UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

INNOVATIVE TRANSPORT & LOGISTICS
SOLUTIONS, LLC, d/b/a ESCAMBIA COUNTY
COMMUNITY TRANSPORTATION, & RIDE
ITL, LLC, SEPARATELY OR AS A SINGLE
EMPLOYER OR JOINT EMPLOYERS

Employer

AND

Case 15-UC-281061

AMALGAMATED TRANSIT UNION
LOCAL 1395

Petitioner

ORDER

The Petitioner’s Request for Review of the Regional Director’s Dismissal of the unit-
clarification petition is granted as it raises substantial issues concerning the Regional Director’s
departure from officially-reported Board precedent.1

The Regional Director appears to have dismissed the petition based on a finding that the
Medicaid contract positions the Petitioner seeks to add to the bargaining unit are historically excluded
from the unit, insofar as the Medicaid positions existed prior to the parties’ current collective-
bargaining agreement but were not included in the unit. The Petitioner, however, alleges changes in
the Employer’s operations following the execution of the current agreement; if true, such changes
could form a basis for finding that the Medicaid positions are not historically excluded.2

Additionally, because the Petitioner is alleging that there have been recent and substantial changes to
the Medicaid positions, unit clarification may still be appropriate even if the Medicaid positions have
been historically excluded from the unit.3

Accordingly, the petition is reinstated and the case is remanded to the Regional Director to
conduct a hearing consistent with this order and to issue a decision.

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


1 The Board has treated the Regional Director’s dismissal letter as the equivalent of a decision in
reviewing the Petitioner’s Request for Review under Sec. 102.67 and 102.63(c) of the Board’s Rules
and Regulations.
2 See CHS, Inc., 355 NLRB 914 (2010).