

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

INLAND WATERS POLLUTION CONTROL, INC.

and

SHINAR E. REED

Cases 07-CA-277239
07-CA-279287

and

QUAMAAR HAASHIIM

ORDER DENYING MOTION FOR RECONSIDERATION¹

The Respondent's motion for reconsideration of the Board's Decision and Order reported at 375 NLRB No. 15 (2026) is denied. The Respondent has not identified any material error or demonstrated extraordinary circumstances warranting reconsideration under Section 102.48(c)(1) of the Board's Rules and Regulations.²

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² The Board's prior decision reversed the judge's finding that the Respondent's bargaining-table statements violated Sec. 8(a)(1) of the Act and affirmed the judge's finding that employee Shinar Reed was unlawfully discharged without relying on those statements as evidence of animus. Having thus already found that the remaining evidence of unlawful motivation on which the judge relied was sufficient to meet the General Counsel's burden, we reject the Respondent's contention that the Board was required to undertake a fresh *Wright Line* analysis. *Wright Line*, 251 NLRB 1083 (1980), enfd. 662F.2d 899 (1st Cir. 1981), cert. denied 455 U.S. 989 (1982). The Respondent's argument amounts to mere disagreement with the Board's weighing of the evidence and does not identify a material error under Sec. 102.48(c)(1). Member Prouty would have affirmed the judge's finding that the bargaining-table statements violated Sec. 8(a)(1), and he would have relied on those statements as additional evidence of animus. However, he agrees there is no merit to the Respondent's argument that the majority's reversal of that violation required them to undertake a fresh *Wright Line* analysis of Reed's discharge.

In the underlying decision, the Board ordered remedies consistent with *Thryv, Inc.*, 372 NLRB No. 22 (2022), vacated in part on other grounds 102 F.4th 727 (5th Cir. 2024). Chairman Murphy and Member Mayer found no need at that time to express an opinion whether the novel

Dated, Washington, D.C., September 21, 2026.

James R. Murphy,	Chairman
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David M. Prouty,	Member
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Scott A. Mayer,	Member
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remedies announced by the Board majority in *Thryv* are permissible under the Act and stated that they would be open to reconsideration of that precedent in a future proceeding. As fully explained in *Leo Marine Services*, 375 NLRB No. 35, slip op. at 5 fn. 17 (2026), they agree to apply *Thryv* in this case for institutional reasons. Accordingly, they agree that the Respondent's arguments in favor of reconsidering *Thryv* in this case fail to demonstrate extraordinary circumstances warranting reconsideration. Member Prouty continues to believe that *Thryv* was correctly decided, is well within the Board's remedial authority, and is necessary to satisfy the Board's statutory obligation to provide meaningful make-whole relief. See *Leo Marine Services*, supra at fn. 17.