

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

**GREEN JOBWORKS, LLC**

and

**Case 05-CA-168637**

**CONSTRUCTION AND MASTER LABORERS'  
LOCAL UNION 11, A/W LABORERS'  
INTERNATIONAL UNION OF NORTH AMERICA  
(LIUNA)**

**ORDER DENYING MOTION FOR RECONSIDERATION**

The Charging Party's Motion for Reconsideration of the Board's Order Denying Motion and Remanding reported at 369 NLRB No. 20 (2020) is denied. The Charging Party has not identified any material error or demonstrated extraordinary circumstances warranting reconsideration under Section 102.48(c)(1) of the Board's Rules and Regulations.<sup>1</sup>

Dated, Washington, D.C., April 6, 2020.

John F. Ring,                      Chairman

Marvin E. Kaplan,                Member

William J. Emanuel,              Member

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<sup>1</sup> The Union contends that the Board failed to consider the potential impact that remanding the underlying representation case could have on the Union's existing certification as the exclusive representative of a separate unit of employees jointly employed by the Respondent and Retro Environmental. See *Retro Environmental, Inc./Green JobWorks, LLC*, 365 NLRB No. 133, enfd. mem. 738 Fed.Appx. 200 (4th Cir. 2018). The Board did consider that issue, however, inasmuch as the Union raised it in responding to the Respondent's opposition to the General Counsel's motion for summary judgment. In any event, the Union's argument is premature because the Regional Director has not yet had an opportunity to consider the parties' arguments and make a determination regarding the appropriateness of the unit under *PCC Structurals*, 365 NLRB No. 160 (2017). The Union may appropriately raise its concern before the Regional Director on remand.