UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PERDUE FOODS LLC d/b/a DRAPER VALLEY FARMS
Employer

and Case 19-RC-263822

TEAMSTERS LOCAL UNION NO. 252 AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS
Petitioner

ORDER

On September 9, 2020, the Board granted the Employer's Request for Immediate Stay of Mail Ballot Election and granted the Employer's Request for Review of the Regional Director's Decision and Direction of Election.[1] See 370 NLRB No. 20 (2020).

On November 9, 2020, the Board issued its decision in *Aspirus Keweenaw*, 370 NLRB No. 45 (2020), which set forth the guidelines and parameters applicable to determining the propriety of a mail-ballot election under the current circumstances of the Covid-19 pandemic.

Accordingly, the Board remands this proceeding to the Regional Director in order to reconsider his mail-ballot determination based on the guidelines set forth in *Aspirus Keweenaw* and in light of any changed circumstances.[2]

JOHN F. RING, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

WILLIAM J. EMANUEL, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., November 18, 2020.

---

[1] The only issue on which review was sought and granted was whether the Regional Director's direction of a mail-ballot election constituted an abuse of discretion.

[2] The Board's September 9, 2020 stay is lifted as of today's order.

Member McFerran dissented from the Board's grant of a stay and review because the Employer did not establish that the Regional Director abused his discretion in directing a mail-ballot election. Nevertheless, and although she adheres to the views expressed in her separate opinion in *Aspirus Keweenaw*, she agrees this case should be remanded to the Regional Director to once again exercise his discretion to determine the appropriate manner of conducting the election.