

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

NSTAR ELECTRIC & GAS COMPANY, INC.
Employer

and

Case 01-RC-112623

UTILITY WORKERS UNION OF AMERICA,
AFL-CIO, LOCAL 369

Petitioner

ORDER

The Employer's Request for Review of the Acting Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

NANCY SCHIFFER, MEMBER

Dated, Washington, D.C., January 29, 2014

¹ The Petitioner filed a Conditional Request for Review, contingent on our granting the Employer's request for review. As we are denying the Employer's request for review, we find it unnecessary to rule on the Petitioner's request.

In accordance with the dissenting views expressed by former Member Hayes in *Entergy Mississippi, Inc.*, 357 NLRB No. 178 (2011), with which Member Miscimarra agrees, Member Miscimarra would grant review regarding whether the transmission system supervisors and senior transmission outage coordinators are statutory supervisors on the basis that they possess the authority to assign and responsibly direct within the meaning of Sec. 2(11) of the Act.