



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 07
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Detroit, MI 48226

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July 09, 2026

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Re: Henry Ford Health Genesys Hospital (dba Genesys Regional Medical Center and Henry Ford Genesys Hospital) (fka Ascension Genesys Hospital); and Henry Ford Health System (dba Henry Ford Health); as joint employers
Case 07-CA-374328

Dear Mr. Flynn Esq., Mr. Paree, Mr. Suetholz, Mr. Vazquez:

We have carefully investigated and considered your charge that Henry Ford Health System d/b/a Henry Ford Health has violated the National Labor Relations Act.

Decision to Dismiss: You allege that the Employer is Henry Ford Health Genesys Hospital and Henry Ford Health System as joint employers. You allege that the joint employers violated Section 8(a)(5) of the Act by bargaining in bad faith for a successor collective bargaining agreement, including by: (1) making vague wage proposals for a wage scale and lump sum amounts that are based on a supposed formula that the Employer cannot explain and refuses to provide information on or specific examples of specific dollar amounts for any unit employees; (2) making multiple proposals that seek to waive the Union's right to bargain; and (3) proposing to agree to a Union proposal if the Union changed certain text, then renegeing and regressing after the Union agreed. You further assert that for the reasons in Cases 07-CA-296420, 07-CA-330719, 07-CA-336634, 07-CA-342651, 07-CA-348509, 07-CA-348552, 07-CA-348860, 07-CA-349102, 07-CA-362986, 07-CA-371119, and 07-CA-372876, the strike occurring since September 1, 2025, is and continues to be an unfair labor practice strike.

Insufficient evidence was presented to establish that Henry Ford Health Genesys Hospital and Henry Ford Health System are joint employers.

The evidence adduced in the investigation does not support the charge allegations. Specifically, with respect to the allegation pertaining to the wage proposals, the evidence shows that the proposal was, on its face, complete and intelligible. The Employer also provided additional information to explain or demonstrate its proposal. Under these circumstances, the Employer did not violate Section 8(a)(5) as alleged. Next, the investigation did not adduce sufficient evidence to establish that the Employer made proposals that sought to waive the Union's right to bargain or that the Employer proposals produced by the Union in support of this allegation were violative of the Act as alleged. With respect to the allegation that the Employer reneged and regressed on a proposal, the investigation revealed that this allegation relates to the exchange of proposals regarding Article 20. While the Union asserts that the parties reached agreement on Article 20 terms, the evidence adduced is insufficient to establish an agreement was reached. As such, it cannot be established that the Employer reneged or regressed on any such agreement.

As there is no finding that the Employer committed an unfair labor practice as alleged, the allegations of this charge cannot serve as a basis to find that the Union's strike is an unfair labor practice strike.

Further, as Cases 07-CA-296420, 07-CA-342651, have been dismissed with no appeal filed and Case 07-CA-372876 was withdrawn, they cannot serve as a basis to establish an unfair labor practice strike. Further proceedings in Cases 07-CA-336634, 07-CA-348509, 07-CA-348552, 07-CA-348860, 07-CA-349102, 07-CA-362986 have been deferred in accordance with the Board's policy in *Dubo Manufacturing Company*, 142 NLRB 431 (1963). Cases 07-CA-330719 and 07-CA-371119 remain pending investigation. Any further proceedings required in the pending cases will be addressed in the processing of those matters.

Accordingly, further proceedings in this matter are unwarranted and the charge is dismissed.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible. Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlr.gov. See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at www.nlr.gov. If you require additional assistance with E-Filing, please contact e-Filing@nlrb.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me. The main telephone number for the Office of Appeals is **(202)273-3760**.

The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **July 23, 2026**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than July 22, 2026. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before July 23, 2026**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after July 23, 2026, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Henry Ford Health Genesys Hospital (dba 4
Genesys Regional Medical Center and
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Confidentiality: We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,



Elizabeth Kerwin
Regional Director

TB:ZM

Enclosure

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UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel
Attn: Office of Appeals
National Labor Relations Board
1015 Half Street SE
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

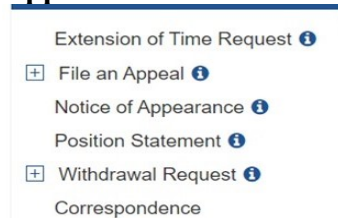
Case Name(s).

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

(Signature)

E-FILING TO APPEALS

- 1. Extension of Time:** This document is used when the Charging Party is asking for more time to e-file an Appeal.
 - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
 - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
- 2. File an Appeal:** If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
 - Only **one (1) Appeal** can be e-filed to **each** determination in the Region's decision letter that is received.
 - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
- 3. Notice of Appearance:** Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
 - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
 - This document can be e-filed **before** an Appeal is e-filed.
- 4. Correspondence:** Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
 - Correspondence is used to e-file documents **after an Extension of Time, Appeal or Notice of Appearance** has been e-filed.
- 5. Position Statement:** The Charging Party or Charged Party may e-file a Position Statement.
 - The Charging Party will e-file this document as a supplement of the Appeal.
 - The Charged Party will specifically file one to support the Region's decision.
 - This document should be e-filed **after an Extension of Time, Appeal or Notice of Appearance** has been e-filed.
- 6. Withdrawal Request:** If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.
 - This document should be e-Filed **after an Extension of Time, Appeal or Notice of Appearance** has been e-filed.



- 7.** The selections of **Evidence** or **Other** should no longer be used.
- 8.** If you need to contact the Office of Appeals, please call **(202)273-3760**.