduled to begin;
- (4) Requests for postponement of the hearing to a date more than 14 days after the petition was filed will normally not be granted absent extraordinary circumstances;
- (5) Grounds must be set forth in *detail*, e.g., the unavailability of counsel and all other counsel in the law firm due to previously scheduled federal court or other U.S. Agency hearings or trials;
- (6) Alternative dates for any rescheduled hearing must be given; and
- (7) The positions of all other parties regarding the postponement and alternative hearing dates must be ascertained in advance by the requesting party and set forth in the request.

Approval of a postponement request may be conditioned upon one or more of the following:

- (1) The agreement of all parties to participate at a conference to be held at the Regional Office at least one full day before the rescheduled hearing date;
- (2) Agreement by the requestor that extensions of time for filing of briefs will not be sought or granted; and/or
- (3) The requestor's execution of stipulations on matters not in dispute, e.g., jurisdiction, labor organization status, appropriate unit.

**Consecutive Days of Hearing:** Once opened, it is expected the hearing will continue on consecutive business days until concluded.

ELAINE THOMPSON, CEO  
LAKELAND REGIONAL MEDICAL  
CENTER  
1324 LAKELAND HILLS BLVD  
LAKELAND, FL 33805-4543

STEVE MARITAS, ORGANIZING  
DIRECTOR  
INTERNATIONAL UNION, SECURITY,  
POLICE AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA)  
25510 KELLY ROAD  
ROSEVILLE, MI 48066-4932

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

**LAKELAND REGIONAL MEDICAL CENTER**

Employer

and

**SECURITY, POLICE AND FIRE  
PROFESSIONALS OF AMERICA**

Petitioner

Case 12-RC-089467

**AFFIDAVIT OF SERVICE OF:** Petition dated September 19, 2012, and Notice of Representation Hearing dated September 19, 2012, with Form 4669 attached.

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on September 19, 2012, I served the above-entitled document(s) by facsimile and regular mail upon the following persons, addressed to them at the following addresses:

ELAINE THOMPSON, CEO  
LAKELAND REGIONAL MEDICAL  
CENTER  
1324 LAKELAND HILLS BLVD  
LAKELAND, FL 33805-4543

STEVE MARITAS, ORGANIZING  
DIRECTOR  
INTERNATIONAL UNION, SECURITY,  
POLICE AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA)  
25510 KELLY ROAD  
ROSEVILLE, MI 48066-4932

September 19, 2012

\_\_\_\_\_  
Date

Latoria Grinder,  
Designated Agent of NLRB

\_\_\_\_\_  
Name

  
\_\_\_\_\_  
Signature



UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 12



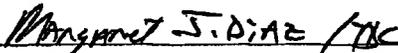
LAKELAND REGIONAL MEDICAL CENTER Employer and SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA Petitioner	Case 12-RC-089467
--	-------------------

**NOTICE OF REPRESENTATION HEARING**

The Petitioner filed the attached petition pursuant to Section 9(c) of the National Labor Relations Act. It appears that a question affecting commerce exists as to whether the employees in the unit described in the petition wish to be represented by a collective-bargaining representative as defined in Section 9(a) of the Act.

YOU ARE HEREBY NOTIFIED that, pursuant to Sections 3(b) and 9(c) of the Act, at 10:00 am on **October 1, 2012** and on consecutive days thereafter until concluded, at the National Labor Relations Board offices located at 201 E KENNEDY BLVD, STE 530, TAMPA, FL 33602-5824, a hearing will be conducted before a hearing officer of the National Labor Relations Board. At the hearing, the parties will have the right to appear in person or otherwise, and give testimony. Form NLRB-4669, *Statement of Standard Procedures in Formal Hearings Held Before The National Labor Relations Board Pursuant to Petitions Filed Under Section 9 of The National Labor Relations Act*, is attached.

Dated: September 19, 2012

  
MARGARET J. DIAZ, Regional Director  
National Labor Relations Board  
Region 12  
201 E KENNEDY BLVD STE 530  
TAMPA, FL 33602-5824

FORM NLRB-502

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
**PETITION**

DO NOT WRITE IN THIS SPACE	
Case No. 12-RC-089467	Date Filed 9-19-12

INSTRUCTIONS: Submit an original and 4 copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located. If more space is required for any one item, attach additional sheets, numbering them accordingly.

