

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

WEST VIRGINIA AMERICAN WATER CO.
Employer

and

Case 09-RC-219179

UTILITY WORKERS UNITED ASSOCIATION,
LOCAL 537
Petitioner

and

UTILITY WORKERS UNION OF AMERICA,
AFL-CIO, CLC, AND ITS LOCAL 537
Intervenor

ORDER

The Employer's request for a stay is denied. We find, however, that the circumstances of this case warrant impounding the ballots, in order to permit additional time for the Board to determine the impact, if any, of the pending litigation in the United States District Court for the Western District of Pennsylvania on the processing of the instant petition.¹

JOHN F. RING, CHAIRMAN

MARK GASTON PEARCE, MEMBER

MARVIN E. KAPLAN, MEMBER

Dated, Washington, D.C., June 4, 2018.

¹ Chairman Ring and Member Kaplan express no view with respect to whether they agree or disagree with revisions made by the Board's Election Rule, but they agree that it applies here and warrants denial of the Employer's request to stay the election, without prejudice to the Board's subsequent consideration of the merits of the Employer's request for Review.