

Summary Of NLRB Decisions For Week Of Jan. 3-6

January 12, 2017 | [National Labor Relations Board, Labor Relations](#)

The summary of NLRB decisions for the week of Jan. 3-6 is [now available](#). **Summarized Board Decisions *Hospital Santa Rosa Inc. a/k/a Clinica Santa Rosa* (12-CA-143221; 365 NLRB No. 5)** San Juan, PR, January 3, 2017. The Board unanimously affirmed the Administrative Law Judge's conclusion that the Respondent violated Section 8(a)(5) and (1) when it failed to pay employees a \$600 Christmas bonus, as required by Puerto Rico law, without first affording the Union an adequate opportunity to bargain. The Respondent did not except to the judge's substantive findings, but argued only that it was not required to pay the bonus under an exemption to the Puerto Rico Christmas bonus law. A Board majority (Chairman Pearce and Member McFerran) found that, even if the Puerto Rican government had granted the Respondent an exemption, the Respondent still would have had an obligation to bargain under the Act because the exemption would not have prevented the Respondent from paying the bonus. Member Miscimarra would not reach the issue of whether payment of an annual Christmas bonus based on an obligation existing under Puerto Rico law constitutes a past practice that requires notice and the opportunity for bargaining. Charge filed by Unidad Laboral de Enfermeras(os) y Empleados de la Salud. Administrative Law Judge Kenneth W. Chu issued his decision on June 16, 2016. Chairman Pearce and Members Miscimarra and McFerran participated. [Continue reading on the NLRB's website](#).

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