

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

STARBUCKS CORPORATION  
Employer

and

Cases 10-RC-288098

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.<sup>1</sup>

LAUREN McFERRAN, CHAIRMAN

MARVIN E. KAPLAN, MEMBER

GWYNNE A. WILCOX, MEMBER

Dated, Washington, D.C., March 23, 2022.

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<sup>1</sup> 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 in *Starbucks Mesa*, the Employer bears a "heavy burden" in rebutting the presumption in favor of the petitioned-for single-store unit. *Id.*, slip op. at 1; see also *Mercy Sacramento Hospital*, 344 NLRB 790, 790 (2005) ("As the party opposing the single-facility unit, the [e]mployer has the heavy burden of overcoming the presumption.") (citations omitted).

With respect to the factor of interchange, we do not rely on the Regional Director's discussion of the "flaws" in the Employer's data, or her own statistical analysis. Rather, we find that, even taking the Employer's data and expert testimony at face value, the evidence of interchange here is insufficient to rebut the single-facility presumption for the reasons explained in *Starbucks Mesa*, *supra*, slip op. at 1-2.