The Petition alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

1. PURPOSE OF THIS PETITION (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)

- RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
- RM-REPRESENTATION (EMPLOYER PETITION) - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
- RD-DECERTIFICATION - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
- UD-WITHDRAWAL OF UNION SHOP AUTHORITY - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.
- UC-UNIT CLARIFICATION - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one)  in unit not previously certified.  in unit previously certified in Case No. \_\_\_\_\_
- AC-AMENDMENT OF CERTIFICATION - Petitioner seeks amendment of certification issued in Case No. \_\_\_\_\_ Attach statement describing the specific amendment sought.

2. Name of Employer: **Lakeland Regional Medical Center**  
Employer Representative to contact: **Elaine Thompson, CEO**  
Telephone No. & Fax No. Phone: **863-687-1100**

3. Address(es) of Establishment(s) Involved (Street and number, city, state, ZIP code)  
**1324 Lakeland Hills Blvd Lakeland, FL 33804**

4a. Type of Establishment (Factory, mine, wholesaler, etc.) **HOSPITAL**  
4b. Identify principal product or service **Security**

5. Unit Involved (In UC petition, describe present bargaining unit and attach description of proposed clarification.)  
Included: **ALL FULL TIME AND/OR REGULAR PART TIME ARMED & UNARMED SECURITY OFFICERS & VISITOR CONTROL ASSISTANTS PERFORMING GUARD DUTIES AS DEFINED IN SECTION 9 (b)(3) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED EMPLOYED BY LAKELAND REGIONAL MEDICAL CENTER 1324 LAKELANDS HILLS BLVD, LAKELAND FL 33804.**  
Excluded: **ALL OFFICE CLERICAL EMPLOYEES, PROFESSIONAL EMPLOYEES, SUPERVISORS, AS DEFINED IN THE ACT, AS AMENDED, AND ALL OTHER EMPLOYEES**

6a. No. of Employees in Unit:  
Present **38**  
Proposed (By UC/AC)

6b. Is this petition supported by 30% or more of the employees in the unit? YES (Not applicable in RM, UC and AC)  
(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable)

7a.  Request for recognition as Bargaining Representative was made on (NONE MADE) and Employer declined recognition on or about (Date) \_\_\_\_\_ If no reply received, so state).

7b.  Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of recognized or Certified Bargaining Agent (if none, so state) **NONE**  
Affiliation \_\_\_\_\_  
Address and Telephone No. & Fax No. \_\_\_\_\_ Date of Recognition or Certification \_\_\_\_\_

9. Expiration Date of Current Contract, if any (Month, Day, Year) **NONE**  
10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day, and Year)

11a. Is there now a strike or picketing at the Employer's establishment(s) involved? **NO**  
11b. If so, approximately how many employees are participating?

11c. The Employer has been picketed by or on behalf of (Insert Name). Since (Month, Day, Year)

12. Organizations or individuals other than Petitioner (and other than those named in items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in item 5 above. (If none, so state) **NONE**

Name	Affiliation	Address	Date of Claim (Required only if Petition is filed by Employer)

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name of Petitioner and Affiliation, if any  
By **INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA)**

  
Steve Maritas Organizing Director  
Signature of Representative or person filing petition

Address **25510 KELLY ROAD - ROSEVILLE, MICHIGAN 48066**

Tel No. (586) 772-7250 Fax: (586) 772-9644

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

**Heaton, Mark T.**

---

**From:** Brudney, Thomas W.  
**Sent:** Monday, October 01, 2012 10:11 AM  
**To:** Heaton, Mark T.  
**Subject:** FW: Lakeland Regional Medical Center, 12-RC-089467

---

**From:** [scott@unionlaw.net](mailto:scott@unionlaw.net) [<mailto:scott@unionlaw.net>]  
**Sent:** Monday, October 01, 2012 10:03 AM  
**To:** Brudney, Thomas W.  
**Subject:** Lakeland Regional Medical Center, 12-RC-089467

I represent the SPFPA. Please withdraw this Petition. Thank you. Scott Brooks

Scott A. Brooks  
Gregory, Moore, Jeakle & Brooks  
65 Cadillac Square, Suite 3727  
Detroit, MI 48226  
(313) 964-5600  
(313) 964-2125 fax  
[scott@unionlaw.net](mailto:scott@unionlaw.net)

# **EXHIBIT D**

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
REGION 12  
201 East Kennedy Boulevard, Suite 530  
Tampa, FL 33602-5824

# Fax Cover Sheet

Date: 10/3/12

To: G. Roger King

Phone: (614) 281-3874

Fax No.: (614) 461-4198

- Urgent
- For Review
- Please Comment
- Please Reply

13 PAGES  
Including Cover Page

From: National Labor Relations Board

Region 12, Tampa

Phone: (813) 228-2641

Fax No.: (813) 228-2874

Re: Petition

Comments:



