

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

APPLE, INC.

and

Case 10-CA-295915

COMMUNICATIONS WORKERS OF AMERICA

ORDER

On June 1, 2023, the General Counsel filed with the National Labor Relations Board a request for special permission to appeal and an appeal from Administrative Law Judge Charles J. Muhl's order approving Apple, Inc.'s (the Respondent's) proposed consent order over the objections of the General Counsel and Communications Workers of America (the Union). The Respondent filed an opposition on June 8, 2023.

While the appeal was 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's request for permission, grant the appeal 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 27, 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.