

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION ONE - SUBREGION 34

LAWRENCE & MEMORIAL PHYSICIANS
ASSOCIATION, INC. d/b/a L+M MEDICAL GROUP

and

AFT CONNECTICUT, AMERICAN FEDERATION
OF TEACHERS, AFL-CIO

Case No. 01-CA-139002

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by AFT Connecticut, American Federation of Teachers, AFL-CIO (AFT CT or Union). It is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. Section 151 et seq. (the Act), and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board) and alleges that L&M Physicians Association a/k/a Lawrence & Memorial Medical Group, herein described by its correct name, Lawrence & Memorial Physicians Association, Inc. d/b/a L+M Medical Group (Respondent), has violated the Act as described below:

1. The charge in this proceeding was filed by the Union on October 17, 2014, and a copy was served on Respondent by facsimile transmission and regular mail on October 20, 2014.

2. At all material times, Respondent, with an office and place of business located in New London, Connecticut, herein called its New London facility, has been engaged in providing in-patient and out-patient medical services.

3. During the 12-month period ending November 30, 2014, Respondent, in conducting its business operations described above in paragraph 2, derived gross

revenues in excess of \$250,000 and purchased and received at its New London facility goods valued in excess of \$5,000 directly from points located outside the State of Connecticut.

4. At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6) and (7) of the Act, and a health care institution within the meaning of Section 2(14) of the Act.

5. At all material times, the following individuals held the positions set forth opposite their respective names, and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents of Respondent within the meaning of Section 2(13) of the Act:

Christopher Lehrach	---	President and Chief Transformation Officer
Lynette Whittle	---	Practice Manager, New London facility

6. About October 14, 2014, Respondent, by Whittle, at its New London facility, prohibited employees from:

- a) distributing Union literature during their non-work hours in non-work areas; and
- b) talking to co-workers about the Union during work hours, including in non-work areas.

7. About October 14, 2014, Respondent, by Lehrach, in a letter to employees, threatened employees with unspecified reprisals if they selected the Union as their collective bargaining representative.

8. By the conduct described above in paragraphs 6 and 7, Respondent has been interfering with, restraining, and coercing its employees in the exercise of the rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

9. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the consolidated complaint. The answer must be received by this office on or before January 6, 2015, or postmarked on or before January 5, 2015. Respondent should file an original and four copies of the answer with this office and serve a copy of the answer on each of the other parties.

An answer may also be filed electronically by using the E-Filing system on the Agency's website. In order to file an answer electronically, access the Agency's website at <http://www.nlrb.gov>, click on **E-Gov**, then click on the **E-Filing** link on the pull-down menu. Click on the "File Documents" button under "Regional, Subregional and Resident Offices" and then follow the directions. The responsibility for the receipt and usability of the answer rests exclusively upon the sender. A failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. When an answer is filed electronically, an original and four paper copies must be sent to this office so that it is received no later than three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the consolidated complaint are true.


NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on **March 10, 2015**, at **10:00 a.m.**, at the A.A. Ribicoff Federal Building, 450 Main Street, Suite 410, Hartford, Connecticut, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and any other party to this proceeding have the right to appear and present

testimony regarding the allegations in this consolidated complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: December 23, 2014.

Jonathan B. Kreisberg,
Regional Director
National Labor Relations Board
Region 1

By: 
Michael C. Cass
Officer-In-Charge
National Labor Relations Board
Subregion 34

Attachments