

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 4

In a Matter Between:

PENNSYLVANIA ASSOCIATION OF STAFF
NURSES & ALLIED PROFESSIONALS
(PASNAP/NNOC),

Petitioner

and

HAHNEMANN UNIVERSITY HOSPITAL,

Employer.

Case No. 4-RC-21557

OBJECTIONS BY PASNAP/NNOC
TO THE CONDUCT OF THE ELECTION AND TO
CONDUCT AFFECTING THE RESULTS OF THE ELECTION
HELD ON JUNE 17 & 18, 2009

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California Nurses Association/National Nurses Organizing Committee
Legal Department
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Oakland, CA 94612
Attorneys for Petitioner PASNAP/NNOC

Pursuant to section 102.69(a) the National Labor Relation Board Rules and Regulations, Series 8, as amended ("NLRB Rules"), Petitioner Pennsylvania Association of Staff Nurses and Allied Professionals (PASNAP/NNOC) by its undersigned counsel hereby objects to the conduct of the election held on June 17 & 18, 2009, and to conduct affecting the results of the election, in the above case.

PASNAP/NNOC files these objections by facsimile pursuant to section 102.114(f) of the NLRB Rules.

The grounds for PASNAP/NNOC's objections are:

Objection No. 1

The employer, Hahnemann University Hospital ("Hahnemann"), through its supervisors and/or agents, provided assistance to individual employees and third parties who were pursuing an anti-union campaign, and thus created an atmosphere of fear and intimidation, interfered with laboratory conditions, and made a free election impossible.

Objection No. 2

The employer, Hahnemann, through its supervisors and/or agents, interfered with laboratory conditions, and made a free election impossible, by refusing to permit the posting of pro-Union literature and/or taking down or threatening to take down pro-Union literature in areas where anti-Union literature was allowed to be widely posted.

Objection No. 3

The employer, Hahnemann, through its supervisors and/or agents, interfered with laboratory conditions, and made a free election impossible, by refusing to permit the distribution of pro-Union literature in non-work areas where individuals opposing the Union were permitted to distribute anti-Union literature.

Objection No. 4

The employer, Hahnemann, through its supervisors and/or agents, created an atmosphere of fear and intimidation, interfered with laboratory conditions, and made a free election impossible, by threatening to retaliate and/or retaliating against employees in their terms and conditions of employment based on their support for the Union.

Objection No. 5

The employer, Hahnemann, through its supervisors and/or agents, created an atmosphere of fear and intimidation, interfered with laboratory conditions and made a free election impossible by engaging in surveillance inside and in the areas nearby the polls on the election days.

Objection No. 6

The employer, Hahnemann, through its supervisors and/or agents, created an atmosphere of fear and intimidation, interfered with laboratory conditions, and made a free election impossible, by restricting the access rights of off-duty employees who supported the Union.

Objection No. 7

The employer, Hahnemann, through its supervisors and/or agents, concealed information from unit employees necessary for a free and fair election by failing and refusing to post the Notice of Election as required by NLRB Rules and Regulations.

Objection No. 8

The employer, Hahnemann, through its supervisors and/or agents, coercively interrogated employees and thus interfered with laboratory conditions and made a free election impossible.

Objection No. 9

The employer, Hahnemann, through its supervisors and/or agents, interfered with laboratory conditions and made a free election impossible, by informing or threatening that employees would suffer onerous consequences including, but not limited to, having to work mandatory overtime and/or being bumped for positions, holiday schedules and vacations, if the Union won the election.

Objection No. 10

By the above and other conduct, the employer, Hahnemann, has significantly interfered with, coerced, and restrained employees in the exercise of their Section 7 rights and has interfered with their ability to exercise a free and reasoned choice in the election.

DATED: July 14, 2009

Respectfully submitted,

CALIFORNIA NURSES ASSOCIATION/NATIONAL
NURSES ORGANIZING COMMITTEE (CNA/NNOC)
LEGAL DEPARTMENT


M. JANE LAWHON
Attorney for Petitioner PASNAP/NNOC

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

TENET HEALTHCARE CORPORATION d/b/a
HAHNEMANN UNIVERSITY HOSPITAL

Employer

and

PENNSYLVANIA ASSOCIATION OF STAFF
NURSES & ALLIED PROFESSIONALS
(PASNAP/NNOC)

Petitioner

Date Filed

Case No. 4-RC-21557

5/18/2009

Date Issued

7/7/2009

Type of Election

(Check one:)

☐ Stipulation

☐ Board Direction

☒ Consent Agreement

☐ RD Direction

Incumbent Union (Code)

(If applicable check
either or both:)

☐ 8(b) (7)

☐ Mail Ballot

TALLY OF BALLOTS

The undersigned agent of the Regional Director certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated above, were as follows:

1. Approximate number of eligible voters

767

2. Number of Void ballots

0

3. Number of Votes cast for Petitioner

267

~~4. Number of Votes cast for~~

~~5. Number of Votes cast for~~

6. Number of Votes cast against participating labor organization(s)

309

7. Number of Valid votes counted (sum of 3, 4, 5, and 6)

576

8. Number of Challenged ballots

16

9. Number of Valid votes counted plus challenged ballots (sum of 7 and 8)

592

10. Challenges are (not) sufficient in number to affect the results of the election.

11. A majority of the valid votes counted plus challenged ballots (Item 9) has (not) been cast for Petitioner

For the Regional Director

John A. Stahl
For under 14 gln

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For Employer

[Signature]

For Petitioner

[Signature]

For

For