

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

COVANTA ESSEX CO.
Employer

and

Case 22-RD-199469

GEORGE BANCI
Petitioner

and

INTERNATIONAL UNION OF OPERATING
ENGINEERS, AFL-CIO, LOCAL 68
Union

ORDER

The Employer's Request for Review of the Regional Director's determination to dismiss the petition subject to reinstatement is denied as it raises no substantial issues warranting review.¹

MARVIN E. KAPLAN, CHAIRMAN

MARK GASTON PEARCE, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., January 30, 2018.

¹ Chairman Kaplan agrees with the decision to deny review here. He notes, however, that consistent with the Employer's suggestion, he would consider revisiting the Board's blocking charge policy in a future appropriate case. Member Emanuel agrees that the determination to dismiss the petition subject to reinstatement in this case was permissible under the Board's current blocking-charge policy, but he believes that the policy should be reconsidered. Specifically, he believes that an employee's petition for an election should generally not be dismissed or held in abeyance based on contested and unproven allegations of unfair labor practices.