

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

ETHYL CORPORATION
Employer

and

Case 16-RD-374495

GLENN H.L. DUDLEY II
Petitioner

and

UNITED STEEL, PAPER AND FORESTRY,
RUBBER, MANUFACTURING, ENERGY,
ALLIED INDUSTRIAL AND SERVICE
WORKERS INTERNATIONAL UNION,
AFL-CIO, LOCAL 227
Union

ORDER

The three Requests for Review of the Regional Director's Decision and Order Dismissing Petition (filed by Ethyl Corporation, Afton Chemical Corporation, and the Petitioner) are denied as they raise no substantial issues warranting review.¹

JAMES R. MURPHY, CHAIRMAN

DAVID M. PROUTY, MEMBER

SCOTT A. MAYER, MEMBER

¹ In denying review, we find it unnecessary to pass on whether Ethyl Corporation (Ethyl) and Afton Chemical Corporation (Afton) constitute a single employer. Rather, we agree with the Regional Director that, even assuming Ethyl and Afton constitute separate employers, Ethyl did not withdraw from the existing multi-employer bargaining unit prior to the decertification petition being filed, and that the decertification petition therefore must be dismissed because it is not co-extensive with the existing unit. See *Campbell Soup Co.*, 111 NLRB 234, 235-236 (1955). More specifically, we find that although Ethyl initially communicated a timely withdrawal from multi-employer bargaining, it negated that withdrawal by subsequently engaging in multi-employer negotiations and reaching a tentative agreement that covered the existing multi-employer unit. See *NLRB v. Associated Shower Door Co.*, 512 F.2d 230, 233 (9th Cir.), cert. denied, 423 U.S. 893 (1975); *Dependable Tile Co.*, 268 NLRB 1147, 1147 (1984), enfd. in relevant part sub nom. *NLRB v. Hartman*, 774 F.2d 1376 (9th Cir. 1985); *Michael J. Bollinger Co.*, 252 NLRB 406, 407-408 (1980), enfd. 705 F.2d 444 (4th Cir. 1983).

Dated, Washington, D.C., August 5, 2026.