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 12  
201 E KENNEDY BLVD STE 530  
TAMPA, FL 33602-5824

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (813)228-2641  
Fax: (813)228-2874

October 2, 2012

ELAINE THOMPSON, CEO  
LAKELAND REGIONAL MEDICAL CENTER  
1324 LAKELAND HILLS BLVD  
LAKELAND, FL 33805-4543

Re: Lakeland Regional Medical Center  
Case 12-RC-090423

Dear Ms. Thompson:

Enclosed is a copy of a petition that INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA) filed with the National Labor Relations Board (NLRB) seeking to represent certain of your employees. This letter tells you how to contact the Board agent who will be handling this matter, explains your right to be represented, requests that you provide certain information, notifies you of a hearing, requests that you post notices, and discusses some of our procedures including how to submit documents to the NLRB.

**Investigator:** This petition will be investigated by Field Examiner CHASTITY PABON whose telephone number is (813) 228-2470. The Board agent will contact you shortly to discuss processing the petition. If you have any questions, please do not hesitate to call the Board agent. If the agent is not available, you may contact Field Attorney CHRISTOPHER ZERBY whose telephone number is (813) 228-2693.

Immediately upon receipt of the petition, the NLRB conducts an impartial investigation to determine if the NLRB has jurisdiction, if the petition is timely and properly filed, if the showing of interest is adequate, and if there are any other interested parties to the proceeding or other circumstances bearing on the question concerning representation. If appropriate, the NLRB then attempts to schedule an election either by agreement of the parties or by holding a hearing and then directing an election.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or at the Regional office upon your request.

If someone contacts you about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship

Lakeland Regional Medical Center  
Case 12-RC-090423

- 2 -

October 2, 2012

with the NLRB. Their knowledge regarding this matter was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Requested Information:**

*Information Needed Immediately:* To process the petition in this matter, we need certain information from you. Accordingly, please submit to this office, as soon as possible, the following information:

- (a) The correct name of your organization;
- (b) A copy of any existing or recently expired collective-bargaining agreements, and any addenda or extensions, or any recognition agreements covering any of your employees in the unit involved in the petition (the petitioned-for unit);
- (c) The name and contact information for any other labor organization (union) claiming to represent any of the employees in the petitioned-for unit;
- (d) Your position as to the appropriateness of the petitioned-for unit;
- (e) A completed commerce questionnaire (form enclosed) to enable us to determine whether the NLRB has jurisdiction in this matter;
- (f) If potential voters will need notices or ballots translated into a language other than English, the names of those languages and dialects, if any; and
- (g) An alphabetized list of employees in the petitioned-for unit, with their job classifications, for the payroll period immediately before the date of this petition. This list will be used to resolve possible eligibility and unit questions as well as to determine the adequacy of the Petitioner's showing of interest. If such a list is not submitted promptly, any later submission and request for an evaluation of the Petitioner's showing of interest will be considered untimely and no check of the showing of interest will be conducted absent unusual circumstances.

*Information Needed Later:* If an election is agreed to or directed in this matter, the Employer must file with this office an alphabetized list of the full names and addresses of all eligible voters. We will then make the list available to all parties to the election. The list must be furnished within 7 days of the direction of, or agreement to, an election. I am advising you of this requirement now, so that you will have ample time to prepare this list.

**Notice of Hearing:** Enclosed is a Notice of Hearing to be conducted on October 12, 2012 if the parties do not voluntarily agree to an election. If a hearing is necessary, it is expected to run on consecutive days until concluded. The enclosed Form NLRB-4339 provides information about rescheduling the hearing. Requests for postponement of the hearing to a date more than 14 days after the petition was filed will normally not be granted absent extraordinary circumstances.

**Posting Notices:** The NLRB believes that employees should have information about their rights while a representation petition is pending; and employers and labor organizations

Lakeland Regional Medical Center  
Case 12-RC-090423

- 3 -

October 2, 2012

should be apprised of their responsibilities to refrain from conduct which could interfere with employees' freedom of choice in an election. Accordingly, please immediately post the enclosed Notice to Employees (Form 5492) in conspicuous places in areas where employees in the petitioned-for unit work. Additional copies of the Notice to Employees are available for posting if you need them.

**Procedures:** We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, [www.nlr.gov](http://www.nlr.gov). However, the NLRB will continue to accept timely filed paper documents. On all your correspondence regarding the petition, please include the case name and number indicated above.

