

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

KGW-TV

Employer

and

Case 19-RC-376874

IBEW LOCAL 48

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

¹ In denying review, we agree with the Regional Director that the petitioned-for classifications share a community of interest with the classifications in the existing unit. See *Walt Disney Parks & Resorts, U.S., Inc.*, 373 NLRB No. 99, slip op. at 5-6 (2024). More specifically, the petitioned-for classifications share a department and common overall supervision with the existing unit employees; the producers have daily, work-related contact with the directors, and the digital content producers and content coordinators work in the same newsroom as the directors; and the two groups share some common terms and conditions of employment, including being hourly employees subject to the same workplace rules. See *id.*, slip op. at 7-8; *Public Service Co. of Colorado*, 365 NLRB 1017, 1017 fn. 4 (2017). To the extent the existing employees have some different terms and conditions of employment dictated by a collective-bargaining agreement, these differences are entitled to less weight in the self-determination context. See *Public Service Co. of Colorado*, 365 NLRB at 1017 fn. 4.

We further find that there is functional integration between the petitioned-for classifications and the classifications in the existing unit because the Employer's directors code the broadcast in accordance with the producers' instructions, and because the broadcast technicians provide technical support services for all of the petitioned-for classifications. See *Transerv Systems, Inc.*, 311 NLRB 766, 766 (1993) (finding a "a high degree of functional integration" where bicycle messengers and drivers must work together to complete deliveries, such that "[a]pproximately 60-70 percent of the Employer's deliveries require a combination of a bicycle messenger and a driver"); *Publix Super Markets, Inc.*, 343 NLRB 1023, 1024-1025 (2004) (observing that some of the petitioned-for unit employees "perform support functions throughout the entire facility," and that these functions are "functionally integrated with all aspects of the plant" and "essential to all operations at the facility").

Contrary to the Regional Director's statement, we observe that interchange is not a "critical" factor in the self-determination analysis. See *Walt Disney Parks & Resorts, U.S., Inc.*, 373 NLRB No. 99, slip op. at 7 fn. 27. Nevertheless, we agree with the Regional Director that this factor weighs against a self-determination election here. We also find that the factors of skills and training and job duties weigh against a self-determination election. However, and on

JAMES R. MURPHY,	CHAIRMAN
DAVID M. PROUTY,	MEMBER
SCOTT A. MAYER,	MEMBER

Dated, Washington, DC, September 2, 2026.

balance, these factors are outweighed by the commonalities described above, and the Regional Director accordingly did not err in finding a community of interest between the petitioned-for classifications and the existing unit. See *Public Service Co. of Colorado*, 365 NLRB at 1017 fn. 4.

Finally, in denying review of the Regional Director’s determination that the petitioned-for producers are not statutory supervisors, we agree with the Regional Director, for the reasons stated in his decision, that the producers lack the authority to assign or responsibly direct employees. See *Peacock Productions of NBC Universal Media, LLC*, 364 NLRB 1523, 1525-1526 (2016). Accordingly, we need not (and do not) reach the question of whether the producers utilize independent judgment in creating the “rundown” for the Employer’s broadcasts.