

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

ROCHESTER GAS & ELECTRIC CORPORATION

and

Case 03-CA-025915

**LOCAL UNION 36, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL
WORKERS, AFL-CIO**

ORDER¹

The request for review of the General Counsel's decision affirming the Regional Director's compliance determination, filed by Local Union 36, International Brotherhood of Electrical Workers, AFL-CIO is denied.²

Dated, Washington, D.C., September 2, 2015.

MARK GASTON PEARCE,	CHAIRMAN
KENT Y. HIROZAWA,	MEMBER
LAUREN McFERRAN,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² Pursuant to *Reliant Energy*, 339 NLRB 66 (2003), the Union called to the Board's attention its recent decision in *Professional Transportation, Inc.*, 362 NLRB No. 60 (2015), *Dupuy v. NLRB*, ___ F.3d ___, 2015 (D.C. Cir. 2015) and *Scepter Ingot Castings, Inc.*, 341 NLRB 997, 997 (2004), enfd. sub nom. *Scepter, Inc. v. NLRB*, 448 F.3d 388 (D.C. Cir. 2006).