Information about the NLRB, the procedures we follow in representation cases, and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



MARGARET J. DIAZ  
Regional Director

Enclosures

1. Notice of Hearing
2. Notice Regarding Representation Cases (Form 4339)
3. Statement of Standard Procedures in Formal Hearings (Form 4669)
4. Commerce Questionnaire
5. Notice to Employees (Form 5492)
6. Copy of Petition



UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 12



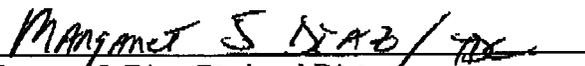
<p>LAKELAND REGIONAL MEDICAL CENTER</p> <p>Employer</p> <p>and</p> <p>INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA)</p> <p>Petitioner</p>	<p>Case 12-RC-090423</p>
---	--------------------------

**NOTICE OF REPRESENTATION HEARING**

The Petitioner filed the attached petition pursuant to Section 9(c) of the National Labor Relations Act. It appears that a question affecting commerce exists as to whether the employees in the unit described in the petition wish to be represented by a collective-bargaining representative as defined in Section 9(a) of the Act.

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Dated: October 2, 2012

  
 Margaret J. Diaz, Regional Director  
 National Labor Relations Board  
 Region 12  
 201 E KENNEDY BLVD STE 530  
 TAMPA, FL 33602-5824

FORM NLRB 4339  
(2-12)

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

**NOTICE REGARDING REPRESENTATION CASE HEARINGS**

Case 12-RC-090423

**Hearing Cancellation Based on Agreement of Parties:** The issuance of the Notice of Hearing in this case does not mean that the matter cannot be resolved by agreement of the parties. On the contrary, the NLRB encourages prompt voluntary adjustments. The Board agent assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end. An agreement between the parties, approved by me, will cancel the hearing.

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- (5) Grounds must be set forth in *detail*, e.g., the unavailability of counsel and all other counsel in the law firm due to previously scheduled federal court or other U.S. Agency hearings or trials;
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- (3) The requestor's execution of stipulations on matters not in dispute, e.g., jurisdiction, labor organization status, appropriate unit.

**Consecutive Days of Hearing:** Once opened, it is expected the hearing will continue on consecutive business days until concluded.

ELAINE THOMPSON, CEO  
LAKELAND REGIONAL MEDICAL  
CENTER  
1324 LAKELAND HILLS BLVD  
LAKELAND, FL 33805-4543

STEVE MARITAS, ORGANIZING  
DIRECTOR  
INTERNATIONAL UNION, SECURITY,  
POLICE AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA)  
25510 KELLY RD  
ROSEVILLE, MI 48066-4932

GORDON A. GREGORY, ESQ.  
GREGORY, MOORE, JEAKLE &  
BROOKS, P.C.  
THE CADILLAC TOWER  
65 CADILLAC SQUARE, SUITE 3727  
DETROIT, MI 48226-2893

RICK O'QUINN, VICE PRESIDENT,  
REGION 2  
INTERNATIONAL UNION, SECURITY,  
POLICE AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA)  
200, 4100 N WICKHAM RD., STE 102  
MELBOURNE, FL 32935-2474

DAVID L. HICKEY, INTERNATIONAL  
PRESIDENT  
INTERNATIONAL UNION, SECURITY  
POLICE AND FIRE PROFESSIONALS OF  
AMERICA (SPFPA)  
25510 KELLY ROAD  
ROSEVILLE, MI 48066-4932

**SUMMARY OF STANDARD PROCEDURES IN FORMAL HEARINGS HELD BEFORE  
THE NATIONAL LABOR RELATIONS BOARD PURSUANT TO PETITIONS FILED  
UNDER SECTION 9 OF THE NATIONAL LABOR RELATIONS ACT**

The hearing will be conducted before a Hearing Officer of the National Labor Relations Board. (R CASES)

Parties may be represented by an attorney or other representative and present evidence relevant to the issues. All parties appearing before this hearing who have or whose witnesses have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603, and who in order to participate in this hearing need appropriate auxiliary aids, as defined in 29 C.F.R. 100.603, should notify the Regional Director as soon as possible and request the necessary assistance.

An official reporter will make the only official transcript of the proceedings and all citations in briefs or arguments must refer to the official record. (*Copies of exhibits should be supplied to the Hearing Officer and other parties at the time the exhibit is offered in evidence.*) After the close of the hearing, one or more of the parties may wish to have corrections made in the record. All such proposed corrections, either by way of stipulation or motion, should be forwarded to the Regional Director or to the Board in Washington (*if the case is transferred to the Board*) instead of to the Hearing Officer, inasmuch as the Hearing Officer has no power to make any rulings in connection with the case after the hearing is closed. All matter that is spoken in the hearing room will be recorded by the official reporter while the hearing is in session. In the event that any party wishes to make off-the-record remarks, requests to make such remarks should be directed to the Hearing Officer and not to the official reporter.

