

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

THE QUARTZ CORP.
Employer

and

Case 10-RD-374383

BLAKE DAVIS
Petitioner

and

UNITED MINE WORKERS OF AMERICA,
LOCAL 140
Union

ORDER

The Employer's and Petitioner's Requests for Review of the Regional Director's Decision to Block the Decertification Petition are denied as they raise no substantial issues warranting review.¹ Our review here is limited to whether the Regional Director abused his discretion by placing the petition in abeyance based on the information available to him at the time that he decided to block the petition. As such, our denial of review is without prejudice to the Employer's ability to file with the Regional Director a motion to unblock the petition based on events occurring after the issuance of the Regional Director's blocking letter. See *Starbucks Corp.*, 374 NLRB No. 141, slip op. at 1 (2026).

¹ 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 Employer's and the Petitioner's requests 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 the sole remaining pending unfair labor practice charge relied upon by the Regional Director in his blocking letter should be prioritized insofar as that charge is currently blocking an election petition.

JAMES R. MURPHY,	CHAIRMAN
------------------	----------

DAVID M. PROUTY,	MEMBER
------------------	--------

SCOTT A. MAYER,	MEMBER
-----------------	--------

Dated, Washington, D.C., September 16, 2026