

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

DYNO NOBEL, INC.

Employer

and

Case 19-RC-075260

ASSOCIATION OF WESTERN PULP  
and PAPER WORKERS UNION,  
AFFILIATED WITH THE UNITED  
BROTHERHOOD OF CARPENTERS  
AND JOINERS OF AMERICA

Petitioner

ORDER

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

MARK GASTON PEARCE, CHAIRMAN

TERENCE F. FLYNN, MEMBER

SHARON BLOCK, MEMBER

Dated, Washington, D.C., April 23, 2012

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<sup>1</sup> Member Flynn joins his colleagues in denying review. In doing so, he notes as follows. In directing an election in the petitioned-for unit, the Regional Director applied the test set forth in *Specialty Healthcare & Rehabilitation Center of Mobile*, 357 NLRB No. 83 (2011). Member Flynn agrees that under that test, the petitioned-for unit is appropriate. He also would find the unit appropriate under pre-*Specialty* precedent. See, e.g., *Wheeling Island Gaming*, 355 NLRB 637 fn. 2 (2010). Accordingly, Member Flynn finds it unnecessary to decide whether *Specialty Healthcare*, in which he did not participate, was rightly decided.