

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

TRANSDEV SERVICES, INC. D/B/A NASSAU  
INTER-COUNTY EXPRESS  
Employer

and

Case 29-RC-167445

TRANSPORT WORKERS UNION OF GREATER  
NEW YORK, LOCAL 100, AFL-CIO  
Petitioner

ORDER

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

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., October 3, 2016.

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<sup>1</sup> In denying review, Member Miscimarra additionally notes that finding the Employer's Service Quality Managers and Assistant Maintenance Managers to be statutory supervisors is consistent with the three "common sense" factors set forth in his dissenting opinion in *Buchanan Marine, L.P.*, 363 NLRB No. 58, slip op. at 10 (2015) (Member Miscimarra, dissenting).

Chairman Pearce would grant review to consider whether, consistent with *Veolia Transportation Services, Inc.*, 363 NLRB No. 188 (2016), and *Veolia Transportation Services*, 363 NLRB No. 98 (2016), Service Quality Managers are statutory supervisors based on their role in discipline. He joins his colleagues in denying the Petitioner's Request for Review in all other respects.