

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

STARBUCKS CORPORATION

and

WORKERS UNITED, affiliated with SERVICE
EMPLOYEES INTERNATIONAL UNION

Case 16-CA-296159
16-CA-296622
16-CA-297588
16-CA-297947
16-CA-300212
16-CA-302607

ORDER

On February 6, 2023, the General Counsel filed with the Board a request for special permission to appeal and appeal from Administrative Law Judge Andrew Gollin's order approving Starbucks Corp.'s (the Respondent's) proposed consent order over the objections of the General Counsel and Workers United, affiliated with Service Employees International Union (the Union). The Respondent filed its opposition to the General Counsel's request on February 13, 2023, and the General Counsel filed her reply on February 17, 2023. On February 8, 2023, the Union filed its own request for special permission to appeal and appeal, which the Respondent opposed on February 15, 2023. The Union filed its reply on February 21, 2023.

While the appeals were pending, the Board issued its decision in *Metro Health, Inc. d/b/a Hospital Metropolitano Rio Piedras*, 373 NLRB No. 89 (2024), overruling *UPMC and its Subsidiary, UPMC Presbyterian Shadyside*, 365 NLRB 1418 (2017), and ending retroactively its practice of allowing cases to be resolved through consent order. In light of that decision, we grant the General Counsel and Union's requests for permission, grant the appeals on the merits,

set aside the consent order, and remand the matter to the judge for further action consistent with this Order.¹

Dated, Washington, D.C., February 12, 2026.

DAVID M. PROUTY, MEMBER

JAMES R. MURPHY, MEMBER

SCOTT A. MAYER, MEMBER

¹ Members Murphy and Mayer did not participate in *Hospital Metropolitano Rio Piedras* and express no view on whether it was correctly decided. They apply it for institutional reasons for the purpose of deciding this case.