

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

1650 BROADWAY ASSOCIATES, INC.
Employer-Petitioner

and

02-RM-184263

STARDUST FAMILY UNITED,
a/w INDUSTRIAL WORKERS OF THE WORLD
Union

ORDER

The Employer's Motion for Reconsideration of the Board's May 17, 2017 Order denying the Request for Review of the Regional Director's administrative dismissal of the petition is denied. The Employer has not demonstrated extraordinary circumstances warranting reconsideration under Section 102.65(e)(1) of the Board's Rules and Regulations.¹

PHILIP A. MISCIMARRA CHAIRMAN

MARK GASTON PEARCE, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., June 7, 2017.

¹ Chairman Miscimarra agrees that the Employer's motion should be denied because it has not demonstrated extraordinary circumstances warranting reconsideration of the Board's decision to dismiss the petition. However, the Chairman adheres to the position expressed in his dissent in the underlying case that the Union made a present demand for recognition and that the Board should have reinstated the petition.