

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

FOX SPORTS NET FLORIDA, INC.
Employer

and

Case 12-RC-228892

INTERNATIONAL ALLIANCE OF
THEATRICAL STAGE EMPLOYEES,
AFL-CIO (IATSE)
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹

JOHN F. RING,	CHAIRMAN
LAUREN McFERRAN,	MEMBER
MARVIN E. KAPLAN,	MEMBER

Dated, Washington, D.C., July 23, 2019

¹ In denying review of the Regional Director's finding that the cessation of the Employer's operations was not so imminent or certain to warrant dismissing the petition, we observe that the Employer's request to take administrative notice that the acquisition of certain of its assets closed in March 2019 does not change the outcome. The Employer does not allege, nor is there is any indication, that the acquisition has caused or will cause changes affecting the scope, size, or composition of the petitioned-for unit.

Member McFerran joins her colleagues in denying the Employer's Request for Review, including with respect to the Regional Director's finding that the unit of broadcast technicians at the Employer's south Florida facilities is an appropriate unit. As to that issue, Member McFerran adheres to her dissent in *PCC Structural, Inc.*, 365 NLRB No. 160 (2017), and observes that the unit would also be appropriate under *Specialty Healthcare & Rehabilitation Center of Mobile*, 357 NLRB 934 (2011) (*Specialty Healthcare*), enfd. sub nom. *Kindred Nursing Centers East, LLC v. NLRB*, 727 F.3d 552 (6th Cir. 2013), which *PCC* overruled.

Chairman Ring and Member Kaplan express no view with respect to whether they agree or disagree with the revisions made by the Board's Election Rule, but they agree that it applies here and warrants denial of the Employer's request to review the Regional Director's denial of its prior request for a hearing continuance.