

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PAN AMERICAN GRAIN MANUFACTURING
CO., INC.

Employer

and

Case 12-RC-329670

UNION DE TRONQUISTAS DE PUERTO RICO
LOCAL 901, INTERNATIONAL BROTHERHOOD
OF TEAMSTERS

Petitioner

and

CONGRESO DE UNIONES INDUSTRIALES DE
PUERTO RICO

Intervenor

ORDER

The Intervenor’s Request for Review of the Regional Director’s Decision on Objections and Certification of Representative is granted as it raises substantial issues warranting review solely with respect to the Regional Director’s issuance of the Certification of Representative.¹ The version of the Board’s blocking charge policy that applies to the petition in this case provides that a certification of representative “shall not issue until there is a final disposition” of any unfair labor practice charge for which a party requested blocking and the regional director has made “a determination of [the charge’s] effects, if any, on the election petition.”²

As the Regional Director himself observed, four unfair labor practice charges that were included in the Intervenor’s request to block³ were pending when he issued the certification, and they remain pending at the time of this Order. Former Section 103.20(d) therefore requires that the Regional Director hold the certification in abeyance until those cases have reached a “final

¹ In all other respects, the request for review is denied.

² See 85 Fed. Reg. 18366, 18399 (Apr. 1, 2020) (promulgating the former Sec. 103.20(d) of the Board’s Rules and Regulations). On August 1, 2024, the Board adopted changes to the blocking charge policy. See 89 Fed. Reg. 63026. Those amendments were not effective until September 30, 2024, however. Accordingly, they do not apply to petitions filed prior to that date, as is the case here.

Members Murphy and Mayer did not participate in the final rule that amended the blocking charge policy and express no opinion on the merits of that rule.

³ Case Nos. 12-CA-276420, 12-CA-278494, 12-CA-282685, and 12-CA-284644.

disposition” and until he has made a determination as to the charges’ effects, if any, on the petition.

Accordingly, the Certification of Representative is revoked, and this case is remanded to the Regional Director for further proceedings consistent with this Order.

DAVID M. PROUTY,	MEMBER
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JAMES R. MURPHY,	MEMBER
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SCOTT A. MAYER,	MEMBER
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Dated, Washington, D.C., March 12, 2026.