

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

STARBUCKS CORPORATION

Employer

Case 22-RD-369759

and

ELIYAHNA NDIAYE

Petitioner

and

WORKERS UNITED

Union

ORDER¹

The Petitioner's Request for Review of the Regional Director's letter blocking the petition is denied as it raises no substantial issues warranting review.²

¹ The Employer asserts that Member Prouty should recuse himself, claiming that his "past, present and perceived relationships with the Service Employees International Union ("SEIU") International Union, SEIU Local Unions, and their affiliates, including Workers United" create a conflict of interest. Member Prouty has determined, in consultation with the NLRB Designated Agency Ethics Official, that there is no basis to recuse himself from the adjudication of this case.

² In denying review, we note that the Regional Director acted in accordance with Sec. 103.20 of the Board's Rules and Regulations, which sets out the Board's blocking-charge policy.

For institutional reasons, Members Murphy and Mayer apply extant law in denying the Petitioner's Request for Review and express no opinion on whether the policy was correctly determined.

Member Mayer notes that the Board's current blocking charge procedures contemplate that regional directors will continue to evaluate a blocking determination throughout the steps of processing the charge and the petition. See Sec. 11730.4 of the Board's Casehandling Manual (Part 2), Representation Proceedings ("[T]he Regional Director should assess, throughout the steps of processing the charge and the petition, whether the charge blocks the petition."); Sec. 103.20(e) of the Board's Rules and Regulations ("[i]f, after holding a petition in abeyance, the regional director determines that special circumstances have arisen or that employee free choice is possible notwithstanding the pendency of the unfair labor practices, the regional director may resume processing the petition."). In Member Mayer's view, the Board should consider whether its current blocking charge policy gives sufficient weight to the passage of time since the petition was filed for the purpose of making that determination. He further stresses that unfair labor practice cases should be prioritized insofar the case is currently blocking an election petition.

JAMES R. MURPHY,	CHAIRMAN
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DAVID M. PROUTY,	MEMBER
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SCOTT A. MAYER,	MEMBER
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Dated, Washington, D.C., July 14, 2026.