

FORM EXEMPT UNDER 44 U.S.C. 3512

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
PETITION

DO NOT WRITE IN THIS SPACE	
Case No. 16-RC-10860	Date Filed 8/28/2008

INSTRUCTIONS: Submit an original and 4 copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located. If more space is required for any one item, attach additional sheets, numbering them accordingly.

The Petitioner alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 8 of the National Labor Relations Act.

1. PURPOSE OF THIS PETITION (# box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)
- RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
  - RM-REPRESENTATION (EMPLOYER PETITION) - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
  - RD-DECERTIFICATION (REMOVAL OF REPRESENTATIVE) - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
  - UD-WITHDRAWAL OF UNION SHOP AUTHORITY (REMOVAL OF OBLIGATION TO PAY DUES) - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.
  - UC-UNIT CLARIFICATION - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one)  In unit not previously certified.  In unit previously certified in Case No. \_\_\_\_\_
  - AC-AMENDMENT OF CERTIFICATION - Petitioner seeks amendment of certification issued in Case No. \_\_\_\_\_  
Attach statement describing the specific amendment sought.

2. Name of Employer Park Plaza Medical Center	Employer Representative to contact Phillip Sowa, CEO	Telephone Number (713) 527-5000
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3. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code) 1313 Hermann Drive, Houston TX 77004	Teletypewriter Number (Fax) (713) 524-6159
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4a. Type of Establishment (Factory, mine, wholesaler, etc.) Acute Care Hospital	4b. Identify principal product or service Healthcare
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5. Unit involved (in UC petition, describe present bargaining unit and attached description of proposed clarification.) Included Please see "Attachment A."  Excluded	6a. Number of Employees in Unit: Present 260 Proposed (By UC/AC)
	6b. Is this petition supported by 30% or more of the employees in the unit? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *Not applicable in RM, UC, and AC
	(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable.)

7a. <input type="checkbox"/> Request for recognition as Bargaining Representative was made on (Date) _____ and Employer declined recognition on or about (Date) _____ (if no reply received, so state.)
7b. <input type="checkbox"/> Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of Recognized or Certified Bargaining Agent (if none, so state.)	Affiliation
Address, Telephone No. and Teletypewriter No. (Fax)	Date of Recognition or Certification

9. Expiration Date of Current Contract. If any (Month, Day, Year)	10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day, and Year)
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11a. Is there now a strike or picketing at the Employer's establishment(s) involved? Yes _____ No _____	11b. If so, approximately how many employees are participating?
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11c. The Employer has been picketed by or on behalf of (Insert Name) \_\_\_\_\_ a labor organization, of (Insert Address) \_\_\_\_\_ Since (Month, Day, Year) \_\_\_\_\_

12. Organizations or individuals other than Petitioner (and other than those named in Items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in Item 5 above. (If none, so state.)

Name	Affiliation	Address	Date of Claim
			Teletypewriter No. (Fax)

13. Full name of party filing petition (if labor organization, give full name, including local name and number)  
California Nurses Association/National Nurses Organizing Committee (NNOC-Texas)

14a. Address (street and number, city, state, and ZIP code) National Nurses Organizing Committee-Texas (NNOC-Texas) 1709 Rosewood Street, Houston TX 77004-4934	14b. Telephone No. 713-523-8900
	14c. Teletypewriter No. (Fax) 713-523-8905

15. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when petition is filed by a labor organization)  
AFL-CIO

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name (Print) M. Jane Lawhon	Signature 	Title (if any) CNA/NNOC Legal Counsel
Address (street and number, city, state, and ZIP code) CNA/NNOC Legal Department, 2000 Franklin Street, Suite 300, Oakland CA 94612	Telephone No. 510-273-2270	Teletypewriter No. (Fax) 510-663-4822

**Attachment A**

**RC Petition  
Park Plaza Medical Center**

**by California Nurses Association/  
National Nurses Organizing Committee (NNOC-Texas)**

**5. Unit Involved**

**Included:**

All full-time, part-time, and per diem Registered Nurses, including those who serve as relief charge nurses, employed by the Employer at 1313 Hermann Drive, Houston, Texas.