Statements of reasons in support of motions or objections should be as concise as possible. Objections and exceptions may, on appropriate request, be permitted to stand to an entire line of questioning. Automatic exceptions will be allowed to all adverse rulings.

All motions shall be in writing or, if made at the hearing, may be stated orally on the record and shall briefly state the order of relief sought and the grounds for such motion. An original and two copies of written motions shall be filed with the Hearing Officer and a copy thereof immediately shall be served on the other parties to the proceeding.

The sole objective of the Hearing Officer is to ascertain the respective positions of the parties and to obtain a full and complete factual record on which the duties under Section 9 of the National Labor Relations Act may be discharged by the Regional Director of the Board. It may become necessary for the Hearing Officer to ask questions, to call witnesses, and to explore avenues with respect to matters not raised by the parties. The services of the Hearing Officer are equally at the disposal of all parties to the proceedings in developing the material evidence.

At the close of hearing, any party who desires to file a brief may do so in the appropriate manner described below.

**1 . Briefs filed with the Regional Director**

Unless transfer of the case to the Board is announced prior to close of hearing, the brief should be filed in duplicate with the Regional Director. A copy must also be served on each of the other parties and proof of such service must be filed with the Regional Director at the time the briefs are filed. *Briefs submitted are to be double-spaced on 8 1/2 by 11 inch paper.*

The briefs shall be filed within 7 days after the close of the hearing unless an extension of time, not to exceed an additional 14 days on request made for good cause, before the hearing closes, is granted by the Hearing Officer. Briefs must be filed in accordance with the provisions of Section 102.111 (b) of the Board's Rules. Facsimile transmission of briefs is not permitted.

A request for an extension of time made after the close of the hearing must be received by the Regional Director, in writing, as much in advance of the date the briefs are due as possible and copies thereof must be served on the other parties by the same or faster method as used to file with the Regional Director (see 102.114 of Board's Rules).

FORM NLRB-4569  
(3-12) Continued

2. Briefs filed with the Board in Washington, D.C.

a. If transfer of case to the Board is announced at the hearing

Should any party desire to file a brief with the Board, eight copies thereof shall be filed with the Board in Washington, D.C. Immediately on such filing, a copy shall be served on each of the other parties. Proof of such service must be filed with the Board simultaneously with the briefs. Such brief shall be printed on otherwise legibly duplicated: Provided, however, that carbon copies of typewritten matter shall not be filed and if submitted will not be accepted. No reply brief may be filed except on special leave of the Board. Any brief filed after transfer of the case to the Board shall be double-spaced on 8 1/2 by 11 inch paper.

The briefs shall be filed within 7 days after the close of hearing unless an extension of time, not to exceed an additional 14 days on request made for good cause, before the hearing closes, is granted by the Hearing Officer. Briefs must be filed in accordance with the provisions of Section 102.111 (b) of the Board's Rules. Facsimile transmission of briefs is not permitted.

b. Transfer of cases to the Board effected after close of hearing

Pursuant to Section 102.67 of the Board's Rules, the Regional Director may, at any time after the close of hearing and before decision, transfer a case to the Board for decision. The order transferring the case will fix a date for filing briefs in Washington, D.C.

If a brief has already been filed with the Regional Director, the parties may file eight copies of the same brief with the Board in the same manner as set forth in "a," above, except that service on other parties is not required. No further briefs shall be submitted except by special permission of the Board.

If the case is transferred to the Board before the time expires for filing of briefs with the Regional Director and before the parties have filed briefs, such briefs shall be filed as set forth in "a," above.

c. Request for extension of time to file briefs with the Board

A request for an extension of time to file briefs with the Board in Washington, D.C., made after the close of hearing must be received by the Executive Secretary's Office in Washington as much in advance of the date the briefs are due as possible but in any event no later than the close of business on the due date. Such request must be in writing and a copy shall be served immediately on each of the other parties and the Regional Director and shall contain a statement that such service has been made.

As provided in Section 102.114(a) and (e) of the Board's Rules and Regulations, service on all parties of a request for an extension of time shall be made in the same or faster manner as that utilized in filing the paper with the Board; however, when filing with the Board is accomplished by facsimile transmission or by personal service, the other parties shall be promptly notified of such action by facsimile transmission or by telephone, followed by service of a copy personally or by overnight delivery service.

