



## Court Overrules NLRB - Upholds Hospital's Adoption of Mandatory On-Call Policy

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The U.S. Court of Appeals for the District of Columbia Circuit has overruled the National Labor Relations Board (NLRB), finding that a California hospital had retained the right to adopt a mandatory on-call policy without negotiating with the union. The Board had agreed with an administrative law judge's findings that the union had retained the right to bargain over the "effects" that the policy would have on nurses.

In this case, the union also challenged the hospital's actions of "coaching" nurses affected by the changes. However, the D.C. Circuit reasoned that because the hospital had the right to implement the new mandatory on-call policy, it had the corresponding right to talk directly with nurses about possible policy exceptions and to take other steps to help ameliorate any morale problems that might have resulted from the change.

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