**Excluded:**

Managers, supervisors, confidential employees, guards, physicians, residents, central business office employees (whether facility based or not) who are solely engaged in qualifying or collection activities or are employed by another Tenet entity, such as Syndicated Office Systems or Patient Financial Services, employees of outside registries, traveling nurses, permanent charge nurses, employees of other agencies supplying labor to the Employer, and already represented employees.



CALIFORNIA  
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NATIONAL NURSES  
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A Voice for Nurses. A Vision for Healthcare.  
www.calnurses.org / www.nnoc.net

Via Facsimile at (817) 978-2928

April 14, 2009

Martha Kinard, Regional Director  
National Labor Relations Board  
Region 16  
819 Taylor Street – Room 8A24  
Fort Worth, TX 76102-6178

RE: *Park Plaza Medical Center*  
Case No. 16-RC-10860

Dear Ms. Kinard:

Petitioner, California Nurses Association/National Nurses Organizing Committee, hereby requests to withdraw the above petition. The Petition was originally blocked by unfair labor practice charges against the employer and against petitioner, California Nurses Association/National Nurses Organizing Committee. Then it was blocked by charging party's appeals of the dismissal of the charge against the Union and the partial dismissal of the charge against the employer. Now it is further blocked by issuance of a complaint against the employer.

The lengthy period in which the NLRB has blocked and continues to block the election and Tenet's refusal to honor the parties' election procedure agreement have destroyed the Union's ability to successfully proceed with the above campaign. Just when the NRTW's ability to continue blocking the election based on appeals might be diminishing, Tenet has stepped up to ensure that the petition will continue to be blocked for a year or longer while the Complaint is litigated. Tenet chose to prolong the blocking of the petition by refusing to enter into an Informal Settlement with just a Notice posting to remedy the Section 8(a)(1) allegation.

NRTW and Tenet, acting in tandem, have effectively destroyed the Union's ability to seek an election at Park Plaza.

Very truly yours,

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

*M. Jane Lawhon*  
M. Jane Lawhon  
Legal Counsel

cc: Nadine Littles, Resident officer, Houston Resident Office, NLRB Region 16 (by fax)  
Elizabeth Washka, Senior Counsel, Tenet (by fax)

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2000 Franklin St.  
Oakland CA 94612  
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Fax: 510/663-1625

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1107 9th St. Ste. 900  
Sacramento CA 95814  
Tel: 916/446-5021  
Fax: 916/446-6319

GLENDALE  
425 W. Broadway Ste. 111  
Glendale CA 91204  
Tel: 818/240-1900  
Fax: 818/240-8336

CHICAGO  
850 W. Jackson #750  
Chicago IL 60607  
Tel: 312/491-4902  
Fax: 312/491-9614

MAINE  
160 Capital St. #1  
Augusta ME 04330  
Tel: 207/622-1057  
Fax: 207/623-4072



United States Government  
NATIONAL LABOR RELATIONS BOARD  
Region 16  
819 Taylor Street - Room 8A24  
Fort Worth, TX 76102-6178  
Agency Web Site: [www.nlr.gov](http://www.nlr.gov)

April 16, 2009

Ms. Elizabeth Ramirez- Washka  
Senior Counsel  
Tenet Healthcare Corporation  
13737 Noel Road  
Dallas, Texas 75240

Re: Park Plaza Medical Center  
Case No. 16-RC-10860

Dear Ms. Washka:

This is to advise that on April 15, 2009, we approved with prejudice, withdrawal of the petition in the above matter and contemplate no further action in this case. Any refiling of the petition by the California Nurses Association/National Nurses Organizing Committee (NNOC-Texas), within six months from this date will not be entertained unless good cause is shown to the contrary.