Revised 3/21/2011		NATIONAL LABOR RELATIONS BOARD	
<b>QUESTIONNAIRE ON COMMERCE INFORMATION</b>			
Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.			
CASE NAME <b>Lakeland Regional Medical Center</b>		CASE NUMBER <b>12-RC-090423</b>	
<b>1. TYPE OF ENTITY (As filed with State and/or stated in legal documents, formative only)</b>			
<input type="checkbox"/> CORPORATION <input type="checkbox"/> LLC <input type="checkbox"/> LLP <input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> SOLE PROPRIETORSHIP <input type="checkbox"/> OTHER (Specify)			
<b>3. TYPE OF CORPORATION OR LLC</b>		<b>B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES</b>	
A. STATE OF INCORPORATION OR FORMATION			
<b>4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS:</b>			
<b>5. IF SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR:</b>			
<b>6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products, services, health care, education, etc. - not performance)</b>			
<b>7. PRINCIPAL LOCATION</b>		<b>8. BRANCH LOCATIONS</b>	
<b>9. NUMBER OF PEOPLE PRESENTLY EMPLOYED</b>			
A. Total:		B. At the address involved in this matter:	
<b>10. DURING THE MOST RECENT (Check appropriate box) CALENDAR YEAR (12 MONTHS) OR PERIOD (Specify)</b>			
		YES	NO
A. Did you provide services valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value. \$			
B. If you answered no to 9A, did you provide services valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided. \$			
C. If you answered no to 9A and 9B, did you provide services valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$			
D. Did you sell goods valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$			
E. If you answered no to 9D, did you sell goods valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$			
F. Did you purchase and receive goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$			
G. Did you purchase and receive goods valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$			
H. Gross Revenues from all sales or performance of services (Check the largest amount): <input type="checkbox"/> \$100,000 <input type="checkbox"/> \$250,000 <input type="checkbox"/> \$500,000 <input type="checkbox"/> \$1,000,000 or more If less than \$100,000, indicate amount.			
I. Did you begin operations within the last 12 months? If yes, specify date: _____			
<b>11. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?</b>			
<input type="checkbox"/> YES <input type="checkbox"/> NO (If yes, name and address of association or group).			
<b>12. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS:</b>			
NAME	TITLE	E-MAIL ADDRESS	TEL. NUMBER
<b>13. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE:</b>			
NAME AND TITLE (Type or Print)	SIGNATURE	E-MAIL ADDRESS	DATE
<b>PRIVACY ACT STATEMENT</b>			
Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.			

# NOTICE TO EMPLOYEES

## FROM THE National Labor Relations Board

A PETITION has been filed with this Federal agency seeking an election to determine whether certain employees want to be represented by a union. The case is being investigated and NO DETERMINATION HAS BEEN MADE AT THIS TIME by the National Labor Relations Board. IF an election is held Notices of Election will be posted giving complete details for voting. It was suggested that your employer post this notice so the National Labor Relations Board could inform you of your basic rights under the National Labor Relations Act.

### YOU HAVE THE RIGHT under Federal Law

- To self-organization
- To form, join, or assist labor organizations
- To bargain collectively through representatives of your own choosing
- To act together for the purposes of collective bargaining or other mutual aid or protection
- To refuse to do any or all of these things unless the union and employer, in a state where such agreements are permitted, enter into a lawful union-security agreement requiring employees to pay periodic dues and initiation fees. Nonmembers who inform the union that they object to the use of their payments for nonrepresentational purposes may be required to pay only their share of the union's costs of representational activities (such as collective bargaining, contract administration, and grievance adjustments).

It is possible that some of you will be voting in an employee representation election as a result of the request for an election having been filed. While NO DETERMINATION HAS BEEN MADE AT THIS TIME, in the event an election is held, the NATIONAL LABOR RELATIONS BOARD wants all eligible voters to be familiar with their rights under the law IF it holds an election.

The Board applies rules that are intended to keep its elections fair and honest and that result in a free choice. If agents of either unions or employers act in such a way as to interfere with your right to a free election, the election can be set aside by the Board. Where appropriate the Board provides other remedies, such as reinstatement for employees fired for exercising their rights, including backpay from the party responsible for their discharge.

### NOTE:

The following are examples of conduct which interfere with the rights of employees and may result in the setting aside of the election.

