UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

RURAL ELECTRIC COOPERATIVE
Employer

and Case 14-RC-375542

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS LOCAL 1002
Petitioner

ORDER

The Petitioner's Request for Review of the Regional Director's Decision on Challenged Ballots is denied as it raises no substantial issues warranting review.[1]

JAMES R. MURPHY, CHAIRMAN

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[1] Two classifications voted under challenge because the stipulated election agreement deferred resolution of their inclusion in the unit. Applying *American Steel Construction, Inc.*, 372 NLRB No. 23, slip op. at 13 (2022), the Regional Director ordered that their ballots be opened and counted because, even assuming that the petitioned-for unit shares a community of interest, the Employer demonstrated that the disputed classifications share an overwhelming community of interest with the classifications comprising the petitioned-for unit. See *Odwalla, Inc.*, 357 NLRB 1608, 1611 (2011).

In denying review, we note that the Request for Review does not cite any evidence on the overwhelming community of interest issue. See Board's Rules and Regulations, Sec. 102.67(e) ("[a] request for review must be a self-contained document enabling the Board to rule on the basis of its contents without the necessity of recourse to the record"). Accordingly, that portion of the Request for Review does not comply with the Board's Rules. But even assuming that the Request for Review was not procedurally deficient, we agree with the Regional Director that the Employer met its burden to prove an overwhelming community of interest. However, we do not rely on any implication that certain community-of-interest factors are entitled to greater or lesser inherent weight.

Chairman Murphy and Member Mayer note that they did not participate in *American Steel* and express no opinion on whether it was correctly decided. They agree to apply it here for institutional reasons. Member Macy joins his colleagues in applying *American Steel* for institutional reasons but would be open to reconsidering that precedent in a future appropriate case.

SCOTT A. MAYER, MEMBER

JAMES R. MACY, MEMBER

Dated, Washington, D.C., November 18, 2026.