

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

STARBUCKS CORPORATION
Employer

and

Case 01-RC-359305

WORKERS UNITED A/W SERVICE EMPLOYEES
INTERNATIONAL UNION
Petitioner

ORDER

The Employer's Requests for Review of the Regional Director's Decision and Direction of Election and the Decision and Certification of Representative are denied as they raise no substantial issues warranting review.¹

JAMES R. MURPHY, CHAIRMAN

DAVID M. PROUTY, MEMBER

SCOTT A. MAYER, MEMBER

¹ The Employer asserts that the evidence concerning the shift managers' authority indicates that they could effectively recommend discipline. We deny review of this contention as the Employer did not raise it before the Regional Director as required by the Board's Rules and Regulations, Sec. 102.67(e). In any event, we find that the Employer has not established that any recommendation of discipline by the shift managers was accepted by the store managers without the managers' own investigation. *Los Angeles Water & Power Employees' Assn.*, 340 NLRB 1232, 1234 (2003).

The Employer argues that the shift managers' "play calling" (placing baristas at specific duty stations within the coffee shop) constitutes assigning work to baristas using independent judgment. In doing so, the Employer points out that the shift managers often do not use the Employer's computer application in making these assignments and that the Regional Director found that they follow the baristas' preference only "some of the time," and that this phrase implies play callers use independent judgment at other times when they utilize other methods of assignment. We reject this argument as insufficient to carry the Employer's burden of demonstrating that the shift managers utilize independent judgment by introducing specific evidence, rather than relying on an inference that alternative methods of assignments require the exercise of independent judgment. *G4S Regulated Security Solutions*, 362 NLRB 1072, 1072 (2015) ("... mere inferences or conclusory statements, without detailed, specific evidence, are insufficient to establish supervisory authority"). Accordingly, we deny review of the Regional Director's finding that the Employer has not established that shift managers assign work using independent judgment.

Dated, Washington, D.C., July 24, 2026.