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Attorneys for Petitioner  
National Union of Healthcare Workers

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD, REGION 32

NATIONAL UNION OF HEALTHCARE WORKERS,	)	Case 32-RC-090886
	)	
Petitioner/Union,	)	<b>NUHW'S EXCEPTIONS TO</b>
	)	<b>HEARING OFFICER'S REPORT</b>
and	)	<b>AND RECOMMENDATIONS ON</b>
	)	<b>CHALLENGED BALLOT</b>
	)	
SOUTHERN MONTEREY COUNTY	)	
MEMORIAL HOSPITAL, INC. D/B/A	)	
GEORGE L. MEA MEMORIAL HOSPITAL,	)	
	)	
Respondent/Employer,	)	
	)	
_____	)	

**I. INTRODUCTION**

The National union of Healthcare Workers (NUHW), Petitioner in the above-referenced matter, hereby timely files its Exceptions to the Hearing Officer's Report and Recommendation on Challenged Ballot in case no. 32-RC-090886 issued on January 17, 2013.

**II. EXCEPTIONS**

1. Petitioner Excerpts to the Hearing Officer's Conclusion That the Evidence Fails to Establish That the Challenged Voter Possessed Supervisory Authority.

2. Petitioner Excerpts to the Hearing Officer's Error in Dismissing the Importance of The Employer's Prior Stated Admissions That The Challenged Voter Was Exercising Independent Judgment or Otherwise Acting In The Capacity of A Supervisor or Director.

Respectfully submitted,

DATED: February 14, 2013

SIEGEL, LEWITTER & MALKANI

By:   
Latika Malkani  
Benjamin J. Siegel

Attorneys for Petitioner,  
National Union of Healthcare Workers

**PROOF OF SERVICE**

I declare that I am employed in the county of Alameda, California. I am over the age of eighteen years and not a party to the within action. My business address is 1939 Harrison Street, Suite 307, Oakland, California 94612.

On February 14, 2013, I served the within document:

**NUHW'S EXCEPTIONS TO HEARING OFFICER'S REPORT AND  
RECOMMENDATIONS ON CHALLENGED BALLOT  
(Re: Mee Memorial Hospital – Case 32-RC-090886)**

on the interested party(ies) herein by sending a true copy as follows:

William A. Baudler\*  
National Labor Relations Board,  
Region 32  
Oakland Federal Building  
1301 Clay Street, Room 300N  
Oakland, CA 94612-5211  
Email: [NLRBRegion32@nrlb.gov](mailto:NLRBRegion32@nrlb.gov)  
\*(Via Method No. 1)

Robert M. Stone, Esq.\*  
Musick, Peeler & Garrett  
One Wilshire Blvd., Suite 2000  
Los Angeles, CA 90017  
Fax: 213-624-1376  
\*(Via Methods No. 2 & 3)

- X [1] (BY ELECTRONIC MAIL) All of the pages of the above-described document(s) were sent to the recipients listed above via electronic mail, at the respective email address(es) indicated thereon.
- X [2] (BY FACSIMILE) All of the pages of the above-described document(s) were sent to the recipients listed above via electronic transfer, at the respective facsimile numbers indicated thereon.
- X [3] (BY U.S. MAIL) Each such envelope, with postage thereon fully prepaid, was placed in the United States mail at Oakland, California. I am readily familiar with this firm's business practice for collection and processing of correspondence for mailing with the U.S. Postal Service pursuant to which practice the correspondence will be deposited with the U.S. Postal Service this same day in the ordinary course of business.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on February 14, 2013 at Oakland, California.

  
\_\_\_\_\_  
Latika Malkani