

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST EMPLOYER**

DO NOT WRITE IN THIS SPACE	
Case 01-CA-337465	Date Filed 3-7-24

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT**

a. Name of Employer MaineHealth		b. Tel. No.
		c. Cell No. 617-922-5810
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 110 Free Street, Portland ME 04101	e. Employer Representative Christine Nickerson, Esq.	g. e-mail Christine.Nickerson@mainehealth.org
		h. Number of workers employed 47
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital	j. Identify principal product or service Health care	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (1st subsections) 8(a)(5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  
Employees at MaineHealth, except those that have bargained for separate programs, are part of a merit program. Employees are eligible for the program if hired before December 31st and if they have successfully completed their six-month review. Merit raises are typically paid in January of the following year. MSEA is currently negotiating a first contract for a group of workers at MaineHealth that organized with MSEA in April of 2023. These workers have always received merit increases according to the merit program during their employment with MaineHealth. Eligible workers received their annual reviews in 2023. On December 20, 2023, MaineHealth informed MSEA's bargaining team that they would not be receiving a merit increase for 2023/2024. Despite MSEA informing Maine Health that that is in violation of status quo, MaineHealth failed to pay MSEA bargaining unit employees the merit increase in January 2024.

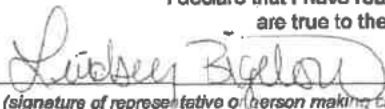
3. Full name of party filing charge (if labor organization, give full name, including local name and number)  
Maine Service Employees Association, SEIU Local 1989

4a. Address (Street and number, city, state, and ZIP code) 5 Community Drive, Augusta ME 04330	4b. Tel. No. 207-622-3151
	4c. Cell No. [REDACTED]
	4d. Fax No.
	4e. e-mail lindsey.bigelow@mseaseiu.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)  
Service Employees International Union

**6. DECLARATION**

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

  
(signature of representative of person making charge)

Lindsey Bigelow, Staff Attorney..

(Print/type name and title or office, if any)

Tel. No. 207-622-3151
Office, if any, Cell No. 207-619-2058
Fax No.
e-mail lindsey.bigelow@mseaseiu.org

Address 5 Community Drive, Augusta ME 04330

Date 03/07/2024

**WILLFUL FALSE STATEMENTS ON THIS CHARGE 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 may cause the NLRB to decline to invoke its processes.