UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

COUNTERPULSE
Employer/Petitioner

and Case 20-UC-362338

INDUSTRIAL WORKERS OF THE WORLD,
SF BAY AREA BRANCH
Union

ORDER

The Union's request for review of the Acting Regional Director's Decision and Order Clarifying Unit is denied as it raises no substantial issues warranting review.[1]

JAMES R. MURPHY, CHAIRMAN

DAVID M. PROUTY, MEMBER

SCOTT A. MAYER, MEMBER

Dated, Washington, D.C., July 28, 2026.

[1] In denying review of the Acting Regional Director's conclusion that the Producing Technical Director possesses the authority to effectively recommend hiring, we agree with the Acting Regional Director's findings that the Producing Technical Director has wide discretion to identify and independently interview new candidates and in doing so assesses their technical abilities. See *Union Square Theatre Management, Inc.*, 326 NLRB 70, 71 (1998). We further agree that, based on these assessments, the Producing Technical Director recommends candidates for hire and that the Executive Director has approved every one of those recommendations without reviewing documentation or making further inquiries. See *Arc of South Norfolk*, 368 NLRB No. 32, slip op. at 3 (2019) ("A putative supervisor engages in 'effective recommendation' where his or her recommendations are routinely or usually followed without independent investigation"); *Fred Meyer Alaska, Inc.*, 334 NLRB 646, 647–49 (2001).