

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

**In the Matter of**

DAWSON CONSTRUCTION, LLC

Employer,

and

PACIFIC NORTHWEST REGIONAL  
COUNCIL OF CARPENTERS,

Petitioner/Union.

Case 19-RC-219495

**DAWSON CONSTRUCTION, LLC'S  
REQUEST FOR REVIEW OF  
REGIONAL DIRECTOR'S DECISION  
AND CERTIFICATION OF  
REPRESENTATIVE**

On September 24, 2018, Regional Director of Region 19, Ronald K. Hooks, issued a Decision and Certification of Representative overruling certain election objections filed by Employer Dawson Construction, LLC (“Dawson”) and certifying Petitioner Pacific Northwest Regional Council of Carpenters (“Petitioner”) as the representative of the Carpenters employed by Dawson. Dawson files this Request for Review pursuant to the National Labor Relations Board’s (“Board’s”) Rules and Regulations at Section 102.67(c), (d) and (i)(1) and 102.69(c)(2) on the following grounds for review:

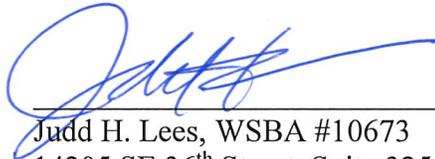
- (1) That a substantial question of law or policy is raised because of the Regional Director’s departure from officially reported Board precedent with regard to his application of the election bar rule from dicta in *John Deklewa & Sons*, 282 NLRB 1375 (1987), to unlawful threats by Petitioner’s representatives that bargaining unit members working on project agreements would lose their jobs and benefits if they voted against the Petitioner.

- (2) That the Regional Director's decision on the substantial factual issue as to whether Petitioner controlled the threatened job loss was clearly erroneous on the record and that the error prejudicially affected the rights of Dawson.
- (3) That there are compelling reasons for reconsideration of the important Board rule or policy regarding application of the election bar under *Deklewa* to project agreements; specifically, that the application of *Deklewa* election bar rule to project agreements and project labor agreements, would create an adverse effect by undermining the fundamental statutory objectives of protecting employees' freedom of choice and labor relations stability..

Along with this Request for Review, Dawson hereby submits its Brief in Support of this Request for Review, which contains a summary of all evidence or rulings bearing on the issues raised and a summary of argument in support of the Request for Review.

RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of October, 2018.

SEBRIS BUSTO JAMES



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