

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ARAKELIAN ENTERPRISES, INC.
d/b/a ATHENS SERVICES
Employer

and

Case 31-RD-223309

ERNESTO CALVILLO
Petitioner

and

TEAMSTERS LOCAL 396
Union

ORDER

The Employer's Request for Review of the Regional Director's Decision to Block the RD Petition is denied as it raises no substantial issues warranting review,¹ and its Request for Extraordinary Relief is denied as moot.

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

Dated, Washington D.C., May 27, 2020.

¹ In denying review, we are mindful of the fact that the petition in this case was filed on July 6, 2018 and has been held in abeyance since then without an election. However, we find that the Regional Director's decision to continue blocking the petition was permissible under the representation-case procedures currently in effect. Although we are troubled by the extreme delay in processing the petition, the circumstances currently before us fall short of establishing that the Regional Director abused her discretion under current law. We observe, however, that the Regional Director's decision in this regard raises many of the concerns that led the Board to recently adopt changes to the blocking charge policy. See 85 Fed. Reg. 18366 (Apr. 1, 2020). Those amendments are not effective until July 31, 2020, however. 85 Fed. Reg. 20156 (Apr. 10, 2020).