

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

NATIONAL STEEL &
SHIP BUILDING COMPANY
Employer

and

Case 21-RC-064502

INTERNATIONAL BROTHERHOOD OF
BOILERMAKERS, IRON SHIP BUILDERS,
BLACKSMITHS, FORGERS AND HELPERS,
AFL-CIO
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

MARK GASTON PEARCE, CHAIRMAN

SHARON BLOCK, MEMBER

Member Hayes, dissenting:

I would grant review with regard to whether or not the firefighter employees are statutory guards and whether or not the lead firefighters are statutory supervisors.

BRIAN E. HAYES, MEMBER

Dated, Washington, D.C., August 27, 2012

¹ The Employer's motion to stay is also denied. In its motion, the Employer requests that the Board stay all proceedings until the Board reaches a lawful quorum. The Employer argues that Members Block and Griffin are not lawful members of the Board because the President announced their recess appointments at a time when the Senate remained in session. For the reasons set forth in *Center for Social Change, Inc.*, 358 NLRB No. 24 (2012), we reject this argument.