

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

STARBUCKS CORPORATION
Employer

and

Cases 19-RC-287954

WORKERS UNITED
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹

LAUREN McFERRAN, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

GWYNNE A. WILCOX, MEMBER

Dated, Washington, D.C., March 22, 2022.

¹ In denying review, we find that this case is not materially distinguishable from *Starbucks Corporation*, 371 NLRB No. 71 (2022) (*Starbucks Mesa*). As we observed there, the Employer bears a "heavy burden" in rebutting the presumption in favor of the petitioned-for single-store unit. *Id.*, slip op. at 1 (citing *California Pacific Medical Center*, 357 NLRB 197, 200 (2011)).

We further find, with respect to the factor of interchange, that the statistics provided by the Employer here have the same shortcomings that we identified in *Starbucks Mesa*: they fail to establish regular interchange, and demonstrate instead that interchange between the petitioned-for employees and other employees in District 114 is limited and infrequent.

We agree with the Regional Director that the factor of uniform skills, functions, and working conditions is outweighed by other factors, most significantly the lack of significant interchange and the Store Manager's local autonomy over the personnel functions. We note that we do not rely on the Regional Director's conclusion that the vandalism and safety concerns unique to this store render this factor "mixed." See *Starbucks Mesa*, slip op at 2.