

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

SURF-PREP, INC.

Employer

and

Cases 18-UC-226905
18-UC-226908

LOCAL 802, INTERNATIONAL
UNION OF PAINTERS AND ALLIED
TRADES and DISTRICT COUNCIL NO. 7
Unions

ORDER

The Employer's Request for Review of the Regional Director's dismissal of the unit clarification petitions is denied as it raises no substantial issues warranting review.¹

JOHN F. RING, CHAIRMAN

LAUREN McFERRAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington, D.C., April 11, 2019.

¹ In denying review, we agree with the Regional Director that the unit clarification petitions here raise a dispute over the assignment of unit work to non-unit employees, as opposed to a representational claim over the non-unit employees, and that accordingly the dispute is not appropriate for a unit clarification proceeding. See *Cincinnati Gas & Electric Co.*, 235 NLRB 424, 425 (1978); *Coatings Application Co.*, 307 NLRB 806, 806 (1992). We accordingly find it unnecessary to rely on *Al J. Schneider & Associates, Inc.*, 227 NLRB 1305 (1977).