

Louisville, KY

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

JEWISH HOSPITAL & ST. MARY'S HEALTHCARE,
INC. d/b/a OUR LADY OF PEACE

and

Case 09-CA-066542

AFSCME COUNCIL 62, AMERICAN FEDERATION
OF STATE, COUNTY AND MUNICIPAL
EMPLOYEES

ORDER

On March 5, 2012, Administrative Law Judge Arthur J. Amchan of the National Labor Relations Board issued his Decision in the above-entitled proceeding and, on the same date, the proceeding was transferred to and continued before the Board in Washington, D.C. The Administrative Law Judge found that the Respondent has engaged in certain unfair labor practices, and recommended that it take specific action to remedy such unfair labor practices.

No statement of exceptions having been filed with the Board, and the time allowed for such filing having expired,¹

Pursuant to Section 10(c) of the National Labor Relations Act, as amended, and Section 102.48 of the National Labor Relations Board Rules and Regulations, the Board adopts the findings and conclusions of the Administrative Law Judge as contained in his Decision, and

¹ The Respondent filed untimely exceptions and brief in support of exceptions on April 4, 2012. Associate Executive Secretary Roxanne Rothschild rejected these two documents by letter dated April 6, 2012. Thereafter, the Respondent, by motion dated April 11, sought to have the Board accept the untimely exceptions and brief in support on the basis that it did not receive any Order Transfer Proceeding to the Board. Counsel for the Acting General Counsel filed an opposition to the Respondent's motion. On May 4, the Board denied the Respondent's motion without prejudice. The Board noted, however, that the "Respondent may within 14 days of the date of this Order supplement its motion with affidavits from each of the persons affiliated with the Respondent who would appear to have been served with the Order Transferring (Mr. Nelson, Mr. Stickler, and Ms. Nolan) addressing the facts relevant to the motion based on their personal knowledge." The Respondent did not file any affidavits by the required date. Accordingly, no exceptions are presently pending before the Board.

orders that the Respondent, Jewish Hospital & St. Mary's Healthcare, Inc. d/b/a Our Lady of Peace, its officers, agents, successors, and assigns, shall take the action set forth in the recommended Order of the Administrative Law Judge.

Dated, Washington, D.C., June 8, 2012.

By direction of the Board:

/s/ Gary Shinnors

Deputy Executive Secretary