

**North Country Regional Hospital and Michael M. Mock, Petitioner and American Federation of State, County & Municipal Employees, Local 1851, AFL-CIO. Case 18-RD-1971**

March 3, 1993

ORDER

BY CHAIRMAN STEPHENS AND MEMBERS  
DEVANEY AND OVIATT

The Petitioner's request for review of the Regional Director's administrative dismissal of the instant petition raises no substantial issues warranting reversal of the Regional Director's action. Pertinent portions of the Regional Director's dismissal letter are attached. As the Board stated in *Collective-Bargaining Units in the Health Care Industry: Second Notice of Proposed Rulemaking*, 284 NLRB 1528, 1570 (1989), we will continue to apply the principle of *Campbell Soup Co.*, 111 NLRB 234 (1955), to decertification petitions in the health care industry. Accordingly, dismissal of the petition is affirmed.

APPENDIX

The above-captioned case arising from a petition filed pursuant to Section 9(c) of the National Labor Relations Act has been carefully investigated and considered.

As a result of the investigation, it appears that further proceedings are not warranted at this time. The investigation established that the petition filed seeks to decertify certain technical employees from a broader contractually established and recognized unit; that since 1969 there has been an established collective-bargaining relationship between the Em-

ployer and Union in a bargaining unit of all nonprofessional employees; and that the most recent collective-bargaining agreement was effective through September 30, 1992. Inasmuch as the decertification petition is not coextensive with the historically recognized unit, the unit petitioned for is not appropriate. *Campbell Soup Co.*, 111 NLRB 234 (1955). See also the Board's rulemaking, 58 Fed.Reg. 33930 (1988), 284 NLRB at 1570. I am, therefore, dismissing the petition in this matter.

Pursuant to the National Labor Relations Board Rules and Regulations, Series 8, as amended, you may obtain a review of this action by filing a request therefor with the National Labor Relations Board, addressed to the Executive Secretary, National Labor Relations Board, Washington, D.C., 20570. A copy of such request for review must be served on the Regional Director and each of the other parties to the proceeding. This request for review must contain a complete statement setting forth the facts and reasons on which it is based. The request for review (eight copies) must be received by the Executive Secretary of the Board in Washington, D.C., by the close of business on January 14, 1993. On good cause shown, however, the Board may grant special permission for a longer period within which to file. The request for extension of time should be submitted to the Executive Secretary of the Board in Washington, D.C., and a copy of any such request for extension of time should be submitted to the Regional Director, and to each of the other parties to this proceeding. The request for review and any request for extension of time for filing must include a statement that a copy has been served on the Regional Director and on each of the other parties to this proceeding, and the copy must be served in the same or faster manner as that utilized in filing the request with the Board. When filing with the Board is accomplished by personal service, however, the other parties shall be promptly notified of such action by telephone, followed by service of a copy by mail or telegraph.