

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

HOME EXPRESS DELIVERY SERVICE, LLC  
D/B/A TEMCO LOGISTICS

Employer

and

Case 10-RC-378767

TEAMSTERS LOCAL 528

Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Order Directing Hearing and Notice of Hearing on Objections and Certification of Representative is denied as it raises no substantial issues warranting review.<sup>1</sup>

JAMES R. MURPHY, CHAIRMAN

DAVID M. PROUTY, MEMBER

SCOTT A. MAYER, MEMBER

Dated, Washington, D.C., September 29, 2026.

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<sup>1</sup> For the reasons set forth in *Satellite Healthcare*, 374 NLRB No. 39 (2026), Chairman Murphy and Member Mayer reject the Employer's contention that the election must be set aside because of the Board's holding in *Amazon.com Services, LLC*, 373 NLRB No. 136 (2024), an unfair labor practice case. They did not participate in *Amazon* and express no view as to whether it was correctly decided.

In denying review with respect to the Regional Director's overruling of Objection 7—which alleges that Board Members and Regional Directors enjoy unconstitutional removal protections—we note that there is no evidence that the Employer has suffered any harm from such removal protections. See *Winco Holdings, Inc.*, 374 NLRB No. 37, slip op. at 1 n.3 (2026); *K & R Contractors, LLC v. Keene*, 86 F.4th 135, 148-149 (4th Cir. 2023) (“[R]egardless of how we answer the constitutional question presented by the removal provisions, we would be required to deny the petition because K & R has not asserted any harm resulting from the allegedly unconstitutional statutes[.]”).