- Threatening loss of jobs or benefits by an employer or a union
- Promising or granting promotions, pay raises, or other benefits, to influence an employee's vote by a party capable of carrying out such promises
- An employer firing employees to discourage or encourage union activity or a union causing them to be fired to encourage union activity
- Making campaign speeches to assembled groups of employees on company time within the 24-hour period before the election
- Incitement by either an employer or a union of racial or religious prejudice by inflammatory appeals
- Threatening physical force or violence to employees by a union or an employer to influence their votes

Please be assured that IF AN ELECTION IS HELD every effort will be made to protect your right to a free choice under the law. Improper conduct will not be permitted. All parties are expected to cooperate fully with this agency in maintaining basic principles of a fair election as required by law. The National Labor Relations Board as an agency of the United States Government does not endorse any choice in the election.

#### NATIONAL LABOR RELATIONS BOARD

*an agency of the*

#### UNITED STATES GOVERNMENT

**THIS IS AN OFFICIAL GOVERNMENT NOTICE AND MUST NOT BE DEFACED BY ANYONE**  
FORM NLRB-5072 (1-05)

FORM NLRB-5482(SP)  
(8-95)

# AVISO a los Empleados

DE PARTE DE

## La Junta Nacional de Relaciones del Trabajo

UNA PETICION ha sido radicada ante esta agencia Federal solicitando una eleccion para determinar si ciertos empleados desean ser representados por una union.

El caso está siendo investigado y la Junta Nacional de Relaciones del Trabajo NO HA HECHO DETERMINACION ALGUNA HASTA AHORA. Si se celebra una eleccion, se fijarán Avisos de Eleccion dando detalles completos acerca de la votacion.

Se sugirió a su patrono que fijara este aviso para que la Junta Nacional de Relaciones del Trabajo pudiera informarle acerca de sus derechos básicos de Relaciones del Trabajo.

**BAJO LA LEY  
FEDERAL  
USTEDES  
TIENEN EL  
DERECHO A:**

- Organizarse
- Constituir, Ingresar en, o ayudar a organizaciones obreras
- Negociar colectivamente por conjunto de representantes seleccionados por ellos mismos
- Actuar concertadamente con el fin de negociar colectivamente u otro fin de ayuda o protección mutua
- Negarse a tomar todas estas acciones o cualquiera de ellas a menos que, en aquellos estados en que se permitan tales acuerdos, la unión y el patrono lleguen a un acuerdo legal para que los empleados satisfagan cuotas periódicas después de hacer un pago inicial. Se puede exigir a aquellos que, no siendo miembros de la unión, informen a la unión que se oponen al uso de sus cuotas para fines que no sean de representación, a que paguen su parte de los gastos hechos para realizar las actividades de representación (tales como las negociaciones colectivas, el control contractual y la resolución de las reclamaciones obreras).

Es posible que algunos de ustedes voten en una eleccion para designar el representante de los empleados como resultado de haber sido radicada la solicitud de eleccion. Aún cuando NO SE HA HECHO DETERMINACION ALGUNA HASTA AHORA, en caso de celebrarse una eleccion, la JUNTA NACIONAL DE RELACIONES DEL TRABAJO desea que todos los votantes elegibles estén familiarizados con sus derechos bajo la ley SI celebra una eleccion.

La Junta aplica reglas que tienen por objeto mantener sus elecciones imparciales y honradas y que resulten en una libre seleccion. Si agentes, bien sea de las uniones o de los patronos, actúan de tal manera que interfiera con su derecho a una eleccion libre, la eleccion puede ser anulada por la Junta. Cuando es apropiado, la Junta provee otros remedios, tales como reinstalación para los empleados despedidos por ejercer sus derechos, incluyendo paga atrasada de parte del responsable por su despido.

### NOTA:

Los siguientes son ejemplos de conducta que interfiere con los derechos de los empleados y puede resultar en la anulacion de la eleccion.

- Amenazas de pérdida de empleos o beneficios hechas por un patrono o una union
- Promesas o concesiones de ascensos, aumentos de sueldo, u otros beneficios para influenciar el voto de un empleado hechas por una de las partes capacitada para cumplir tales promesas
- El despido de empleados por un patrono para desalentar o alentar actividades unionales o una union que cause que sean despedidos para alentar actividades unionales
- Hacer discursos de campaña a grupos de empleados reunidos en tiempo pago por la campaña dentro del periodo de 24 horas antes de la eleccion
- La incitacion, bien sea por el patrono o la union, al prejuicio racial o religioso por medio de llamamientos tendientes a enardecer los ánimos
- Amenazas de fuerza o violencia fisica hechas a empleados por una union o un patrono para influenciar sus votos

Tengan la seguridad de que SI SE CELEBRA UNA ELECCION se harán todos los esfuerzos para proteger su derecho a una libre seleccion de conformidad con la ley. La conducta impropia no será permitida. Esperamos de todas las partes que presten su completa cooperacion a esta agencia en el mantenimiento de los principios básicos de una eleccion imparcial según lo requiere la ley. La Junta Nacional de Relaciones del Trabajo como una agencia del Gobierno de los Estados Unidos no endosa ninguna de las selecciones en la eleccion.



