

UNITED STATES OF AMERICA /  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

THE BARBER-WEBB COMPANY  
INCORPORATED

Employer-Petitioner

and

Case 21-UC-430

SOUTHERN CALIFORNIA DISTRICT  
COUNCIL OF LABORERS, AFFILIATED  
LOCALS, AND AGENT TRUST FUNDS  
Union

ORDER

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

WILMA B. LIEBMAN, CHAIRMAN

PETER C. SCHAUMBER, MEMBER

Dated, Washington, D.C., November 10, 2009.

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<sup>1</sup> Effective midnight December 28, 2007, Members Liebman, Schaumber, Kirsanow, and Walsh delegated to Members Liebman, Schaumber, and Kirsanow, as a three-member group, all of the Board's powers in anticipation of the expiration of the terms of Members Kirsanow and Walsh on December 31, 2007. Pursuant to this delegation, Chairman Liebman and Member Schaumber constitute a quorum of the three-member group. As a quorum, they have the authority to issue decisions and orders in unfair labor practice and representation cases. See Sec. 3(b) of the Act. See *Snell Island SNF LLC v. NLRB*, 568 F.3d 410 (2d Cir. 2009), petition for cert. filed 78 U.S.L.W. 3130 (U.S. September 11, 2009) (No. 09-328); *New Process Steel v. NLRB*, 564 F.3d 840 (7th Cir. 2009), petition for cert. granted \_\_\_ U.S.L.W. \_\_\_ (U.S. November 2, 2009) (No. 08-1457); *Northeastern Land Services v. NLRB*, 560 F.3d 36 (1st Cir. 2009), petition for cert. filed 78 U.S.L.W. 3098 (U.S. August 18, 2009) (No. 09-213). But see *Laurel Baye Healthcare of Lake Lanier, Inc. v. NLRB*, 564 F.3d 469 (D.C. Cir. 2009), petition for cert. filed sub nom. *NLRB v. Laurel Baye Healthcare of Lake Lanier, Inc.*, \_\_\_ U.S.L.W. \_\_\_ (U.S. September 29, 2009)(No. 09-377).