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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

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11 HILDA L. SOLIS, Secretary of Labor, United  
States Department of Labor,

12 Plaintiff,

13 v.

14 NATIONAL EMERGENCY MEDICAL  
15 SERVICES ASSOCIATION,

16 Defendant.

CASE NO. 1:11-cv-00529 AWI-GSA

**STIPULATION; ORDER**

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19 1. On July 11, 2012, Plaintiff Hilda L. Solis, Secretary of Labor, United States Department of  
20 Labor (“the Secretary”) and Defendant National Emergency Medical Services Association (“NEMSA”)  
21 filed a Stipulation of Settlement in the above matter (“NEMSA I”) and a related Stipulation of Settlement  
22 in Case No. 1:11-cv-01929 (“NEMSA II”).

23 2. The Stipulation for Settlement in this case, NEMSA I, called for Defendant to hold an  
24 election for the office of President in November 2012, supervised by Plaintiff. The Stipulation for  
25 Settlement in NEMSA II called for Defendant to contemporaneously hold an election for the office of  
26 Vice President, Treasurer, Valley Regional Director, Bay Area Regional Director 1, Bay Area Regional  
27 Director 2, Eastern States Regional Director, and Southern California Regional Director.

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1           3.       By order dated August 1, 2012, entered in NEMSA I, the Court confirmed the settlement  
2 and retained jurisdiction until the election is completed and judgment is entered.

3           4.       While the parties have worked toward meeting their respective obligations and  
4 responsibilities under the terms of the settlement, intervening developments now require that the deadline  
5 for the election of officers be postponed from November 2012 to January 31, 2013. Those developments  
6 include the following:

7                   4.A.    The American Federation of State, County, and Municipal Employees  
8 (“AFSCME”) petitioned the National Labor Relations Board (NLRB) to hold elections to determine  
9 whether it or NEMSA would be the representative union for employees of American Medical Response,  
10 Inc. (AMR) in the Northeast (covering Maine, Massachusetts and New Hampshire) and in Northern  
11 California. In October 2012, following the representation elections, the NLRB certified AFSCME as the  
12 representative union for these bargaining units. As a result, the AMR employees in those regions are no  
13 longer eligible for membership in NEMSA.

14                   4.B.    The supervised election of officers to be conducted pursuant to the parties’  
15 settlements could not proceed until the representative elections were completed and certified. Moreover,  
16 as a result of the representative elections, certain members of NEMSA’s nominating and election  
17 committee, who were part of the AMR bargaining unit in Northern California now excluded from  
18 NEMSA representation, have necessarily vacated their positions.

19                   4.C.    As regional director positions on the NEMSA Board of Directors are based on the  
20 geographical regions and number of bargaining unit members represented therein, the loss of the AMR  
21 Northeast and Northern California bargaining units indicates that there will likely be fewer regional  
22 director positions than were originally scheduled for the November 2012 election. Therefore, there will  
23 be changes to the number and term of offices run in the supervised election.

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