JUNTA NACIONAL DE RELACIONES DEL TRABAJO

una agencia del

GOBIERNO DE LOS ESTADOS UNIDOS

ESTE ES UN AVISO OFICIAL DEL GOBIERNO Y NO DEBE SER MUTILADO POR NINGUNA PERSONA

FORM NLRB-502

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
PETITION

DO NOT WRITE IN THIS SPACE  
Case No. 12-RC-090423 Date Filed 10-1-12

INSTRUCTIONS: Submit an original and 4 copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located. If more space is required for any one item, attach additional sheets, numbering them accordingly.

The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

- 1. PURPOSE OF THIS PETITION (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)
  - RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
  - RM-REPRESENTATION (EMPLOYER PETITION) - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
  - RD-DECERTIFICATION - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
  - UD-WITHDRAWAL OF UNION SHOP AUTHORITY - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.
  - UC-UNIT CLARIFICATION - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one) [ ] in unit not previously certified. [ ] in unit previously certified in Case No. \_\_\_\_\_
  - AC-AMENDMENT OF CERTIFICATION - Petitioner seeks amendment of certification issued in Case No. \_\_\_\_\_ Attach statement describing the specific amendment sought.

2. Name of Employer: **Lakeland Regional Medical Center**  
 Employer Representative to contact: **Elaine Thompson, CEO**  
 Telephone No. & Fax No.: **Phone: 863-687-1100**

3. Address(es) of Establishment(s) involved (Street and number, city, state, ZIP code):  
**1324 Lakeland Hills Blvd Lakeland, FL 33804**

4a. Type of Establishment (Factory, mine, wholesaler, etc.): **HOSPITAL**  
 4b. Identify principal product or service: **Security**

5. Unit involved (In UC petition, describe present bargaining unit and attach description of proposed clarification.)  
 Included: **ALL FULL TIME AND/OR REGULAR PART TIME ARMED & UNARMED SECURITY OFFICERS & VISITOR CONTROL ASSISTANTS PERFORMING GUARD DUTIES AS DEFINED IN SECTION 9 (b)(3) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED EMPLOYED BY LAKELAND REGIONAL MEDICAL CENTER 1324 LAKELAND HILLS BLVD, LAKELAND FL 33804.**  
 Excluded: **ALL OFFICE CLERICAL EMPLOYEES, PROFESSIONAL EMPLOYEES, SUPERVISORS, AS DEFINED IN THE ACT, AS AMENDED, AND ALL OTHER EMPLOYEES**  
 6a. No. of Employees in Unit:  
 Present: **38**  
 Proposed (By UC/AC):  
 6b. Is this petition supported by 30% or more of the employees in the unit? **YES** (Not applicable in RM, UC and AC)  
 (If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable)

7a. [ ] Request for recognition as Bargaining Representative was made on (NONE MADE) and Employer declined recognition on or about (Date) if no reply received, so state.  
 7b. [ ] Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of recognized or Certified Bargaining Agent (if none, so state): **NONE**  
 Address and Telephone No. & Fax No.:  
 Affiliation:  
 Date of Recognition or Certification:

9. Expiration Date of Current Contract, if any (Month, Day, Year): **NONE**  
 10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day, and Year):

11a. Is there now a strike or picketing at the Employer's establishment(s) involved? **NO**  
 11b. If so, approximately how many employees are participating?  
 11c. The Employer has been picketed by or on behalf of (Insert Name). Since (Month, Day, Year):

12. Organizations or individuals other than Petitioner (and other than those named in items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in item 5 above. (If none, so state) **NONE**

Name	Affiliation	Address	Date of Claim (Required only if Petition is filed by Employer)

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.  
 Name of Petitioner and Affiliation, if any:  
 By **INTERNATIONAL UNION, SECURITY, POLICE AND FIRE PROFESSIONALS OF AMERICA (SPFPA)**

**Steve Mikris** Organizing Director  
 Signature of Representative or person filing petition  
 Address **25510 KELLY ROAD - ROSEVILLE, MICHIGAN 48066**

Tel No. (586) 772-7250 Fax: (586) 772-8644  
 WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)