UNITED STATES OF AMERICA

BEFORE THE NATIONAL LABOR RELATIONS BOARD

A.W. FARRELL & SON, INC.

and

Cases 28-CA-023502
28-CA-060627
28-CA-062301

UNITED UNION OF ROOFERS, WATERPROOFERS AND ALLIED WORKERS, LOCAL 162

SHEET METAL WORKERS INTERNATIONAL ASSOCIATION, AFL-CIO, LOCAL UNION NO. 88

ORDER

On July 11, 2013, the Board issued a Decision and Order in this proceeding, which is reported at 359 NLRB No. 154. Thereafter, an application for enforcement and/or petition for review was filed in the United States Court of Appeals for the District of Columbia. Subsequently, the court ordered that the proceedings be held in abeyance, and the record in this case was not filed with the court.

On June 26, 2014, the United States Supreme Court issued its decision in *NLRB v. Noel Canning, a Division of the Noel Corp.*, No. 12-1281, ___ S. Ct. ___, 2014 WL 2882090 (June 26, 2014). In view of the Court's decision in *Noel Canning*, pursuant to Section 10(d) of the National Labor Relations Act, the Board hereby sets aside the above-referenced Decision and

Order.[1] The Board will retain this case on its docket and take further action as appropriate.

Dated, Washington, D.C., June 27, 2014.

By direction of the Board:

_____
Gary Shinners
Executive Secretary

[1] Section 10(d) states "[u]ntil the record in a case shall have been filed in a court, as hereinafter provided, the Board may at any time, upon reasonable notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any finding or order made or issued by it." See also *In re NLRB*, 304 U.S. 486 (1938)