Sincerely,

*Martha Kinard*  
Martha Kinard  
Regional Director

cc: Mr. Phillip Sowa, CEO  
Park Plaza Medical Center  
1313 Hermann Drive  
Houston, Texas 77004

California Nurses Association/National  
Nurses Organizing Committee (NNOC-Texas)  
1709 Rosewood Street  
Houston, Texas 77004

Ms. M. Jane Lawhon  
California Nurses Association/National Nurses  
Organizing Committee (NNOC-Texas)  
CNA/NNOC Legal Department  
2000 Franklin Street, Suite 300  
Oakland, California 94612

Mr. David Monkawa  
California Nurses Association/National Nurses  
Organizing Committee (NNOC - Texas)  
425 West Broadway, Suite 111  
Glendale, California 91204

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
PETITION

DO NOT WRITE IN THIS SPACE	
Case No. 16-RC-10867	Date Filed 10/21/2008

INSTRUCTIONS: Submit an original of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located.

The Petitioner alleges that the following circumstances exist and requests that the NLRB proceed under its proper authority pursuant to Section 9 of the NLRA.

1. PURPOSE OF THIS PETITION (if box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)
- RC-CERTIFICATION OF REPRESENTATIVE - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
  - RM-REPRESENTATION (EMPLOYER PETITION) - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
  - RD-DECERTIFICATION (REMOVAL OF REPRESENTATIVE) - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
  - UD-WITHDRAWAL OF UNION SHOP AUTHORITY (REMOVAL OF OBLIGATION TO PAY DUES) - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.
  - UC-UNIT CLARIFICATION - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one)  In unit not previously certified,  In unit previously certified in Case No. \_\_\_\_\_
  - AC-AMENDMENT OF CERTIFICATION - Petitioner seeks amendment of certification issued in Case No. \_\_\_\_\_
- Attach statement describing the specific amendment sought.

2. Name of Employer Houston Northwest Medical Center		Employer Representative to contact Draw Kahn	Tel. No. 281-440-2105
3. Address(es) of Establishment(s) involved (Street and number, city, state, ZIP code) 710 FM-1960 W, Houston, Texas 77090			Fax No. 281-440-2493
4a. Type of Establishment (Factory, mine, wholesaler, etc.) Acute Care Hospital	4b. Identify principal product or service Healthcare	Cell No.	e-Mail
5. Unit involved (In UC petition, describe present bargaining unit and attach description of proposed clarification.) Included: Please see "Attachment A." Excluded:		5a. Number of Employees in Unit: Present 600 Proposed (By UC/AC)	5b. Is this petition supported by 30% or more of the employees in the unit? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *Not applicable in RM, UC, and AC

- (If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable)
- 7a.  Request for recognition as Bargaining Representative was made on (Date) \_\_\_\_\_ and Employer declined recognition on or about (Date) \_\_\_\_\_ (If no reply received, so state).
- 7b.  Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of Recognized or Certified Bargaining Agent (If none, so state.)		Affiliation	
Address		Tel. No.	Date of Recognition or Certification
		Cell No.	Fax No.
		e-Mail	

9. Expiration Date of Current Contract, if any (Month, Day, Year) \_\_\_\_\_
10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day and Year) \_\_\_\_\_
- 11a. Is there now a strike or picketing at the Employer's establishment(s) involved? Yes  No
- 11b. If so, approximately how many employees are participating? \_\_\_\_\_

11c. The Employer has been picketed by or on behalf of (Insert Name) \_\_\_\_\_, a labor organization, of (Insert Address) \_\_\_\_\_ Since (Month, Day, Year) \_\_\_\_\_

12. Organizations or individuals other than Petitioner (and other than those named in items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in item 5 above. (If none, so state)

Name	Address	Tel. No.	Fax No.
		Cell No.	e-Mail

13. Full name of party filing petition (If labor organization, give full name, including local name and number)  
California Nurses Association/National Nurses Organizing Committee (NNOC - Texas)

14a. Address (street and number, city, state, and ZIP code) National Nurses Organizing Committee - Texas (NNOC - Texas) 1709 Rosewood Street, Houston, Texas 77004-4934	14b. Tel. No. EXT 713-523-8900	14c. Fax No. 713-523-8905
	14d. Cell No. 818-292-3568	14e. e-Mail dmonkawa@calnurses.org

15. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (to be filled in when petition is filed by a labor organization)  
AFL-CIO

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name (Print) M. Jane Lawhon	Signature <i>M. Jane Lawhon</i>	Title (if any) CNA/NNOC Legal Counsel
Address (street and number, city, state, and ZIP code) CNA/NNOC Legal Department, 2000 Franklin Street, Oakland California 94612	Tel. No. 510-273-2270	Fax No. 510-663-4822
	Cell No. 510-715-7065	eMail jlawhon@calnurses.org

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

**Attachment A****RC Petition  
Houston Northwest Medical Center****by California Nurses Association/  
National Nurses Organizing Committee (NNOC-Texas)****5. Unit Involved****Included:**

All full-time, part-time, and per diem Registered Nurses, including those who serve as relief charge nurses, employed by the Employer at 710 FM-1960 West, Houston, Texas.

**Excluded:**

Managers, supervisors, confidential employees, guards, physicians, residents, central business office employees (whether facility based or not) who are solely engaged in qualifying or collection activities or are employed by another Tenet entity, such as Syndicated Office Systems or Patient Financial Services, employees of outside registries, traveling nurses, permanent charge nurses, employees of other agencies supplying labor to the Employer, and already represented employees.



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Via Facsimile (817) 978-2928

April 14, 2009

Martha Kinard, Regional Director  
National Labor Relations Board, Region 16  
819 Taylor Street - Room 8A24  
Fort Worth, TX 76102-6178

RE: *Houston Northwest Medical Center*  
Case No. 16-RC-10867

Dear Ms. Kinard:

Petitioner, California Nurses Association/National Nurses Organizing Committee (NNOC – Texas), hereby requests to withdraw the above petition. The lengthy period in which the NLRB blocked the election (despite the absence of any charge involving this employer) and Tenet's refusal to honor the parties' election procedure agreement have destroyed the Union's ability to successfully proceed with the above campaign.

Petitioner understands that approval of this withdrawal request necessarily will result in six months' prejudice to the refiling of a petition of this facility.

Very truly yours,

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

*M. Jane Lawhon (MERS)*

M. Jane Lawhon  
Legal Counsel

cc: Nadine Littles, Resident Officer, Houston Resident Office, NLRB Region 16 (by fax)  
Elizabeth Washka, Senior Counsel, Tenet (by fax)

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**United States Government**

**NATIONAL LABOR RELATIONS BOARD**

**Region 16**

**819 Taylor Street - Room 8A24**

**Fort Worth, TX 76102-6178**

Agency Web Site: [www.nlr.gov](http://www.nlr.gov)

April 17, 2009

Ms. Elizabeth Ramirez- Washka  
Senior Counsel  
Tenet Healthcare Corporation  
13737 Noel Road, Suite 100  
Dallas, TX 75240

Re: Houston Northwest  
Medical Center  
Case No. 16-RC-10867

Dear Ms. Washka:

This is to advise that on April 17, 2009, we approved with prejudice, withdrawal of the petition in the above matter and contemplate no further action in this case. Any refiling of the petition by the California Nurses Association/National Nurses Organizing Committee (NNOC - Texas), within six months from this date will not be entertained unless good cause is shown to the contrary.

Please remove all Notices of Election and return them to our office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Martha Kinard".

Martha Kinard  
Regional Director

cc: Mr. Drew Kahn  
Houston Northwest Medical Center  
710 FM-1960 West  
Houston, TX 77090

California Nurses Association/National  
Nurses Organizing Committee (NNOC - Texas)  
1709 Rosewood Street  
Houston, TX 77004-4934

Ms. M. Jane Lawhon  
Legal Counsel  
CNA/NNOC Legal Department  
2000 Franklin Street  
Oakland, CA 94612

Mr. David Monkawa  
CNA/NNOC Representative  
California Nurses Association/National  
Nurses Organizing Committee  
425 West Broadway, Suite 111  
Glendale, CA 91204