

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT


HOWARD UNIVERISTY HOSPITAL	:	
	:	11-1132
Petitioner	:	No. 11-1070
v.	:	
	:	Board Case No.:
NATIONAL LABOR RELATIONS BOARD	:	5-CA-35584
	:	
Respondent	:	


JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD

Before:

This cause was submitted upon the application of the National Labor Relations Board for summary entry of a judgment against Howard University Hospital, its officers, agents, successors, and assigns, enforcing its order dated January 12, 2010, in Case No. 5-CA-35584, and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that Howard University Hospital, its officers, agents, successors, and assigns, shall abide by said order (See Attached Order and Appendix).

  
\_\_\_\_\_  
Judge, United States Court of Appeals  
For the District of Columbia Circuit

  
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Judge, United States Court of Appeals  
For the District of Columbia Circuit

  
\_\_\_\_\_  
Judge, United States Court of Appeals  
For the District of Columbia Circuit

# NATIONAL LABOR RELATIONS BOARD

v.

## HOWARD UNIVERISTY HOSPITAL

### ORDER

Howard University Hospital, Washington, D.C., its officers, agents, successors, and assigns, shall

1. Cease and desist from
  - (a) Discharging or otherwise discriminating against any employee for engaging in protected concerted activities or supporting the National Union of Hospital and Health Care Employees, Local 2094, American Federation of State, County and Municipal Employees, or any other union.
  - (b) Warning employees for engaging in protected concerted activities or union activities at employee staff meetings.
  - (c) Telling employees not to engage any future protected concerted activities or union activities at employee staff meetings.
  - (d) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
  - (a) Within 14 days from the date of the Board's Order, offer Joan Stevenson full reinstatement to her former job or, if that job no longer exists, to a substantially equivalent position, without prejudice to her seniority or any other rights or privileges previously enjoyed.
  - (b) Make Joan Stevenson whole for any loss of earnings and other benefits suffered as a result of the discrimination against her in the manner set forth in the remedy section of the decision, with interest.

- (c) Within 14 days from the date of the Board's Order, remove from its files any reference to the unlawful discipline and discharge, and within 3 days thereafter notify Joan Stevenson in writing that this has been done and that the discipline and discharge will not be used against her in any way.
- (d) Preserve and, within 14 days of a request, or such additional time as the Regional Director may allow for good cause shown, provide at a reasonable place designated by the Board or its agents, all payroll records, social security payment records, timecards, personnel records and reports, and all other records, including an electronic copy of such records if stored in electronic form, necessary to analyze the amount of backpay due under the terms of this Order.
- (e) Within 14 days after service by the Region, post at its facility in Washington, D.C., copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 5, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, or other electronic means, if the Respondent customarily communicates with its employees [members] by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since November 4, 2009.
- (f) Within 21 days after service by the Region, file with the Regional Director a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

## APPENDIX

### NOTICE TO EMPLOYEES

POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES  
COURT OF APPEALS ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD  
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this Notice.

FEDERAL LAW GIVES YOU THE RIGHT TO  
Form, join, or assist a union  
Choose representatives to bargain with us on your behalf  
Act together with other employees for your benefit and protection  
Choose not to engage in any of these protected activities

WE WILL NOT discharge or otherwise discriminate against any of you for engaging in protected concerted activities, or for supporting the National Union of Hospital and Health Care Employees, Local 2094, American Federation of State, County and Municipal Employees, or any other union.

WE WILL NOT warn employees for engaging in protected concerted activities or union activities at employee staff meetings.

WE WILL NOT tell employees not to engage any future protected concerted activities or union activities at employee staff meetings.

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

WE WILL, within 14 days from the date of this Order, offer Joan Stevenson full reinstatement to her former job or, if that job no longer exists, to a substantially equivalent position, without prejudice to her seniority or any other rights or privileges previously enjoyed.

WE WILL make Joan Stevenson whole for any loss of earnings and other benefits resulting from her discharge, less any net interim earnings, plus interest.

WE WILL, within 14 days from the date of this Order, remove from our files any reference to the unlawful discipline and discharge of Joan Stevenson, and WE WILL, within 3 days thereafter, notify her in writing that this has been done and that the discipline and discharge will not be used against her in any way.

HOWARD UNIVERSITY HOSPITAL

(Employer)

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
(Representative) (Title)

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

103 South Gay Street, The Appraisers Store Building, 8<sup>th</sup> Floor  
Baltimore, MD 21202-4061  
Hours: 8:15 a.m. to 4:45 p.m.  
410-962-2822

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

THIS NOTICE MUST REMAIN POSTED FOR 60 CONSECUTIVE DAYS FROM THE DATE OF POSTING AND MUST NOT BE ALTERED, DEFACED, OR COVERED BY ANY OTHER MATERIAL. ANY QUESTIONS CONCERNING THIS NOTICE OR COMPLIANCE WITH ITS PROVISIONS MAY BE DIRECTED TO THE ABOVE REGIONAL OFFICE'S COMPLIANCE OFFICER, 410-962-3113.